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Part 1

**EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)**

# **Study on the functioning of judicial systems in the EU Member States**

## **Facts and figures from the CEPEJ questionnaires 2012 to 2022**

Study prepared under the authority of the Working Group on the evaluation of judicial systems  
(CEPEJ-GT-EVAL)  
for the attention of the European Commission (Directorate General Justice)

### **Part 1 - Data tables per indicator for all EU member States**

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# Executive summary

## English version

Since 2012 The European Commission has requested the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe, to conduct a study aimed at analysing the situation of the judicial systems in the EU member States based on the specific methodology developed and used by CEPEJ for evaluating the functioning of the judicial systems of Council of Europe member States.

This study is based on collecting, processing and analysing data and comments provided by member States through:

- selected data among those collected for the CEPEJ evaluation cycles (years of reference of the data: 2012, 2014, 2016, 2018, 2020 and 2022) .
- and specific questionnaires (for years of reference 2013, 2015, 2017, 2019, and 2021)

This study will constitute one of the sources used by the European Commission for the “EU justice Scoreboard”.

## Structure of the study

Following the last proposed technical specifications provided in the framework of the contract No JUST/2020/JACC/PR/RULE/0159 CEPEJ/European Commission, the study, based on 2022 data and also presenting the evolution in relation to 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020 and 2021 data, is structured in two main parts:

- the first part examines the judicial systems in the European Union (EU) member States providing data tables per indicator for all member States;
- the second part contains country profiles for each EU member state separately, with a contextual analysis.

## Main elements

The study, through the 8 indicators, provides an overview of the functioning of the justice public service based on the elements, selected by the European Commission and which, according to the CEPEJ, are constitutive of the effectivity and quality of judicial systems.

## Human resources

Different categories of judges (professional, occasional, non-professional) can serve the justice system. The 2022 study focuses on professional judges sitting in courts and the European Union average for this category of judges is 22,2 judges per 100 000 inhabitants (the median is 22,9 judges per 100 000 inhabitants). The lowest number of professional judges per 100 000 inhabitants is 3.3 and the highest is 42,4. The average value have slightly increased between 2020 and 2021.

It can be noted that compared with the previous cycle, the number of judges per 100 000 inhabitants increased for more than 1% in 9 member States, whereas it decreased by more than 1% in only three states which confirms the mentioned trend of increased average value. The remaining countries have reported smaller changes in numbers which can be interpreted as a normal fluctuation of human resources within a system.

This number depends considerably on the organisation of the judicial system and the existence of occasional judges, non-professional judges or even *Rechtspfleger*.

The existence alongside professional judges of competent staff with defined functions and a recognised status is essential for the quality and efficiency of a judicial system. A distinction is made between the five types of non-judge staff:

- the "Rechtspfleger" function),
- the non-judge staff whose function is to assist judges directly,
- the staff responsible for administrative matters,
- the technical staff,
- and other types of non-judge staff that fall outside of all the categories mentioned above.

The analysis of data provided by the member States shows different trends for the average and median values. Since 2012, the average number of non-judge staff per 100 000 inhabitants has increased by +2,7% while the median decreased by -5%. Compared with the last cycle, the average and median values showed the same increasing tendency of +1,5%. The European Union median of the non-judge staff per 100 000 inhabitants is 59,4 with lowest as 24,3 and highest as 161,4.

It is worth noting that 12 countries reported to have staff with "Rechspfleger" functions (or equivalent) among non-judge staff.

In this cycle, for the third time, the CEPEJ Study for the EU Justice Scoreboard includes prosecution services. The diversity in activities of the prosecution services are evident and the number of prosecutors per 100 000 inhabitant varies in European Union from minimum 2,7 to maximum 24,3 with an average of 11,7 and median of 11,1 prosecutors per 100 000 inhabitants. Compared to the previous cycle, both the average and median values increased by +2,4% and +2,8% respectively.

The prosecutors are assisted in their work by non-prosecutor staff attached to the prosecutors' offices. Their number varies largely in the Member States from 0,6 to 45,8 non-prosecutor staff per 100 000 inhabitants with an average 15,1 and median 14,4. Compared to the previous cycle, the average and median values increased slightly by +1,1% and +0,2% respectively).

Regarding salaries of judges and public prosecutors, it could be noted that their absolute amounts vary largely from state to state depending on mostly on the economic situation and GDP per capita levels. However, almost all states demonstrated increasing tendency from 2018 onwards, showing 18% increase on average for judges and very similar level for public prosecutors (19,5% for salaries on the beginning of career and 17% at the supreme court level on the end of career). When placed in national context, the judges at the beginning of career on average earn 2,2 average annual salaries in their respective countries, whereas this ratio is a bit lower for public prosecutors (1,8). Similar difference is identified for judges and prosecutors at the highest level where highest salary in the Supreme Court is on average 4,2 times higher than average salary, whereas public prosecutors of the corresponding level earn 3,6 average salaries.

## **Lawyers**

The average number of lawyers per 100 000 inhabitants in the EU member States has generally had an upward trend since 2013. Between 2021 and 2022, the same trend has continued as average value has increased by +4,7% while median value increased by 7,9%.

Even if the southern States seem to have larger bars (number of lawyers per 100 000 inhabitants), the wide dispersal of values, also verifiable with the number of lawyers per professional judge, is also likely to indicate a considerable heterogeneity within the tasks actually carried out by qualified persons and persons entitled to plead in accordance with national law, to act on behalf of his clients, to practice law, to take part in judicial proceedings or to advise and to represent their clients in legal matters (Definition of the lawyers' legal practice in accordance with the Recommendation Rec(2000)21 of the Committee of Ministers, Council of Europe).

## **Judicial organisation**

*The study distinguishes three types of courts:*

- courts of general jurisdiction that deal with any issues which are not attributed to specialised courts – their enumeration is made as legal entities for first, second and third instance
- specialised courts of first instance and those of higher instances (second and/or third instance combined), also considered as legal entities
- courts, at all levels and of first instance, as geographic locations

Since 2012, 14 countries have reduced their number of geographical locations, 2 have same number and 10 increased it. Between the last two cycles, 4 countries increased and 4 countries reduced number of courts' geographic locations.

The geographical locations per 100 000 inhabitants has decreased in most of the member States (the median was 1,71 per 100 000 inhabitants in 2012; 1,44 in 2015 and 1,46 in 2022 which is -14,7% decrease). The average shows a smaller decrease of -3%. (

As regards the distribution of the disputes between legal entities, all the EU member States except Czech Republic and Hungary have specialised courts of first instance.

The most frequent types of specialised courts in EU states are those that deal with administrative cases (exist in 87,5% of countries), labour legislation (46%) and commercial cases (42%).

Significant number of countries have also other not mentioned specialised courts (46%). While majority of countries have few types of specialised courts there are some that have many specialised courts for different matters like Spain and Portugal but also Austria, Cyprus, France and Italy. France, Portugal, Malta and Cyprus also have large number of specialised courts of 1st instance compared with all courts of 1st instance (83%, 75%, 64% and 63% respectively). There are few more countries with many different types of specialised courts, but they qualified them as “Other” so they cannot be easily compared with other systems.

This year for the third time the data on higher instances specialised courts was collected. Expectedly, their number is smaller than the 1st instance. Few countries have many specialised courts dealing with different cases on higher instances. In most of the other countries that have higher instance specialised courts, they concern administrative matters (19 countries). There are also some higher instance military courts as well. There are also 4 countries that have specialised courts on 1st instance but no specialised courts on higher instances. .

### **ADR - Alternative Dispute Resolution measures**

In various European countries, the use of alternative dispute resolution (ADR) measures is now widely accepted among the public and legal professionals. It contributes to the improvement of effectiveness of justice by providing courts users There are different types of ADR in the member countries:

*Mediation: refers to a voluntary trial in a non-binding private dispute settlement in which an impartial and independent third party assists the parties in facilitating discussions aiming to resolve their difficulties and to reach an agreement.*

Court-related mediation: within this type of mediation, there's always an intervention of a judge and of a prosecutor who facilitates, advises, decides and/or approves the procedure.

Conciliation: the main objective of a conciliator is to reconcile, most of the time he/she will do so by seeking for concessions. He/she may make suggestions to the parties aimed to settle a dispute. The conciliator has more power and plays a more proactive role in comparison with the mediator.

Arbitration: the parties choose a neutral third party - an arbitrator whose final decision is binding. The parties may present evidence and testimonies to the arbitrators. Sometimes, several arbitrators are appointed to work as a court.

Arbitration is most widely used for commercial disputes settlements because it provides a greater confidentiality.

Court-related mediation exists in all States, essentially in civil and commercial spheres. However, only 19 states have It could be noted that the median number of accredited or registered mediators per 100 000 inhabitants has strongly increased since 2012 (from 9,5 in 2012 to 17 in 2021). This may indicate an intent of the member States to support the policies of enhancement of ADR through increase number of trained mediators.

In this cycle, for the first time, the CEPEJ Study for the EU Justice Scoreboard includes data on notaries. Regarding the status of notaries in EU, it is important to note that in 22 states notaries are holders of public offices who exercise a public function and are appointed by the State. Thus, they are a subject of supervision by public authorities (for instance the Ministry of Justice) and exercise their functions in a regulated environment. The number of notaries per 100 000 inhabitant varies in European Union from minimum 2,6 to maximum 74 with an average of 12,2 and median of 7,6 notaries per 100 000 inhabitants.

### **System for measuring and evaluating the functioning of courts**

The majority of countries use national level quality standards for in courts and public prosecution services. The number of countries that defined these standards is above half of the EU members (15 states).

Regarding different modalities of monitoring that are intended to review the day-to-day activity of courts through data gathering and statistical analyses, they appear in all In EU countries. Many fields of courts activity are being monitored particularly case flow data, courts' decisions and efficiency indicators. monitoring.

Looking at the level of individual judges and public prosecutors, it could be noted that quantitative performance targets are defined for each judge in 9 countries, whereas 6 countries have these targets set for public prosecutors. Out of these countries, only one doesn't envisage sanctions if the targets are not met by judges and prosecutors, while others have a possibility to impose different sanctions with or without disciplinary procedure, such as warning by court president, temporary salary reduction, reflection in the individual assessment or other sanctions. Regarding Individual evaluation of the public prosecutors' work, quantitative evaluation exists in 10 countries whereas qualitative evaluation is used in 20 states.

## **Performance of the courts and public prosecution services**

One of the essential components of the proper functioning of courts is related to the respect of the fair trial principle within a reasonable time (Article 6 of the European Convention on Human Rights). This principle should be taken into account whenever analysing the workload of the court, the length of procedures and the specific measures to reduce the length of delays in proceedings and to improve the efficiency.

The CEPEJ has chosen to develop efficiency court indicators on the European level.

The first indicator is the Clearance Rate (CR) which indicates the capacity of the courts and judicial system to deal with the inflow of new cases.

The second indicator is the calculated Disposition Time (DT). This ratio between pending cases and resolved cases (in days) shows the theoretical duration for a court to solve all the pending cases.

When analysing the efficiency of the courts it is important to look at both indicators together and its evolution over time.

However, interpreting and comparing 2022 data with numbers from different cycles should be done with caution, due to the specific situation caused by the COVID-19 pandemic in 2020 and to some extent in 2021. This is why further observations are required to fully understand tendencies on both EU and individual countries' level.

### **Civil and commercial litigious cases**

Looking at the CR for first instance civil and commercial litigious cases, it should be noted that almost every year since 2012 the EU median has been equal or over 100%. The only exception is year 2020 when CR reached 98% as the impact of COVID-19 measures affected the work of courts the most during this year. In 2022 EU median is above 100% but decreased compared to the previous year (from 102,5% in 2021 to 100,5% in 2022). Comparing individual countries' data for 2022 and 2021, most of them (18) show decreased CRs which in line with the mentioned trend. The largest decreases registered in Romania (-6 percentage points), Denmark, France, Italy, Poland and Slovenia (-5 percent points each). On the other side, five countries experience improvements of the CR with more notable increases in Greece and Malta (with 11 and 9 percentage points respectively) and extreme rise in Croatia by 64 percentage points. To understand fully this comparison between the cycles, we need to look if the number of incoming and resolutions-of-the-notary.html ic authority. This is the reason why only Hungarian citizens can be appointed public notaries and this is why some elements of the notaries' obligations are similar to those of judges. Namely, the appointment is only possible as a result of an open selection procedure, and it is restricted to the jurisdiction of the local court; in case of notary's absence, a substitute may only be ass

As regards the Disposition Time, there are not such clear trends. 13 member states increased their DT compared to 2021. More specifically, 2 countries increased it by more than 10%, 6 countries from 5-10%, 5 countries from 0-5%. On the other hand, 9 countries decreased their DT, 3 of them by more than 10%, 3 between 5% and 10% and 3 by less than 5%. The average and median numbers have not demonstrated large fluctuations but also show different tendencies. The average DT decreased by -3,4% and median DT increased by 2,2%. Considering such diverse results, no general trends can be identified and individual countries' DT variations should be observed and contextualised with evolution of the number of cases.

### **Administrative law cases**

Compared with other categories of first instance cases in EU, administrative cases generally have highest Disposition Time of 356 days on average. For example, they still take notably longer time than the civil and commercial cases that need 282 days on average in 2022. However, it is evident that average DT decreased significantly for these cases when we compare the results with previous years, 400 days in 2021 and 411 days in 2020.

The number of countries that decreased their Disposition Time for administrative cases is 15, whereas 10 countries increased disposition time. 8 countries decreased the DT significantly (more than 10%), such as Cyprus, Latvia and Malta. 7 decreased moderately and 10 increased DT among which some significantly (above 10% increase) such as Belgium and Hungary.

Increased Clearance Rate is identified in 16 countries among which Cyprus, Latvia, Malta, and Slovak Republic had above +10 percent points increase. CR decreased in 9 countries, out of which significantly (above 10 percent points) only in 2, Austria and Belgium.

This analysis shows that majority of states have demonstrated favourable developments in 2022 regarding administrative cases, since more than half of states have decreased their DT and increased their CR. However, more efforts will be required in future years to continue shortening the disposition time and come closer to DT levels of civil and criminal cases.

### **Criminal law cases**

This is the third year in which criminal cases will be reported as part of this study. Consequently, the focus will be only on 2022, 2021 and 2020 data without comparison with previous data.

Looking at the efficiency indicators for the first instance criminal cases, it is immediately notable that CR was not very high in 2022 as EU average is 97,4% while median was on a borderline level of 100%. This situation is almost identical as in 2021. However, this still represents a significant improvement compared to 2020 when average value for the whole European Union was 92,9% whereas median was at the level of 95,2%. Furthermore, in 2020 only three countries achieved CR over 100% while in 2021 and 2022 half of the EU member States reached this level. At the end, it is important to note that 17 countries improved their CR while seven decreased its level in 2022 which leads to a conclusion that CR is continuously improving and getting on a more satisfactory level.

Regarding Disposition time, the situation seems to be more favourable than in Civil and commercial litigious and administrative law cases. The situation seems to be almost identical to the last year. In 2022 the average is 162 and median 136 days whereas in 2021 the average value was 161 days and median was at the level of 134 days. The improvements are visible also on the individual countries' DTs as 15 states reduced it while only 7 countries rose its level. The maximum values were again observed in Malta (527 days) and Italy (355 days) but both states showed significant improvements compared to 2021 and 2020. The lowest DT was recorded in Estonia (36 days) and Hungary (44 days) same as last year.

Although the CR and DT in criminal cases show clear improvements after year 2020 that was the most affected by the global pandemic, the situation should still be monitored. The level of CR lower than 100% was reported in almost half of the states which might lead to backlog formation and corresponding increase of DT in the future years. Therefore, affected states should put efforts to prevent such negative developments. Also, countries with very high DT should continue reducing it toward average or median EU levels in future years.

### **Public prosecutors: Total number of 1st instance criminal cases**

This is the third year in which public prosecutors' cases will be reported as part of this study. Consequently, the focus will be only on 2022, 2021 and 2020 data without comparison with previous data.

During 2022, the average value of cases received by public prosecution services in the European Union was 3,2 cases per 100 inhabitants. The number of cases processed was at approximately same level. The similar tendency was recorded for average numbers in 2021 and 2020 but with slightly lower values. The identified tendency of median showed slightly higher number for resolved cases compared with incoming (2,9 for incoming and 3,0 for resolved). The median values were also lower than average numbers probably because the average was affected by the very large number of cases reported for some of the countries, such as Luxembourg with 9,9 incoming and Denmark with 7,9 processed cases.

Out of processed cases, there were 3 discontinued cases per 100 inhabitants and 0,5 cases brought to court (median values).

Looking at the individual countries, it is interesting to note that out of 21 systems that provided relevant data, 7 states have more processed than received cases, whereas in 13 states received outnumbered processed cases which might potentially lead to accumulation of backlogs in the respective prosecution services. Comparing the number of processed cases as percentage of received cases over the last two cycles, it could be concluded that only one state managed to improve this ratio. Analysis of these two indicators implies decrease in efficiency of public prosecution services during 2022 compared with 2021.

### **The information and communication technology (ICT) in courts**

While initially acting as a simple support tool for productivity, the information and communication technology (ICT) is always one of the major levers for improvement of the efficiency of courts. The increasing role of the ICT in assisting strategic decision making and improving productivity and efficiency, is indeed based on the extraordinary possibilities of the automation of tasks and the inevitable general technological progress.

The questions related to ICT in this cycle was reworked completely and it now consist of 38 question that include deployment and usage rate of different tools used in courts. For the needs of this study EC has selected four questions related to two different tools: writing assistance tools and recording of court hearings.

The data show that only 2 countries in EU do not have writing assistance tools, one country did not manage to reply to this question, while in the others these tools are very present and majority of the countries (from 58% to 69%) reported 95-100% deployment rate on these tools in all three matters. Collection of information on usage rate is a complement on the deployment rate collected in previous cycles. For this tool it shows quite high usage rate and 39% to 52% of the countries reported 95-100% usage rate for the three civil and commercial, administrative, and criminal matter. Functionalities of the writing assistance tools are predominantly templates, which is true for all countries but quite many also have automatically generated text, electronic signature, and speech to text features. Only Latvia has automatic suggestion of decision for all matter while Luxembourg has for criminal matter only.

For the recording of court hearings, it's worth noting that more countries (9) are not having or are not able to provide reply on deployment and usage rate as well as functionalities of these tools. For those that have provided information on this tool it should be noted that deployment rate is higher for civil and for criminal matter and slightly lower for administrative.

As for functionalities, for example for civil matter 18 countries use audio recording and only 5 also video of hearings. Situation is similar for criminal but much less countries seem to record hearings in administrative matter. In some countries the recording is systematic for all hearings. This is the case in 10 countries in civil, 8 in administrative and 9 in criminal matter.

### **Version française**

Depuis 2012, la Commission européenne a demandé à la Commission européenne pour l'efficacité de la justice (CEPEJ) du Conseil de l'Europe de réaliser une étude ayant pour objet l'analyse de la situation des systèmes judiciaires dans les Etats membres de l'UE, basée sur la méthodologie propre développée et utilisée par la CEPEJ dans le cadre de l'évaluation du fonctionnement des systèmes judiciaires des Etats membres du Conseil de l'Europe.

Cette étude s'appuie sur la collecte, le traitement et l'analyse des données et commentaires communiqués par les Etats membres au travers de :

- données sélectionnées parmi les données collectées dans le cadre de cinq cycles d'évaluation (données des années de référence 2012, 2014, 2016, 2018, 2020 et 2022)
- et de questionnaires spécifiques (pour les années de référence 2013, 2015, 2017, 2019 et 2021).

Cette étude sera l'une des sources utilisées par la Commission Européenne pour rédiger le « Tableau de bord de la justice dans l'UE ».

### **Structure du rapport**

Conformément à la dernière proposition technique rédigée dans le cadre du contrat No JUST/2020/JACC/PR/RULE/0159 CEPEJ/Commission Européenne, l'étude porte sur les données de 2022 et leurs évolutions par rapport aux données de 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020 et 2021. Elle est divisée en deux parties :

la première décrit les systèmes judiciaires des Etats membres de l'Union européenne (UE) à l'aide de tableaux de données par indicateur pour tous les Etats membres ;

la seconde contient des fiches par pays, qui réalisent une analyse contextualisée pour chaque Etat membre de l'UE.

### **Principaux éléments**

L'étude, au travers de 8 indicateurs, dresse un état des lieux relatif au fonctionnement du service public de la justice sur la base des éléments sélectionnés par la Commission Européenne parmi ceux qui, d'après la CEPEJ, sont principalement constitutifs de l'efficacité et de la qualité des systèmes judiciaires.

### **Ressources humaines**

Plusieurs catégories de juges (professionnels, occasionnels, non professionnels) peuvent contribuer au système judiciaire. L'étude 2022 se concentre sur les juges professionnels siégeant dans les tribunaux et la moyenne de l'Union Européenne pour cette catégorie de juges s'élève à 22,2 juges pour 100 000 habitants (la médiane est de 22,9 juges pour 100 000 habitants). Le nombre le plus faible de juges professionnels pour 100 000 habitants est de 3,3 et le plus élevé de 42,4. La moyennes a légèrement augmenté entre 2020 et 2021.

On peut noter que, par rapport au cycle précédent, le nombre de juges pour 100 000 habitants a augmenté de plus de 1% dans 9 Etats membres, alors qu'il n'a diminué de plus de 1% que dans trois pays, ce qui confirme la tendance mentionnée de l'augmentation de la valeur moyenne. Les autres pays ont fait état de variations moins importantes, ce qui peut être interprété comme une fluctuation normale des ressources humaines au sein d'un système.

Ce nombre dépend considérablement de l'organisation du système judiciaire et de l'existence de juges occasionnels, de juges non professionnels ou même de Rechtspfleger.

L'existence aux côtés des juges professionnels d'un personnel compétent avec des fonctions définies et un statut reconnu est une condition essentielle pour la qualité et l'efficacité d'un système judiciaire.

Une distinction est opérée entre cinq types de personnels non-juges :

- la fonction de "Rechtspfleger",
- le personnel non-juge dont la fonction est d'assister directement les juges,
- les personnes responsables de tâches administratives,
- le personnel technique,
- les personnels non-juges n'entrant dans aucune de ces catégories.

L'analyse des données fournies par les États membres montre des tendances différentes pour les valeurs moyennes et médianes. Depuis 2012, le nombre moyen de personnel non-juge pour 100 000 habitants a augmenté de 2,7% alors que la médiane a diminué de 6,4%. Par rapport au dernier cycle, les valeurs médiane et moyenne montrent la même tendance à l'augmentation de 1,5%. La médiane de l'Union européenne du personnel non-juge pour 100 000 habitants est de 59,4 avec un minimum de 22,3 et un maximum de 164.

Il convient de noter que 12 pays ont indiqué l'existence parmi les personnels non-juge des fonctions de "Rechtspfleger" (ou équivalent).

Pour ce cycle, pour la troisième fois, l'étude de la CEPEJ pour le tableau de bord de la justice de l'UE inclut les services des ministères publics. La diversité des activités des ministères publics est évidente et le nombre de procureurs pour 100 000 habitants varie dans l'Union européenne d'un minimum de 2,7 à un maximum de 24,3 avec une moyenne de 11,7 et une médiane de 11,1 procureurs pour 100 000 habitants. Par rapport au cycle précédent, la valeur moyenne, tout comme la médiane, ont augmenté respectivement de 2,4% et 2,8%.

Les procureurs sont assistés dans leurs fonctions par du personnel non-procureur attaché aux ministères publics. Leur nombre varie considérablement de 0,6 à 45,8 personnels non-procureurs pour 100 000 habitants avec une moyenne de 15,1 et une médiane de 14,4. Par rapport au cycle précédent, les valeurs moyenne et médiane ont légèrement augmenté (respectivement de 1,1% et 0,2%).

## **Avocats**

Le nombre moyen d'avocats pour 100 000 habitants dans les États membres de l'UE a généralement connu une tendance à la hausse depuis 2013, et cette tendance s'est confirmée entre 2020 et 2021 avec une valeur moyenne en augmentation de 4,7% tandis que la valeur médiane a augmenté de 7,9%.

Même si les Etats du sud paraissent avoir des barreaux plus importants (nombre d'avocats pour 100 000 habitants), la forte dispersion des valeurs, également vérifiable avec le nombre d'avocats par juge professionnel, est également susceptible de révéler une grande hétérogénéité dans les tâches effectivement exercées par des personnes qualifiées et habilitées conformément au droit national à plaider, à agir au nom de ses clients, à pratiquer le droit, à ester en justice ou à conseiller et représenter leurs clients en matière juridique (Définition de l'activité d'avocat au regard de la Recommandation Rec(2000)21 du Comité des Ministres du Conseil de l'Europe).

## **Organisation judiciaire**

L'étude distingue trois types de tribunaux :

- les tribunaux de droit commun compétents dans toutes les matières pour lesquelles la compétence n'a pas été attribuée à une juridiction spécialisée – leur dénombrement est effectué en tant qu'entités juridiques pour les première, seconde et troisième instance
- les tribunaux spécialisés de première instance et d'instances supérieures (seconde et/ou troisième instance combinées), compris également comme entités juridiques

- les tribunaux, tous niveaux confondus et de première instance, en tant qu'implantations géographiques

Depuis 2012, 14 pays ont réduit leur nombre d'implantations géographiques, 2 ont conservé le même nombre, tandis que 10 pays ont augmenté ce nombre. Entre les deux derniers cycles, 4 pays ont augmenté et 4 pays ont réduit le nombre d'implantations géographiques.

Le nombre d'implantations géographiques pour 100 000 habitants a diminué dans la plupart des Etats membres (la médiane était de 1,71 tribunaux pour 100 000 habitants en 2012, 1,44 en 2015 et 1,46 en 2022, ce qui représente une baisse de 14,7 %). La moyenne montre une légère diminution de 3%.

En ce qui concerne la répartition des contentieux entre entités juridiques, tous les Etats membres de l'Union Européenne, à l'exception de la République tchèque et de la Hongrie, disposent de tribunaux de première instance spécialisés.

Le type de tribunaux spécialisés existants le plus souvent dans les Etats Membres de l'UE sont ceux qui traitent des affaires administratives (qui existent dans 87,5% des pays), de la législation de travail (46%) et des affaires commerciales (42%).

Un nombre significatif de pays dispose également d'autres tribunaux spécialisés non mentionnés (46%). Alors que la majorité des pays ont peu de types de tribunaux spécialisés, certains ont de nombreux tribunaux spécialisés dans différentes matières comme l'Espagne et le Portugal mais aussi l'Autriche, Chypre, la France et l'Italie. La France, le Portugal et Malte ont également un grand nombre de tribunaux spécialisés de 1ère instance par rapport à l'ensemble des tribunaux de 1ère instance (83%, 75%, 64 % et 63% respectivement). Il existe quelques autres pays avec de nombreux types différents de tribunaux spécialisés, mais ils les ont qualifiés d'"autres", de sorte qu'ils ne peuvent pas être facilement comparés à d'autres systèmes.

Cette année, pour la troisième fois, les données sur les tribunaux spécialisés d'instances supérieures ont été collectées et, bien sûr, leur nombre est inférieur à celui de la première instance. Peu de pays disposent d'un grand nombre de tribunaux spécialisés traitant de différentes affaires au niveau des instances supérieures. Dans la plupart des autres pays qui disposent de tribunaux spécialisés au niveau des instances supérieures, ceux-ci traitent de questions administratives (19 pays). Il existe également des tribunaux militaires au niveau d'instances supérieures. Il y a également 4 pays qui ont des tribunaux spécialisés en première instance mais pas de tribunaux spécialisés au niveau des instances supérieures.

### **Mesures alternatives au règlement des litiges (ADR - alternative dispute resolution)**

Dans différents pays européens, l'utilisation des mesures alternatives au règlement des litiges (ADR) est maintenant largement acceptée par le public et les professionnels du droit. Ces mesures contribuent à l'amélioration de l'efficacité de la justice en fournissant aux usagers des alternatives à une procédure judiciaire régulière.

Il existe différents types d'ADR dans les pays membres :

La médiation: il s'agit d'un procès volontaire, non contraignant de règlement des litiges privés dans lequel un tiers impartial et indépendant aide les parties à faciliter la discussion afin de les aider à résoudre leurs difficultés et de parvenir à un accord

La médiation conduite ou renvoyée par le tribunal : dans ce type de médiation, il y a toujours intervention d'un juge, d'un procureur qui facilite, conseille, décide ou/et approuve la procédure.

La conciliation: le principal objectif du conciliateur est de concilier, la plupart du temps en recherchant des concessions. Il/Elle peut proposer aux parties des suggestions pour le règlement d'un litige. Par rapport au médiateur, le conciliateur a plus de pouvoir et il est davantage proactif.

L'arbitrage: les parties choisissent un tiers impartial - un arbitre, dont la décision définitive est contraignante. Les parties peuvent présenter des preuves et des témoignages devant les arbitres. Parfois, il y a plusieurs arbitres désignés qui travaillent en tant que juridiction. L'arbitrage est le plus souvent utilisé pour la résolution des litiges commerciaux car il offre une plus grande confidentialité.

La médiation conduite ou renvoyée par le tribunal existe dans tous les Etats, essentiellement en matière civile ou commerciale. Toutefois, seuls 19 États ont des médiateurs accrédités/enregistrés et peuvent fournir leur nombre.

Il convient de noter que la médiane du nombre de médiateurs agréés ou enregistrés pour 100 000 habitants a fortement augmenté depuis 2012 (de 9,5 en 2012 à 17 en 2021). Cela peut indiquer une intention des États membres de soutenir les politiques de renforcement des ADR par l'augmentation du nombre de médiateurs formés.

Dans ce cycle, pour la première fois, l'étude de la CEPEJ pour le tableau de bord de la justice de l'UE inclut des données sur les notaires. En ce qui concerne le statut des notaires dans l'UE, il est important de noter que dans 22 Etats, les notaires sont des titulaires de charges publiques qui exercent une fonction publique et sont nommés par l'Etat. Ils sont donc soumis au contrôle des autorités publiques (par exemple le ministère de la justice) et exercent leurs fonctions dans un environnement réglementé. Le nombre de notaires pour 100 000 habitants varie dans l'Union Européenne entre un minimum de 2,6 et un maximum de 74, avec une moyenne de 12,2 et une valeur médiane de 7,6 notaires pour 100 000 habitants.

### **Système pour mesurer et évaluer le fonctionnement des tribunaux**

La majorité des pays utilisent des normes de qualité au niveau national dans les tribunaux et les services des ministères publics. Le nombre de pays ayant défini ces normes est supérieur à la moitié des Etats membres de l'UE (15 États).

En ce qui concerne les différentes modalités de suivi destinées à examiner l'activité quotidienne des tribunaux par le biais de la collecte de données et d'analyses statistiques, elles existent dans tous les pays de l'UE. De nombreux domaines de l'activité des tribunaux font l'objet d'un suivi, en particulier les données sur les flux d'affaires, les décisions des tribunaux et les indicateurs d'efficacité.

Si l'on considère le niveau des juges et des procureurs individuellement, on peut noter que des objectifs quantitatifs de performance sont définis pour chaque juge dans 9 pays, tandis que 6 pays fixent ces objectifs pour les procureurs. Parmi ces pays, un seul n'envisage pas de sanctions si les objectifs ne sont pas atteints par les juges et les procureurs, tandis que les autres ont la possibilité d'imposer différentes sanctions avec ou sans procédure disciplinaire, telles que l'avertissement par le président du tribunal, la réduction temporaire du salaire, la prise en compte dans l'évaluation individuelle ou d'autres sanctions.

En ce qui concerne l'évaluation individuelle du travail des procureurs, l'évaluation quantitative existe dans 10 pays, tandis que l'évaluation qualitative est utilisée dans 20 États.

### **Performance des tribunaux et services du ministère public**

Un des éléments essentiels du bon fonctionnement des tribunaux est lié au respect du principe fondamental du procès équitable dans un délai raisonnable (Article 6 de la Convention Européenne des Droits de l'Homme). Ce principe doit être pris en compte lors de l'analyse de la charge de travail du tribunal, de la durée des procédures et des mesures spécifiques pour réduire la durée des retards dans les procédures et améliorer l'efficacité.

La CEPEJ a choisi de développer des indicateurs d'efficacité des tribunaux au niveau européen.

Le premier indicateur est le taux de variation du stock d'affaires pendantes (Clearance Rate-CR) qui montre la capacité du tribunal et du système judiciaire à faire face au flux d'affaires nouvelles.

Le second indicateur est la durée estimée d'écoulement du stock. Ce ratio entre les affaires pendantes et les affaires terminées (en jours) indique la durée théorique pendant laquelle un tribunal doit résoudre toutes les affaires pendantes.

Lorsque l'on analyse l'efficacité des tribunaux, il est important d'examiner les deux indicateurs ensemble et leur évolution dans le temps.

Toutefois, l'interprétation et la comparaison des données 2022 avec celles de différents cycles doit être faite avec prudence, en raison de la situation spécifique causée par la pandémie de COVID-19 en 2020 et, dans une certaine mesure, en 2021. C'est pourquoi des observations supplémentaires sont nécessaires pour comprendre pleinement les tendances au niveau de l'UE et des pays individuels.

### **Affaires civiles et commerciales contentieuses**

Si l'on examine le Clearance rate (CR) des affaires civiles et commerciales de première instance, il convient de noter que la médiane de l'UE est égale ou supérieure à 100 % presque chaque année depuis 2012. La seule exception est l'année 2020, où le CR a atteint 98 %, car c'est au cours de cette année que l'impact des mesures COVID-19 a le plus affecté le travail des tribunaux. En 2022, la médiane de l'UE est supérieure à 100% mais diminue par rapport à l'année précédente (de 102,5 % en 2021 à 100,5 % en 2022). Si l'on compare les données des différents pays pour 2022 et 2021, la plupart d'entre eux (18) affichent des diminutions des CR, ce qui correspond à la tendance mentionnée. Les plus fortes diminutions étant enregistrées en Roumanie (-6 points de pourcentage), au Danemark, en France, Italie, Pologne et Slovénie (-5 points de pourcentage chacun). Cinq pays connaissent par ailleurs une amélioration de leur CR, avec une augmentation plus notable en Grèce et à Malte (avec 11 et 9 points de pourcentage respectivement).

Pour mieux comprendre cette comparaison entre les cycles, nous devons examiner si le nombre d'affaires nouvelles et terminées a augmenté ou diminué au cours de ces deux années. Les données montrent que dans 18 pays, les affaires terminées ont diminué plus ou augmenté moins que les affaires nouvelles, ce qui a entraîné la baisse mentionnée du CR. Les valeurs médianes montrent une tendance similaire : les affaires nouvelles ont augmenté de 8,4 % par rapport à 2021, mais la médiane des affaires terminées n'a augmenté que de 1,4 %, ce qui a entraîné la baisse du CR par rapport à 2021.

En ce qui concerne le Disposition Time (DT), il n'existe pas de tendance aussi marquée. 13 États membres ont vu leur DT augmenter par rapport à 2021. Plus précisément, 2 pays ont connu une augmentation de plus de 10%, 6 pays de 5 à 10%, 5 pays de 0 à 5%. Par ailleurs, 9 pays ont vu leur DT diminuer, dont 3 de plus de 10%, 3 entre 5% et 10% et 3 de moins de 5%. Les valeurs moyennes et médianes n'ont pas connu de grandes fluctuations, mais montrent également des tendances différentes. Le DT moyen a diminué de 3,4 % et le DT médian a augmenté de 2,2 %. Compte tenu de la diversité des résultats, aucune tendance générale ne peut être identifiée et les variations du DT de chaque pays doivent être observées et mises en contexte avec l'évolution du nombre d'affaires.

### **Affaires de droit administratif**

Par rapport aux autres catégories d'affaires de première instance au sein de l'UE, les affaires administratives présentent en général le DT le plus élevé, soit 356 jours en moyenne. Elles sont par exemple nettement plus longues que les affaires civiles et commerciales, qui nécessitent 282 jours en moyenne en 2022. Il est cependant évident que le DT moyen a diminué de manière significative pour ces affaires si l'on compare les résultats avec les années précédentes, 400 jours en 2021 et 411 jours en 2020.

Le nombre de pays qui ont diminué leur DT pour les affaires administratives est de 15, tandis que 10 pays ont augmenté ce DT. 8 pays ont diminué le DT de manière significative (plus de 10%), comme Chypre, la Lettonie et Malte. 7 ont diminué modérément et 10 ont augmenté le délai de traitement, dont certains de manière significative (augmentation supérieure à 10%), comme la Belgique et la Hongrie.

L'augmentation du Clearance Rate peut être identifiée dans 16 pays parmi lesquels Chypre, la Lettonie, Malte et la République slovaque qui ont enregistré une augmentation de plus de +10 points de pourcentage.

Le Clearance Rate a diminué dans 9 pays, et de manière significative (plus de 10 points de pourcentage) seulement dans 2 d'entre eux, l'Autriche et la Belgique.

Cette analyse montre que la majorité des États ont évolué favorablement en 2022 en ce qui concerne les affaires administratives, puisque plus de la moitié d'entre eux ont diminué leur DT et augmenté leur CR. Toutefois, des efforts supplémentaires seront nécessaires dans les années à venir pour continuer à réduire les DT et se rapprocher des niveaux des DT des affaires civiles et pénales.

### **Affaires de droit pénal**

Il s'agit de la troisième année pour laquelle des affaires pénales seront examinées dans le cadre de cette étude. Par conséquent, l'accent sera mis uniquement sur les données de 2022, 2021 et 2020 sans comparaison avec les données précédentes.

Si l'on examine les indicateurs d'efficacité pour les affaires pénales de première instance, on remarque d'emblée que le CR n'était pas très élevé en 2022, la moyenne de l'UE étant de 97,4 % tandis que la médiane se situait à la limite de 100 %. La situation est quasiment identique à celle de 2021. Toutefois, cela représente tout de même une amélioration significative par rapport à 2020, où la valeur moyenne pour l'ensemble de l'Union européenne était de 92,9 % alors que la médiane se situait au niveau de 95,2 %. En outre, en 2020, seuls trois pays ont atteint un CR de 100 % ou plus, alors qu'en 2021 et 2022, la moitié des États membres de l'UE ont atteint ce niveau. Enfin, il est important de noter que 17 pays ont amélioré leur CR alors que sept États l'ont diminué en 2022, ce qui permet de conclure que le CR s'améliore continuellement et atteint un niveau plus satisfaisant.

En ce qui concerne le DT, la situation semble être plus favorable que pour les affaires civiles et commerciales et de administratives. La situation semble quasiment identique à celle de l'année dernière. En 2022, la moyenne est de 162 jours et la médiane de 136 jours, alors qu'en 2021, la valeur moyenne était de 161 jours et la médiane de 134 jours. Les améliorations sont également visibles sur les DT des différents pays, puisque 15 États les ont réduits tandis que 7 pays seulement les ont augmentés. Les valeurs maximales ont de nouveau été observées à Malte (527 jours) et en Italie (355 jours), mais ces deux pays ont enregistré des améliorations significatives par rapport à 2021 et 2020. Le DT le plus faible a été enregistré en Estonie (36 jours) et en Hongrie (44 jours), comme l'année dernière.

Bien que les CR et DT des affaires pénales s'améliorent clairement après l'année 2020 qui a été la plus touchée par la pandémie mondiale, la situation doit encore être surveillée. Un niveau de CR inférieur à 100 % a été signalé dans près de la moitié des États, ce qui pourrait entraîner la création d'arriérés et une augmentation correspondante du DT dans les années à venir. Par conséquent, les États concernés doivent s'efforcer de prévenir de telles évolutions négatives. De même, les pays présentant un niveau de DT très élevé doivent continuer à le réduire pour atteindre les niveaux moyens ou médians de l'UE dans les années à venir.

### **Procureurs publics : Nombre total d'affaires pénales de première instance**

Il s'agit de la troisième année au cours de laquelle les affaires des procureurs seront traitées dans le cadre de cette étude. Par conséquent, l'accent sera mis uniquement sur les données de 2022, 2021 et 2020 sans comparaison avec les données précédentes.

En 2022, la valeur moyenne des affaires reçues par les services du ministère public dans l'Union européenne était de 3,2 affaires pour 100 habitants. Le nombre d'affaires traitées se situait approximativement au même niveau. La tendance identifiée de la valeur médiane montre un nombre légèrement plus élevé d'affaires terminées que d'affaires nouvelles (2,9 pour les affaires nouvelles et 3,0 pour les affaires terminées). Les valeurs médianes étaient également inférieures aux nombres moyens, probablement parce que la moyenne était affectée par le très grand nombre d'affaires indiqués pour certains pays, tels que le Luxembourg avec 9,9 cas entrants et le Danemark avec 7,9 cas traités.

Parmi les affaires traitées, il y a eu 3 affaires classées pour 100 habitants (valeur médiane) et 0,5 affaire portée devant le tribunal (valeur médiane).

Si l'on considère les pays individuellement, il est intéressant de noter que sur les 21 systèmes qui ont fourni des données pertinentes, 7 États ont plus d'affaires traitées que d'affaires nouvelles, tandis que dans 13 États, les affaires nouvelles étaient plus nombreuses que les affaires traitées, ce qui pourrait potentiellement conduire à l'accumulation d'arriérés dans les services de poursuite respectifs. En comparant le nombre d'affaires traitées en pourcentage des affaires nouvelles au cours des deux derniers cycles, on peut conclure que seulement un État a réussi à améliorer ce ratio. L'analyse de ces deux indicateurs suggère une diminution de l'efficacité des services du ministère public en 2022 par rapport à 2021.

### **L'utilisation des technologies de l'information et de la communication (TIC) dans les tribunaux**

Alors qu'elles agissaient initialement comme un simple outil de soutien à la productivité, les technologies de l'information et de la communication (TIC) constituent toujours l'un des principaux leviers d'amélioration de l'efficacité des tribunaux. Le rôle croissant des TIC dans l'aide à la prise de décision stratégique et l'amélioration de la productivité et de l'efficacité, repose en effet sur les possibilités extraordinaires de l'automatisation des tâches et l'inévitable progrès technologique général.

Les questions relatives aux TIC dans ce cycle ont été complètement remaniées et consistent maintenant en 38 questions qui incluent le taux de déploiement et le taux d'utilisation des différents outils utilisés dans les tribunaux. Pour les besoins de cette étude, la Commission européenne a sélectionné quatre questions relatives à deux outils différents : les outils d'assistance à la rédaction et l'enregistrement des audiences.

Les données montrent que seuls 2 pays de l'UE ne disposent pas d'outils d'assistance à la rédaction, un pays n'a pas pu répondre à cette question, alors que dans les autres pays, ces outils sont très présents et la majorité des pays (de 58% à 69%) ont déclaré un taux de déploiement de 95-100% de ces outils dans les trois matières. Les informations collectées sur le taux d'utilisation sont un complément de celles concernant le taux de déploiement collectées pour les cycles précédents. Pour cet outil, le taux d'utilisation est assez élevé : 39 à 52 % des pays ont déclaré un taux d'utilisation de 95 à 100 % pour les trois catégories suivantes : affaires civiles et commerciales, affaires administratives et affaires pénales. Les fonctionnalités des outils d'aide à la rédaction sont principalement des modèles, ce qui est vrai pour tous les pays, mais un grand nombre d'entre eux disposent également de textes générés automatiquement, de la signature électronique et de la conversion automatique de la voix en texte. Se general implementing legislation. The office of a notary is incompatible with entrepreneurial activities or other gainful activity, except for the management of the

En ce qui concerne l'enregistrement des audiences, il convient de noter que davantage de pays (9) n'ont pas ou ne sont pas en mesure de fournir des réponses sur le taux de déploiement et d'utilisation, ainsi que sur les fonctionnalités de ces outils. Pour ceux qui ont fourni des informations sur cet outil, il est notable que le taux de déploiement est plus élevé pour les affaires civiles et pénales et légèrement inférieur pour les affaires administratives. En ce qui concerne les fonctionnalités, pour les affaires civiles, 18 pays utilisent l'enregistrement audio et seulement 5 l'enregistrement vidéo des audiences. La situation est similaire en matière pénale, mais beaucoup moins de pays semblent enregistrer les audiences en matière administrative. Dans certains pays, l'enregistrement est systématique pour toutes les audiences. C'est le cas dans 10 pays en matière civile, 8 en matière administrative et 9 en matière pénale.

# Methodology

The methodology used for this study completely follows CEPEJ methodology for its biennial evaluation using a questionnaire for evaluating judicial systems. This Scheme is filled by the CEPEJ's national correspondents, whose responses are statistically processed and analysed by the Secretariat of the CEPEJ.

Such inter-governmental work requires permanent dialogue and full transparency with the member states of the Council of Europe.

- **Data collection, validation and analysis**

Numbers indicated between brackets following the letter Q refer to the questions of the CEPEJ questionnaire.

From a methodological point of view, and with a commitment to quality, consistency and comparability of the data supplied, data collection is primarily responsibility of the CEPEJ's national correspondents. The national correspondents are the unique interlocutors of the Secretariat when collecting new data. States providing such data are liable for the quality of data used in the survey.

According to CEPEJ methodology, an extensive work is carried out by the CEPEJ Secretariat to verify the quality of the data submitted by the correspondents. This quality check process requires a certain time in order to guarantee the reliability of the quantitative and qualitative data to be finally presented to European Commission.

The reference year for the last data collection is 2022. As for previous cycles, wherever data is not possible to obtain notation NA (not available) is used. Only in exceptional cases and only for questions that are used for standardisation, CEPEJ can accept previous cycle data. This data is population, GDP per capita and average annual salary.

The study itself is based on 2022 data as well on previous cycles (every year, starting with 2012) wherever evolution and trends are presented. "

The selected ICT questions for this cycle are new but limited to only few and the answers are presented in its original form without calculating an index.

- **The quality of data**

The reader should bear in mind and always interpret statistical figures presented (including in the country fiches) in the light of their attached narrative comments which allow to contextualise the data and give more information on each specific judicial system.

The CEPEJ has chosen to process and present only the data which offered a high level of quality and accountability: it decided to disregard figures which were too different from one country to another or from one exercise to another without sufficient explanations, or when they did not present sufficient guarantees of reliability. For some issues covered by this study, no data could be provided. This could mean that none were available, that the data could not be collected as such or that no data meeting these requirements had been provided within the deadline set.

- The following abbreviations have been used in this study:

NA: data not available;

NAP: data non applicable;

CR: Clearance Rate;

DT: Disposition Time.

## Methodological disclaimer

1) The data analysed have been provided by the member states and/or have then been validated during quality control process finalised mid December 2023. Amendments provided by member states after the delivery of this study may appear in future reports, as CEPEJ's database is regularly updated. This also explains why previous cycle data updated on the day of this delivery, may not always fully coincide with the data published in previous CEPEJ reports and studies (even sometimes replacing data with "NA").

The validation has been made according to CEPEJ's methodology. However, the full reliability of data depends mostly on the data providers. It should be kept in mind that the accuracy of some entries was confirmed by national correspondents without specific explanation on potential discrepancies.

2) Some data cannot be compared with previous data since the questionnaire was modified between the different evaluation cycles, this is signalled in comments or footnotes under the concerned tables.

3) It should also be noted that the minimum, maximum, average and median values in certain tables are calculated with quantified data (excluding answers "NA" or "NAP").

4) Certain indicators as well as variations might appear as outliers only because of small absolute numbers. This could be the case of small countries, In this case the indicator or variation is not considered as relevant.

5) The CEPEJ works in full transparency vis-à-vis the member states as regards the purpose of the data collection exercise. According to CEPEJ methodology, only the final version of the study can be disseminated, after possible comments from the member states. Before the final version of the study, all the data collected remains confidential. When using data provided by the CEPEJ in public reports, European Commission should always mention "Source: CEPEJ data". If CEPEJ data are presented together with other data, the source of the different data must be clearly mentioned.

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# **General data: economic and demographic data**

**Table 0.1: General data: economic and demographic data in 2022 (Q1, Q3, Q4, Q5)**

States	Population	GDP* per capita (in €)	Average gross annual salary (in €)	Exchange rate** in 2022 (on 1st Jan. 2022)
Austria	9 104 772	49 400 €	37 725 €	NAP
Belgium	11 697 557	46 972 €	47 319 €	NAP
Bulgaria	6 447 710	13 271 €	10 861 €	1,96
Croatia	3 850 894	17 130 €	16 564 €	NAP
Cyprus	920 701	27 777 €	26 424 €	NAP
Czech Republic	10 850 620	26 334 €	20 084 €	24,11
Denmark	5 928 364	64 260 €	43 335 €	7,44
Estonia	1 328 439	27 035 €	20 220 €	NAP
Finland	5 563 970	43 049 €	47 696 €	NAP
France	68 043 000	38 547 €	41 876 €	NAP
Germany	84 358 845	46 020 €	56 334 €	NAP
Greece	10 678 632	19 548 €	NA	NAP
Hungary	9 599 744	17 015 €	16 097 €	401,00
Ireland	5 149 139	99 267 €	45 859 €	NAP
Italy	58 850 717	32 391 €	33 213 €	NAP
Latvia	1 883 008	20 709 €	16 476 €	NAP
Lithuania	2 857 279	23 576 €	21 468 €	NAP
Luxembourg	660 809	119 200 €	70 583 €	NAP
Malta	520 174	31 888 €	20 961 €	NAP
Netherlands	17 811 291	53 817 €	66 900 €	NAP
Poland	37 766 000	13 588 €	16 238 €	4,69
Portugal	10 467 366	23 287 €	18 729 €	NAP
Romania	19 051 562	15 010 €	14 906 €	4,95
Slovak Republic	5 428 792	16 300 €	15 540 €	NAP
Slovenia	2 116 972	27 975 €	24 287 €	NAP
Spain	48 059 777	28 280 €	25 381 €	NAP
Sweden	10 521 556	51 520 €	41 782 €	11,00
<b>Average</b>	16 648 803	36 784 €	31 418 €	
<b>Median</b>	9 104 772	27 975 €	24 834 €	
<b>Minimum</b>	520 174	13 271 €	10 861 €	
<b>Maximum</b>	84 358 845	119 200 €	70 583 €	
<b>% of NA</b>	0%	0%	4%	
<b>% of NAP</b>	0%	0%	0%	

\* In current prices

\*\* Local currency needed to obtain 1 €

# General data

## Comments provided by the national correspondents

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

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

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

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

### Austria

**Q004 (General Comment):** Since the 2010 evaluation, the provided figure corresponds to the average gross income including taxes and social expenses borne by the employee, but not employer's contribution for social insurance. This is in line with the figures given in question 132 (gross annual salary of judges and prosecutors).

**Q004 (2022):** Source: Statistik Austria

**Q004 (2019):** 2018 data has been communicated, pending 2019 data.

### Belgium

**Q001 (2022):** source : Statbel - <https://statbel.fgov.be/fr/themes/population/structure-de-la-population>

**Q001 (2021):** source Statbel: [https://www.ibz.rrn.fgov.be/fileadmin/user\\_upload/fr/pop/statistiques/population-bevolking-20220101.pdf](https://www.ibz.rrn.fgov.be/fileadmin/user_upload/fr/pop/statistiques/population-bevolking-20220101.pdf)

**Q001 (2020):** La source : Statbel

**Q001 (2016):** Number of inhabitants 1/1/2017

**Q003 (2017):** Gross domestic product at market prices

**Q004 (2021):** The average gross annual salary is 44022,8 euros, source National Bank of Belgium.

**Q004 (2020):**

Answer provided based on the latest data published by the National Accounts (April 2021).

**Q004 (2019):** Average gross annual salary for employees (both full-time and part-time).

**Q004 (2016):** Average gross salary for a full-time employee (without exceptional bonuses and vacation pay)

### Bulgaria

**Q001 (2022):** Data provided by National Statistical Institute

The number of population as of 01.01.2023 (31.12.2022) is calculated based on the data of the Census of population 2021 and the data of natural and mechanical movement of the population.

**Q003 (2021):** Preliminary estimates. We confirm the nominal growth of 11.57% for the indicator GDP per capita in current prices for 2021 (preliminary data) compared with 2020. The result is based on an increase in nominal GDP and a decrease in the average annual population.

**Q003 (2020):** The data per capita GDP (in €) in current prices for 2020 will be available after 15.12.2021.

**Q003 (2018):** NSI data

**Q003 (2016):** No explanation.

**Q004 (2021):** Preliminary data.

The minimum wage in the country has been risen with 6.6%. In section "Human health and social work activities" the average annual wage increased with 25.7% due to additional wage payments related with the health crisis. In section "Education" there was an increase of the teachers' wages and salaries and the increase in the section was 17.0%. High growth rate of wages and salaries in 2021 compared to 2020 (17.7%) was recorded in "Accommodation and food service activities" as the section started to recover after 2020 lockdowns.

**Q004 (2018):** NSI data

**Q004 (2016):** No explanation.

**Q005 (2019):** BGN 1= EUR 0,51129  
EUR 1= BGN 1, 9558

## Croatia

**Q001 (2022):** State on 31 December 2022

**Q001 (2021):** <https://podaci.dzs.hr/hr/statistika-u-nizu/>. Final results of the population census.

**Q003 (2021):** <https://podaci.dzs.hr/hr/statistika-u-nizu/>

**Q004 (2022):** will be explained later

**Q004 (2021):** Average monthly gross salary for 2021 for person in paid employment in legal entities in the Republic of Croatia is available at web page of the Croatian Bureau of Statistics (<https://podaci.dzs.hr/2021/en/10583>).

This monthly gross salary (9599 Croatian Kuna) has been multiplied by 12 and then divided by Croatian Kuna / Euro average annual medium exchange rate published by the Croatian National Bank (7,52418 Croatian Kuna for 1 Euro; this information is available at <https://www.hnb.hr/temeljne-funkcije/monetarna-politika/tečajna-lista/tečajna-lista>.)

**Q005 (2022):** On 1 January 2023 Croatia adopted the Euro and became the 20th member of the euro area. On 12 July 2022 the Council of the European Union formally approved Croatia's accession to the euro area and determined a Croatian kuna conversion rate of 7.53450 per euro.

**Q005 (2021):** In other words, 7,52045 Croatian Kuna for 1 Eur (medium exchange rate for January 1th 2022). This exchange rate was published on the web page of the Croatian National Bank (available at <https://www.hnb.hr/temeljne-funkcije/monetarna-politika/tečajna-lista/tečajna-lista>).

## Cyprus

**Q001 (2022):** The data is provisional (01/01/2023).

**Q001 (2020):** The number is provisional.

**Q001 (2018):** this is the number on 1st January 2019

**Q003 (2022):** The latest number was published on 20 October 2023.

The increase is due to inflation (8.4% compared to 2021).

**Q003 (2016):** Per Capita GDP (current prices)

Total GDP (current prices)

The revised figures provided by the statistical service are

Per Capita GDP (current prices) Total GDP (current prices 2015 20.931 euro 17.742,0 million euro

2016 21.282 euro 18.122,5 million euro

## Czech Republic

**Q003 (2022):** The GDP is constantly growing + the impact of the exchange rate

**Q003 (2016):** The Czech economy is doing well + the exchange rate.

**Q004 (2022):** The gross salary is constantly growing + the impact of the exchange rate

**Q004 (2021):** The gross salary is constantly growing.

**Q004 (2020):** The gross salary is constantly growing.

**Q004 (2019):** Positive trends in Czech economy and the exchange rate have had an influence on the rise of average gross annual salary (in €).

**Q004 (2016):** The Czech economy is doing well + the exchange rate.

**Q005 (2021):** Czech Statistical Office

Czech National Bank

## Denmark

**Q001 (2019):** Number of inhabitants pr. 1. januar 2020.

**Q001 (2017):** Per January 1, 2018

**Q003 (2022):** The Source is Denmarks Statistics and is correct. Previously <https://www.eu.dk/da/fakta-og-tal/statistik/bnp-pr-indbygger> was used but they stopped publishing this statistics.

**Q003 (2017):** Source: Eurostat [http://appsso.eurostat.ec.europa.eu/nui/show.do?query=BOOKMARK\\_DS-420898\\_QID\\_CE733B3\\_UID\\_-3F171EB0&layout=TIME,C,X,0;GEO,L,Y,0;UNIT,L,Z,0;NA\\_ITEM,L,Z,1;INDICATORS,C,Z,2;&zSelection=DS-420898INDICATORS,OBS\\_FLAG;DS-420898NA\\_ITEM,B1GQ;DS-420898UNIT,CP\\_EUR\\_HAB;&rankName1=UNIT\\_1\\_2\\_-1\\_2&rankName2=INDICATORS\\_1\\_2\\_-1\\_2&rankName3=NA-ITEM\\_1\\_2\\_-1\\_2&rankName4=TIME\\_1\\_0\\_0\\_0&rankName5=GEO\\_1\\_2\\_0\\_1&sortC=ASC\\_-1\\_FIRST&rStp=&cStp=&rDCh=&cDCh=&rDM=true&cDM=true&footnes=false&empty=false&wai=false&time\\_mode=ROLLING&time\\_most\\_recent=false&lang=EN&cfo=%23%23%23%2C%23%23%23.%23%23%23](http://appsso.eurostat.ec.europa.eu/nui/show.do?query=BOOKMARK_DS-420898_QID_CE733B3_UID_-3F171EB0&layout=TIME,C,X,0;GEO,L,Y,0;UNIT,L,Z,0;NA_ITEM,L,Z,1;INDICATORS,C,Z,2;&zSelection=DS-420898INDICATORS,OBS_FLAG;DS-420898NA_ITEM,B1GQ;DS-420898UNIT,CP_EUR_HAB;&rankName1=UNIT_1_2_-1_2&rankName2=INDICATORS_1_2_-1_2&rankName3=NA-ITEM_1_2_-1_2&rankName4=TIME_1_0_0_0&rankName5=GEO_1_2_0_1&sortC=ASC_-1_FIRST&rStp=&cStp=&rDCh=&cDCh=&rDM=true&cDM=true&footnes=false&empty=false&wai=false&time_mode=ROLLING&time_most_recent=false&lang=EN&cfo=%23%23%23%2C%23%23%23.%23%23%23)

**Q005 (2021):** Statistics Denmark (dst.dk) and Danmarks Nationalbank (nationalbanken.dk)

**Q005 (2017):** Source: <https://www.ecb.europa.eu/stats/exchange/eurofxref/shared/pdf/2018/01/20180102.pdf>  
European Central Bank

## Estonia

**Q001 (2021):** Statistics Estonia

**Q003 (2022):** <https://www.stat.ee/et/avasta-statistikat/valdkonnad/rahandus/rahvamajanduse-arvepidamine/skp-reaalkasv-aheldatud-vaartus>

**Q003 (2021):** Very high inflation rates.

**Q003 (2017):** Economic growth accelerated

**Q004 (2022):** Inflation

**Q004 (2020):** Inflation

**Q004 (2018):** There is no specific reason.

## Finland

**Q001 (General Comment):** Source: Population structure, Statistics Finland:  
[https://pxweb2.stat.fi/PxWeb/pxweb/en/StatFin/StatFin\\_\\_vaerak/statfin\\_vaerak\\_pxt\\_11ra.px/](https://pxweb2.stat.fi/PxWeb/pxweb/en/StatFin/StatFin__vaerak/statfin_vaerak_pxt_11ra.px/)

**Q001 (2022):** On 1 January 2023: 5 563 970 (or 5 548 241 on 1.1.2022).

**Q001 (2021):** On 1 January 2022: 5 548 241 (or 5 533 793 on 1.1.2021)

**Q001 (2020):** Comments: Number of inhabitants 31.12.2020 = 1.1.2021

**Q001 (2019):** Number of inhabitants 31.12.2019 = 1.1.2020.

**Q001 (2018):** Number of inhabitants on 31 December 2018.

**Q003 (General Comment):** Source: Regional accounts, Statistics Finland:  
[https://pxweb2.stat.fi/PxWeb/pxweb/en/StatFin/StatFin\\_\\_altp/statfin\\_altp\\_pxt\\_12bc.px/](https://pxweb2.stat.fi/PxWeb/pxweb/en/StatFin/StatFin__altp/statfin_altp_pxt_12bc.px/)

**Q003 (2022):** Newest available data is for the year 2020.

**Q003 (2021):** Newest available data is for the year 2019.

**Q004 (General Comment):** Source: Structure of earnings, Statistics Finland (Calculated data)  
<https://stat.fi/en/statistics/pra>

**Q004 (2022):** Final data for the year 2021. Calculation method for full-time employees' annual salary = Monthly salary + vacation pay + performance pay + lump sums + annual service allowance.

**Q004 (2021):** Preliminary information: salary in 2020 multiplied by the annual percentage change in the earnings level index 2021q4

**Q004 (2020):** In 2020, the average gross annual salary was EUR 3 595 per month.

**Q004 (2019):** In 2019, the average gross annual salary was EUR 3528 per month.

**Q004 (2018):** In 2018, the average gross annual salary was EUR 3465 per month. Correspondingly, the median was EUR 3079 per month. The most common monthly earnings of all full-time wage and salary earners was EUR 2600 per month.

## France

**Q001 (General Comment):** Source: INSEE, demographic assessment

**Q001 (2022):** INSEE

**Q001 (2020):** INSEE

**Q001 (2017):** Estimation INSEE on 1 January 2018

**Q001 (2016):** Source: INSEE, demographic balance 2016 (population at 1 January 2017)

**Q003 (General Comment):** Source: INSEE, national accounts

**Q003 (2022):** INSEE

**Q003 (2021):** The exact data are 36 660,6

**Q003 (2020):**

"The exact figure is 33 958.7

Source INSEE"

**Q003 (2017):** INSEE national accounts

**Q003 (2016):** Source : INSEE, national accounts

**Q004 (2022):** Revised calculation method: payroll/headcount computed on a full-time equivalent basis.

**Q004 (2021):** The exact data are 37 742,7

**Q004 (2020):** The exact figure is 34,494.5\_x000D\_

Source INSEE

**Q005 (2020):** Euro zone

## Germany

**Q001 (2022):** Number of inhabitants as of 31 December 2022

**Q001 (2014):** The data for 2013 and 2014 is the same reference. Because no significant difference has been expected for the year 2014, 2013 data is provided in the frame of the present evaluation.

**Q001 (2012):** The information refers to the number of inhabitants on 31 December 2012 determined on the basis of the 2011 census.

**Q003 (2022):** The national accounts (published by the Federal Statistical Office) are revised in the summer of each year on the basis of newly available statistical information. These revisions usually concern the last four years. The revisions have been stronger than usual, especially from 2020 onwards. This is mainly due to the higher uncertainty in the estimates in the years affected by the Corona pandemic.

**Q003 (2016):** The circumstances have changed since the last campaign.

**Q003 (2014):** The data for 2013 and 2014 is the same reference. Because no significant difference has been expected for the year 2014, 2013 data is provided in the frame of the present evaluation.

**Q004 (2022):** The figure represents the average gross annual salary of employees working in full time including special payments (without special payments: 50 805 EUR)

Special payments are any payments outside of the regular remuneration. Typical examples of such payments are Christmas bonuses/end-of-the year bonuses, holiday bonuses, payments for jubilees, bonuses for the fulfilment of target agreements.

**Q004 (2021):** The figure represents the average gross annual salary of employees working in full time including special payments (without special payments: 49 202 EUR)

Special payments are any payments outside of the regular remuneration. Typical examples of such payments are Christmas bonuses/end-of-the year bonuses, holiday bonuses, payments for jubilees, bonuses for the fulfilment of target agreements.

**Q004 (2020):** figure represents the average gross annual salary of employees working in full time

**Q004 (2019):** With regard to this question, no data are available for 2019. The data from 2018 have therefore been included.

**Q004 (2018):** With regard to this question, no data are available for 2018. The data from 2017 have therefore been included.

**Q004 (2016):** The circumstances have changed since the last campaign

## Greece

**Q001 (2022):** Estimated population on 01-01-2021. The estimated population for the year 2022 will be published after the end of February 2024.

**Q001 (2021):** Estimated population on 01-01-2021. The year 2022 will be published after 01-01-2023.

**Q003 (2022):** GDP per capita 2022: 19548\*(provisional data). Here is the relevant link.:<https://www.statistics.gr/el/statistics/-/publication/SEL33/>

**Q003 (2021):** GDP per capita in euros at current prices for the year 2021: 17.013\* provisional figures.

**Q003 (2020):** Provisional data

**Q003 (2019):** The competent authority for this data (see Hellenic Statistical Authority) provides the relevant numbers. The numbers cannot be evaluated by the Hellenic Ministry of Justice

**Q003 (2018):** The data provided correspond to 2017. The data for 2018 will be available on summer 2020 ([http://www.statistics.gr/news-announcements/-/asset\\_publisher/oj6VK3PQ0oCe/content/nws-gdp-oct](http://www.statistics.gr/news-announcements/-/asset_publisher/oj6VK3PQ0oCe/content/nws-gdp-oct)).

**Q003 (2017):** Data published on October 17, 2018.

**Q004 (2022):** Our service has the data of the structure and distribution of Remuneration Survey in enterprises on the structure of remuneration of employees(having a dependent employment relationship) in enterprises by Sector (B-S branches), excluding X (Public Administration and Defense, compulsory Social Security) based on the NACE Rev. 2. The survey is conducted on a four-year basis. Therefore, the latest available figures are of the year 2018. The results of the survey will be published in late 2024 to early 2025.

**Q004 (2021):** Our service has the data of the structure and distribution of Remuneration Survey in enterprises on the structure of remuneration of employees(having a dependent employment relationship) in enterprises by Sector (B-S branches), excluding X (Public Administration and Defense, compulsory Social Security) based on the NACE Rev. 2. The survey is conducted on a four-year basis. Therefore, the latest available figures are of the year 2018. The results of the survey will be published in late 2024 to early 2025.

**Q004 (2020):** The data come from the Survey of the Structure and Distribution of Remuneration in Greece for the year 2018, from which the sector X is excluded (Public Administration and Defense, Compulsory Social Security) based on the classification of activities NACE Rev. 2 and relate to the average annual gross earnings in euros. Data is available by gender. The only one available at the moment.  
Men 19 234 Average Women 15 947 Average

**Q004 (2019):** The competent authority for this data (see Hellenic Statistical Authority) provides the relevant numbers. The competent authority did not provide any numbers for this section.

**Q004 (2016):** The data provided correspond to those of 2014, since the statistics on this point are carried out every four years. Therefore, they are not absolutely accurate.

## Hungary

**Q001 (2022):** Comments Main indicators of population and vital events on the website of the Hungarian Central Statistical Office:

[https://www.ksh.hu/stadat\\_files/nep/en/nep0001.html](https://www.ksh.hu/stadat_files/nep/en/nep0001.html)

**Q001 (2021):** Main indicators of population and vital events on the website of the Hungarian Central Statistical Office:

[https://www.ksh.hu/stadat\\_files/nep/en/nep0001.html](https://www.ksh.hu/stadat_files/nep/en/nep0001.html)

**Q001 (2020):** Central Statistical Office (KSH)

**Q003 (2022):** The Hungarian Central Statistical Office published the relevant official data after October 1, 2023:

[https://www.ksh.hu/stadat\\_files/gdp/en/gdp0001.html](https://www.ksh.hu/stadat_files/gdp/en/gdp0001.html)

The general development of the Hungarian economy is the reason for the increase of GDP per capita in 2022.

**Q003 (2021):** See the main data of macroeconomy on the website of the Hungarian Central Statistical Office:

[https://www.ksh.hu/stadat\\_files/gdp/en/gdp0001.html](https://www.ksh.hu/stadat_files/gdp/en/gdp0001.html)

**Q003 (2020):** The GDP increased significantly compared to the last cycle. According to Eurostat, the Hungarian economy continued to catch up with the EU average in the year of the coronavirus crisis.

**Q004 (2022):** In comparison to the previous year, the average gross annual salary increased due to the general development of Hungarian

economy, to the increase in our GDP, as well as to the raising of the minimum wage.

See the most important annual data on the labour market on the website of the Hungarian Central Statistical Office:

[https://www.ksh.hu/stadat\\_files/mun/en/mun0001.html](https://www.ksh.hu/stadat_files/mun/en/mun0001.html)

**Q004 (2021):** In comparison to the previous year, the average gross annual salary increased due to the general development of Hungarian economy, to the increase in our GDP, as well as to the raising of the minimum wage.

See the most important annual data on the labour market on the website of the Hungarian Central Statistical Office:

[https://www.ksh.hu/stadat\\_files/mun/en/mun0001.html](https://www.ksh.hu/stadat_files/mun/en/mun0001.html)

**Q005 (2022):** As 1 January 2023 was a Sunday, we used the middle exchange rate of the National Bank of Hungary on 2 January 2023:

1 EUR = 400,66 HUF

[https://www.mnb.hu/en/arfolyam-](https://www.mnb.hu/en/arfolyam-tablázat?deviza=rbCurrencySelect&devizaSelected=EUR&datefrom=01%2F01%2F2023&datetill=02%2F01%2F2023&order=1)

[tablázat?deviza=rbCurrencySelect&devizaSelected=EUR&datefrom=01%2F01%2F2023&datetill=02%2F01%2F2023&order=1](https://www.mnb.hu/en/arfolyam-tablázat?deviza=rbCurrencySelect&devizaSelected=EUR&datefrom=01%2F01%2F2023&datetill=02%2F01%2F2023&order=1)

**Q005 (2021):** As 1 January 2022 was a Saturday, we used the middle exchange rate of the National Bank of Hungary on 31 December 2021:

1 EUR = 369 HUF

**Q005 (2020):** 1 € = 360,90 HUF

**Q005 (2019):** 1 EUR = 329.99 HUF

**Q005 (2016):** Source: Magyar Nemzeti Bank (Hungarian National Bank) exchange rate of 02. January 2017  
<https://www.mnb.hu/arfolyam-tablazat?deviza=rbCurrencyActual&devizaSelected=EUR&datefrom=2017.01.01.&datetill=2017.01.02.&order=1>

## Ireland

**Q001 (2022):** Year 2022 per Census of Population 2022 results - There were 5,149,139 people in the State on Census Night, Sunday, 03 April 2022. <https://www.cso.ie/en/releasesandpublications/ep/p-cpsr/censusofpopulation2022-summaryresults/>

**Q001 (2021):** Preliminary data from 2022 Census - source <https://data.cso.ie/> [Accessed 25/08/2022]

**Q001 (2019):** Comments Taken from Population and Migration Estimates April 2019 release of 27 August 2019  
<https://www.cso.ie/en/releasesandpublications/er/pme/populationandmigrationestimatesapril2019/>

**Q001 (2018):** Taken from Population and Migration Estimates April 2018 release of 28 August 2018  
<https://www.cso.ie/en/releasesandpublications/er/pme/populationandmigrationestimatesapril2018/>

**Q001 (2017):** Figure of 4729500 as at April 2017. The population number for 2017 based on the GDP figure below for 2017 is 4,793. Taken from Population and Migration Estimates April 2017 release date 28 September 2017.  
<https://www.cso.ie/en/releasesandpublications/er/pme/populationandmigrationestimatesapril2017/>

**Q001 (2016):** The population number for 2016 based on the GDP figure below for 2016 is 4,673,700 Taken from Population and Migration Estimates April 2016 release date 23 August 2016.  
<http://www.cso.ie/en/releasesandpublications/er/pme/populationandmigrationestimatesapril2016/>

**Q003 (2022):** Year 2022 GDP at Current Market Prices per head of population. GDP per person is calculated from Year 2022 GDP at Current Market Prices datum value of €506,282 million divided by 5,100,200, the Estimated Population for Year 2022 (Persons in April)

**Q003 (2021):** ANA 2021 Table 1.2 – Main Aggregates, 2016-2021 refers  
<https://www.cso.ie/en/media/csoie/releasespublications/documents/ep/annualnationalaccounts/2021/P-ANA2021TBL1.2.xlsx>.

**Q003 (2020):** (See Sources)The 3rd block of data in NIE 2020 Table A shows data Per head of population. GDP at Current Market Prices for reference year 2020 per NIE2020 = €372,869 million. Population 2020 = 4,977,400. The National Income and Expenditure data are subject to potential revision each year (i.e. please note that Ireland does not operate a five-year benchmark revisions policy unlike certain other EU Member States and other countries internationally. It is CSO Ireland policy to incorporate all revisions and updates to the annual national accounts on an annual basis, whenever a new series of annual results are being published. This applies both to routine changes involving the use of more final data and to the less frequent revisions resulting from any major methodological developments. In the past, such major methodological revisions would also have been incorporated in the historic backdata estimates [back to year 1995] published at the same time.).

**Q003 (2019):** Comments Taken from Table A of the National Income and Expenditure 2019 release of 20 July 2020  
<https://www.cso.ie/en/statistics/nationalaccounts/nationalincomeandexpenditureannualresults/>  
The 3rd block of data shows data at Per head of population.  
GDP @ current Market prices per NIE2019 = € million 356,051  
Population 2019 = 4,921,000 The National Income and Expenditure data each year is subject to revisions.

**Q003 (2018):** Taken from Table A of the National Income and Expenditure 2018 release of 11 July 2019  
<https://www.cso.ie/en/statistics/nationalaccounts/nationalincomeandexpenditureannualresults/>  
The 3rd block of data shows data at Per head of population.  
GDP @ current Market prices per NIE2018 = € million 324,328  
Population 2018 = 4,857,000 The National Income and Expenditure data each year is subject to revisions.

**Q003 (2017):** GDP per capita @ current market prices for 2017 = €61,369  
Taken from the National Income and Expenditure Annual Results 2017. Release date 14 July 2018. Table A. (main aggregates). <https://www.cso.ie/en/releasesandpublications/ep/p-nie/nie2017/>  
The National Income and Expenditure data each year is subject to revisions

**Q003 (2016):** Taken from the National Income and Expenditure Annual Results 2016.

The National Income and Expenditure data each year is subject to revisions.

The following is an extract from the National Income and Expenditure 2016 methodology note

...The estimates for 2016 are based upon indicators for the different aggregates and must be regarded as tentative. The provisional nature of the estimates for 2014 and 2015 must also be borne in mind. In particular, the estimates for the year 2016 must be regarded as preliminary. Many of the inquiries upon which the basic compilations rest are incomplete and to the extent that figures given for 2014 and 2015 are still partly subject to revision, projections for the year 2016 are also affected. While no guarantee can be given that published figures will remain unaltered as inquiries proceed and as sources and methods are reviewed, it is expected that any changes made in future in relation to years earlier than 2011 will have a relatively insignificant effect on the year-to-year trend in these data. ...

See Link to the National Income and Expenditure 2016 methodology note on the CSO website

<http://www.cso.ie/en/media/csoie/methods/nationalincomeandexpenditureannualresults/NIE2016MethodologyNote.pdf>

The GDP figure increased significantly in 2015. The scale of increase was unprecedented. Therefore the GDP per capita increased. Please see link to the Press Statement of 12 July 2016

[http://www.cso.ie/en/media/csoie/newsevents/documents/pr\\_GDPexplanatorynote.pdf](http://www.cso.ie/en/media/csoie/newsevents/documents/pr_GDPexplanatorynote.pdf)

Link to the National Income and Expenditure Annual Results 2016 release on the CSO website.

<http://www.cso.ie/en/releasesandpublications/er/nie/niear2016/>

Please scroll down to Table A Main Aggregates, 2011-2016 The 3rd block of data shows data at Per head of population. See GDP at current market prices first line under Per head of population for years 2011 to 2016

**Q003 (2015):** The 2015 GDP figure was considerable higher compared to other years and at the time of release attracted a lot of media attention and continues to do so.

**Q004 (2022):** Year 2022 is the latest year for which data are available.

**Q004 (2021):** Year 2021 is the latest data available. The figure of €44,912.24 was taken from Q4 but it should be noted that the annual gross salary fluctuated during the course of 2021.

<https://www.cso.ie/en/releaseandduplications/en/elcq/earningsandlabourcostsq42021final/2022preliminaryestimates>.

According to preliminary estimates of the Earnings and Labour Costs Quarterly release, the average weekly earnings were €880.3 in Q1 2022, an increase of 2.3% from €860.19 one year earlier and an increase of 10.0% from the same period in 2020. This represents average earnings of those in employment in the Irish economy in Q1 2022, including those supported by the Employment Wage Subsidy (EWSS).

<https://www.cso.ie/en/releaseandduplications/en/elcq/earningsandlabourcostsq42021final/2022preliminaryestimates>.

**Q004 (2020):** Year 2019 is latest data available

**Q004 (2019):** Comments Taken from Earnings and Labour Costs Annual 2019 release of 26 June 2020

<https://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2019/>

**Q004 (2018):** Taken from Earnings and Labour Costs Annual 2018 release of 11 June 2019

<https://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2018/>

**Q004 (2016):** Average annual earnings increased by 1.1% to €36,919 in 2016, from €36,519 in 2015.

Taken from CSO release of 29 June 2017 - Earnings and Labour Costs Annual 2016. See link

<http://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2016/>

**Q005 (2021):** Ireland Exchange Rate against USD averaged 0.987 (EUR/USD) in Aug 2022, compared with 0.983 EUR/USD in the previous month.

## Latvia

**Q001 (2022):** Population at the beginning of the year, 01.01.2023

**Q001 (2021):** Data on 01.01.2022.

**Q001 (2020):** The data is on 01.01.2021.

**Q001 (2019):** Data are on 01.01.2020.

**Q001 (2017):** 01.01.2017.- 1 950 116

01.01.2018.- 1 934 379

**Q001 (2016):** On 2016 1st January - 1 968 957

On 2017 1st January - 1 950 116

**Q003 (2022):** Starting from 2020, an increase in GDP per capita is observed in Latvia, which is influenced by two factors: a decrease in the population and a moderate increase in GDP.

**Q003 (2021):** The data provided by the Central Statistical Bureau.

The data for 2020 is a little bit different from that number provided in 2021 for 2020. In the Central Statistical Bureau home page the GDP in current prices for 2020 is 15497.

**Q004 (General Comment):** After 2012, the minimum monthly salary increased, which had an effect on the average gross annual salary.

**Q004 (2022):** The average wage in Latvia continues to rise for several years in a row. In 2022, the increase in average wages was influenced by several factors: the lifting of the restrictions of COVID-19, which boosted economic activity, a low unemployment rate, which created the conditions for a small increase in wages.

**Q004 (2021):** The data provided by the Central Statistical Bureau.

**Q004 (2020):** The data provided by the Central Statistical Bureau.

**Q004 (2016):** on 2016

## Lithuania

**Q001 (2020):** <https://osp.stat.gov.lt/statistiniu-rodikliu-analize?hash=5b7fa09d-7ace-4909-89d9-b8a8897da5ba#/>

**Q003 (2022):** Changes in wages were affected from 2022 January 1 as the minimum monthly salary was increased, the basic salary of state politicians, judges, state officials, civil servants and employees of budgetary institutions was increased, the procedure for calculating the amount of tax-free income was changed.

**Q003 (2020):** [http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=nama\\_10\\_pc&lang=en](http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=nama_10_pc&lang=en)

**Q004 (2022):** Changes in wages were affected from 2022 January 1 as the minimum monthly salary was increased, the basic salary of state politicians, judges, state officials, civil servants and employees of budgetary institutions was increased, the procedure for calculating the amount of tax-free income was changed.

It should be noted that from 2019 January 1 the rates of state social insurance contributions paid by the employer and the employee have been changed. gross wages indexed 1.289 times.

**Q004 (2021):** From the 1st January, 2021 the minimum monthly salary was increased, the base salary of state politicians, judges, state officials, civil servants and employees of budgetary institutions was increased, the procedure for calculating the amount of tax-free income was changed and other reasons.

<https://osp.stat.gov.lt/informaciniai-pranesimai?articleId=9732032>

**Q004 (2020):** Annual salary growth has been affected by the increase in the minimum monthly salary since the beginning of the reference year, the base salary of state politicians, judges, state politicians, judges, civil servants, civil servants and employees of budgetary institutions, changes in the procedure for calculating tax-free income and other reasons.

**Q004 (2019):** The increase in wages in 2019 was caused by changes in the tax system: an increase in the basic salary of politicians, judges, civil servants, civil servants and employees of budgetary institutions, an increase in the minimum monthly salary, a revision of the new salary system for civil servants, a change in the procedure for calculating exemptions and other reasons.

**Q004 (2018):** The state budget and salary increased due to the growth of the economy.

**Q004 (2016):** The state budget and salary increased due to the growth of the economy (after recovering from crisis before).

**Q005 (2017):** Lithuania is in an Euro zone.

**Q005 (2016):** Lithuania is in an Euro zone.

## Luxembourg

**Q001 (2022):** Total population as of 31st December 2022. Source:

[https://lustat.statec.lu/vis?fs\[0\]=Th%C3%A8mes%2C1%7CPopulation%20et%20emploi%23B%23%7CEtat%20de%20la%20population#B1#&pg=0&fc=Th%C3%A8mes&df\[ds\]=ds-release&df\[id\]=DF\\_B1100&df\[ag\]=LU1&df\[vs\]=1.0&pd=2015,2022&dq=.A&lo=5](https://lustat.statec.lu/vis?fs[0]=Th%C3%A8mes%2C1%7CPopulation%20et%20emploi%23B%23%7CEtat%20de%20la%20population#B1#&pg=0&fc=Th%C3%A8mes&df[ds]=ds-release&df[id]=DF_B1100&df[ag]=LU1&df[vs]=1.0&pd=2015,2022&dq=.A&lo=5)

**Q001 (2020):** Total population as of January 1, 2021. Source:

<https://statistiques.public.lu/fr/actualites/population/population/2021/04/20210401/index.html>

**Q001 (2019):** Total population on 01.01.2020

([https://statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=12858&IF\\_Language=fra&MainTheme=2&FldrName=1](https://statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=12858&IF_Language=fra&MainTheme=2&FldrName=1))

**Q001 (2018):** Total population at the date of 31.12.2018

**Q003 (2022):** Per capita gross domestic product at market prices published by the National Institute of Statistics and Economic Studies of the Grand Duchy of Luxembourg (STATEC)

([https://lustat.statec.lu/vis?pg=0&lc=en&df\[ds\]=release&df\[id\]=DF\\_E2105&df\[ag\]=LU1&df\[vs\]=1.0&pd=2015%2C&dq=.A](https://lustat.statec.lu/vis?pg=0&lc=en&df[ds]=release&df[id]=DF_E2105&df[ag]=LU1&df[vs]=1.0&pd=2015%2C&dq=.A)).



**Q003 (2017):** the gdp is 3.2% percent higher than in 2016. see also <https://www.cbs.nl/nl-nl/achtergrond/2018/19/de-nederlandse-economie-in-2017>.

**Q003 (2016):** The per capita GDP is calculated by dividing total GDP by the average population ( $=[\text{population on jan 1st current year} + \text{population on jan 1st next year}]/2$ ). Note: the explanatory notes say anything on how to calculate per capita GDP.

**Q004 (General Comment):** These are provisional numbers; definitive numbers (available next year) may differ slightly from those provided here. The data specifies 'reward per working year' as salary. This reward consists of salary (gross salary, including taxes and social contributions/premiums), rewards like holiday stipends, payment in kind, expense allowances tied in with work (e.g. travel allowances), and social premiums for the employer (payments for lawful and contractual social security, like pension contributions)

**Q004 (2020):** These are provisional numbers and the definitive numbers (available in 2022) may differ slightly from these provided here. The data specifies 'reward per working year' as salary. The reward consists of salary (gross salary, as it includes taxes and social contributions/premiums), rewards like holiday stipends, payment in kind, expense allowances that tie in with work (like travel allowances that cover costs to and from work), and social premiums that are for the employer (payments for lawful and contractual social security, like pension contributions).

**Q004 (2019):** The Statistics Bureau only had numbers for 2018. 2019 data was not available at the moment of data collection.

**Q004 (2018):** This is average salary of all employees; the number includes money that employers pay for pension plans, social security (money that is paid directly to employees). The statistic does not include the income of people who are not employees (people without work, employers).

**Q004 (2016):** Compared to previous questionnaires (before 2014) these figures have been adjusted according to new rules of the european system of national accounts (illegal activities are now included)

## Poland

**Q001 (2016):** Source: Concise Statistical Yearbook of Poland 2017

**Q003 (2016):** Source: Concise Statistical Yearbook of Poland 2017

**Q004 (2021):** data source - Central Statistical Office  
The wage increases linked to economic changes.

**Q004 (2016):** NA

**Q005 (2022):** 1 euro=4,6889 pln

**Q005 (2021):** 1 euro=4,59 pln

**Q005 (2020):** 1 euro = 4.6148 PLN

**Q005 (2016):** Source: National Bank of Poland

## Portugal

**Q004 (2022):** This value is for year 2021.

Data for 2022 is still not available.

**Q004 (2016):** In the present questionnaire we used another "concept" of gross anual salary that we believe is closer to the objectives of this question.

We opted for the category of "payments and salaries" instead of "remunerations" of the national budget because "remunerations" also includes social contributions by the employer which constitute wage costs and not salary.

## Romania

**Q001 (2022):** Usually resident population of Romania on January 1st 2023 - provisional data

**Q001 (2020):** Usually resident population of Romania on January 1st -provisional data

**Q001 (2019):** provisional data

**Q001 (2018):** Provisional data (which will be completed when the National Institute of Statistics will finalize population data).The revised data will be available in the TEMPO database of the National Institute of Statistics ([www.insse.ro](http://www.insse.ro)).

**Q001 (2017):** Provisional data which will be completed when the National Institute of Statistics will finalize population data.

**Q001 (2016):** Provisional data which will be completed when the National Institute of Statistics will finalize population data - (19638309 -as communicated in September 2017).

Update:

After reviewing/completing of population data by the National Institute of Statistics, in accordance with the methodology of calculation, the revised data are as follows- for January 1, 2015, the number of inhabitants (as revised) is 19875542; for January 1, 2016, the number of inhabitants (final data) is 19760314; for January 1, 2017, the number of inhabitants (final data) is 19644350.

Methodological explanations:

Reference moments for statistically determining the usual resident population are January 1st and July 1st, t year. The data on usual resident population at the moment of January 1st, t year are available on August (provisional data) and on January, t+1 year (final data). Usual resident population represents all persons of Romanian nationality, foreign or stateless who have their usual residence in Romania. Usual residence is the place where a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holidays, visits to friends and relatives, business, medical treatment or religious pilgrimage. The usual residence may be the same as the domicile or may differ from it, for the persons who choose to establish their usual residence in a locality other than the locality of domicile in the country or abroad. It is considered having their usual residence in a specific geographic area just people who have lived in that usual residence for a continuous period of at least 12 months prior to reference moment. The resident population includes the persons who immigrated to Romania but excludes the persons who emigrated from Romania. In order to carry out international comparisons, it will be used only the usual resident population, calculated according to European regulations (Regulation no. 1260/2013 of the European Parliament and of the Council on European demographic statistics and Regulation no. 205/2014 laying down uniformed conditions for the implementation of Regulation no. 1260/2013 on European demographic statistics as regards breakdowns of data, deadlines and data revisions). For the period between the last two censuses (2002-2011 period), data refers to usual resident population, re-estimated under comparability conditions with final results of the Population and Housing Census of 2011. After January 1st, 2012, the usual resident population on January 1st was estimated according to the usual residence criterion, using the components method.

The revised data are available in the TEMPO database of the National Institute of Statistics ([www.insse.ro](http://www.insse.ro)).

**Q003 (2022):** provisional data

**Q003 (2021):** Definitive data should be available in September 2023.

**Q003 (2020):** provisional data

**Q003 (2019):** provisional data

**Q003 (2017):** Provisional data provided by NIS

**Q003 (2016):** Provisional data

**Q003 (2014):** For the 2012 and 2014 evaluations, was used the resident population on 1 July of each year, estimated in terms of comparability with the final results of the Population and Housing Census – 2011.

**Q003 (2012):** For the 2012 and 2014 evaluations, was used the resident population on 1 July of each year, estimated in terms of comparability with the final results of the Population and Housing Census – 2011.

**Q004 (General Comment):** At national level, the average gross annual salary is not calculated and included in the official statistical reports made annually by the National Institute of Statistics. Thus, the SMBA was calculated on the basis of the monthly average gross salary at an average monthly value of the euro calculated by the National Bank of Romania for the reference year concluding in the average gross annual salary (as the sum of monthly average salary).

**Q004 (2022):** The difference can be explained based on salary increases and an upward trend can be observed continuing from 2018.

**Q004 (2020):** The difference can be explained based on salary increases, and an upward trend can be observed continuing from 2018.

**Q004 (2018):** At national level, the average gross annual salary is not calculated and included in the official statistical reports made annually by the National Institute of Statistics. Thus, the SMBA was calculated by request by the National Institute of Statistics on the basis of the monthly average gross salary at an average annual value of the euro calculated by the National Bank of Romania for the reference year 2018

According to the provisions of the national legislation in force (GEO no. 79/2017 with subsequent amendments and completions), the social insurance contributions, respectively those of social health insurance that fell to the employer, were transferred to the employee's responsibility and, starting with 2018, are fully supported by the employee, being reflected in the gross amount of the earning.

Consequently, the indicator "monthly gross average wage" produced and disseminated from 2018 is no longer comparable with the previous data series.

These legal provisions do not influence the data comparability for the series of "average monthly net earnings."

## Slovak Republic

**Q001 (2022):** Source

[https://slovak.statistics.sk/wps/portal/ext/home/!ut/p/z1/04\\_Sj9CPykssy0xPLMnMz0vMAfljo8ziA809LZycDB0NLPyCXA08QxwD3IO8TAWNTEz1wwkpiAJKG-AAjgZA\\_VFgJc7ujh4m5j4GBhY-7qYGno4eoUGWgcbGBo7GUAV4zCjIjTDIdFRUBADse0bP/dz/d5/L2dBISEvZ0FBIS9nQSEh/](https://slovak.statistics.sk/wps/portal/ext/home/!ut/p/z1/04_Sj9CPykssy0xPLMnMz0vMAfljo8ziA809LZycDB0NLPyCXA08QxwD3IO8TAWNTEz1wwkpiAJKG-AAjgZA_VFgJc7ujh4m5j4GBhY-7qYGno4eoUGWgcbGBo7GUAV4zCjIjTDIdFRUBADse0bP/dz/d5/L2dBISEvZ0FBIS9nQSEh/)

**Q001 (2021):** source: <https://slovak.statistics.sk/>

**Q004 (2021):** [http://datacube.statistics.sk/#!/view/en/VBD\\_INTERN/pr0204qs/v\\_pr0204qs\\_00\\_00\\_00\\_en](http://datacube.statistics.sk/#!/view/en/VBD_INTERN/pr0204qs/v_pr0204qs_00_00_00_en)

**Q004 (2020):** Ministry of Finance did not offer closer explanation. Source: <https://www.statista.com/statistics/419502/average-annual-wages-slovak-republic-slovakia-y-on-y-in-euros/>

## **Slovenia**

**Q003 (2022):** Per capita GDP is increasing (increase by 11% from 2020 to 2021 and by 13% from 2021 to 2022).

**Q004 (2020):** Annual average gross salary is increasing (increase by 4% from 2018 to 2019 and by 6% from 2019 to 2020).

**Q004 (2016):** Average monthly gross earnings for 2016.

## **Spain**

**Q001 (2022):** National Institute of Statistics (INE).

**Q003 (2022):** Published Information

**Q004 (2022):** The increase can be explained by increase of minimum legal salary.

# **Indicator 1: Systems for measuring and evaluating the performance of courts and public prosecution services**

# **Policies at the national level**

**Table 1.1 National level quality standards determined in courts and public prosecution services in 2022 (Q66 and Q67)**

States	National level quality standards determined in courts and public prosecution services		
	Quality standards determined	Specialised staff entrusted with quality policy and/or quality system within the courts	Specialised staff entrusted with quality policy and/or quality system within the public prosecution services
Austria			
Belgium			
Bulgaria			
Croatia			
Cyprus			
Czech Republic			
Denmark			
Estonia			
Finland			
France			
Germany			
Greece			
Hungary			
Ireland			
Italy			
Latvia			
Lithuania			
Luxembourg			
Malta			
Netherlands			
Poland			
Portugal			
Romania			
Slovak Republic			
Slovenia			
Spain			
Sweden			
<b>Yes</b>	15	6	7
<b>No</b>	12	21	20

# **Performance and Evaluation for each individual judge**

**Table 1.2 Existence of quantitative performance targets for each judge and authority responsible in 2022 (Q83 and Q83-1)**

States	Quantitative performance targets defined for each judge					
	Existence of quantitative performance targets defined for each judge	Authority responsible for setting these targets:				
		Executive power (for example the Ministry of Justice)	Legislative power	Judicial power (for example the High Judicial Council, Supreme Court)	President of the court	Other
Austria						
Belgium						
Bulgaria						
Croatia						
Cyprus						
Czech Republic						
Denmark						
Estonia						
Finland						
France						
Germany						
Greece						
Hungary						
Ireland						
Italy						
Latvia						
Lithuania						
Luxembourg						
Malta						
Netherlands						
Poland						
Portugal						
Romania						
Slovak Republic						
Slovenia						
Spain						
Sweden						
<b>Yes</b>	9	2	1	5	5	0
<b>No</b>	18	25	26	22	22	27

France: The quantitative performance targets are defined only for Administrative judges.

**Table 1.3 Consequences for a judge if quantitative performance targets are not met in 2022 (Q83 and Q83-1-1)**

States	Existence of quantitative performance targets defined for each judge	Consequences for a judge if these targets are not met										
		Without disciplinary procedure				With disciplinary procedure				No consequences	No targets defined	
		Warning by court's president	Temporary salary reduction	Reflected in the individual assessment	Other	Warning by court's president	Temporary salary reduction	Reflected in the individual assessment	Other			
Austria												
Belgium												
Bulgaria												
Croatia												
Cyprus												
Czech Republic												
Denmark												
Estonia												
Finland												
France												
Germany												
Greece												
Hungary												
Ireland												
Italy												
Latvia												
Lithuania												
Luxembourg												
Malta												
Netherlands												
Poland												
Portugal												
Romania												
Slovak Republic												
Slovenia												
Spain												
Sweden												
<b>Yes</b>	9	4	2	6	2	4	3	4	2	1	0	
<b>No</b>	18	23	25	21	25	23	24	23	25	26	27	

France: The quantitative performance targets are defined only for Administrative judges.

# **Performance and Evaluation - public prosecutors**

**Table 1.4 Existence of quantitative performance targets for each public prosecutors, authority responsible as well as individual evaluation in 2022 (Q83-2, Q83-3, Q120 and Q120-1)**

States	Quantitative performance targets defined for each public prosecutor						Individual evaluation of the public prosecutors' work					
	Existence	Authority responsible for setting the individual targets					Quantitative	Qualitative	Frequency			
		Executive power (for example the Ministry of Justice)	Prosecutor General /State public prosecutor	Public Prosecutorial Council	Head of the organisational unit or hierarchically superior public prosecutor	Other			Annual	Less frequent	More frequent	
Austria												
Belgium												
Bulgaria												
Croatia												
Cyprus												
Czech Republic												
Denmark												
Estonia												
Finland												
France												
Germany												
Greece												
Hungary												
Ireland												
Italy												
Latvia												
Lithuania												
Luxembourg												
Malta												
Netherlands												
Poland												
Portugal												
Romania												
Slovak Republic												
Slovenia												
Spain												
Sweden												
<b>Yes</b>	6	1	3	0	5	0	10	20	0	3	2	
<b>No and NAP</b>	21	26	24	27	22	27	17	7	27	24	25	

**Table 1.5 Consequences for a prosecutor if quantitative performance targets are not met in 2022 (Q83-2 and Q83-3-1)**

States	Existence of quantitative performance targets defined for each prosecutor	Consequences for a prosecutor if these targets are not met								
		Without disciplinary procedure				With disciplinary procedure				No consequences
		Warning by head of prosecution	Temporary salary reduction	Reflected in the individual assessment	Other	Warning by head of prosecution	Temporary salary reduction	Reflected in the individual assessment	Other	
Austria										
Belgium										
Bulgaria										
Croatia										
Cyprus										
Czech Republic										
Denmark										
Estonia										
Finland										
France										
Germany										
Greece										
Hungary										
Ireland										
Italy										
Latvia										
Lithuania										
Luxembourg										
Malta										
Netherlands										
Poland										
Portugal										
Romania										
Slovak Republic										
Slovenia										
Spain										
Sweden										
<b>Yes</b>	6	4	0	4	0	2	2	1	3	1
<b>No and NAP</b>	21	23	27	23	27	25	25	26	24	26

# Monitoring

Table 1.6 Modalities for monitoring court activities (performance and quality) in 2022 (Q70)

States	Total number of monitoring elements (out of 14)	Modalities for monitoring court activities													
		Number of incoming cases	Length of proceedings (timeframes)	Number of resolved cases	Number of pending cases	Backlogs	Productivity of judges and court staff	Satisfaction of court staff	Satisfaction of users (regarding the services delivered by the courts)	Costs of the judicial procedures	Number of appeals	Appeal ratio	Clearance rate	Disposition time	Other
Austria	10														
Belgium	5														
Bulgaria	6														
Croatia	9														
Cyprus	6														
Czech Republic	7														
Denmark	10														
Estonia	13														
Finland	12														
France	12														
Germany	10														
Greece	6														
Hungary	12														
Ireland	8														
Italy	8														
Latvia	12														
Lithuania	8														
Luxembourg	10														
Malta	9														
Netherlands	9														
Poland	10														
Portugal	12														
Romania	13														
Slovak Republic	10														
Slovenia	13														
Spain	11														
Sweden	8														
<b>Yes</b>		27	27	27	26	26	18	9	10	7	23	13	18	20	8
<b>No</b>		0	0	0	1	1	9	18	17	20	4	14	9	7	19

Table 1.7 Modalities for monitoring public prosecution services' activities (performance and quality) in 2022 (Q70-1)

States	Total number of monitoring elements (out of 13)	Modalities for monitoring public prosecution services' activities												
		Number of incoming cases	Length of proceedings (timeframes)	Number of resolved cases	Number of pending cases	Backlogs	Productivity of prosecutors and prosecution staff	Satisfaction of prosecution staff	Satisfaction of users (regarding the services delivered by the public prosecution)	Costs of the judicial procedures	Clearance rate	Disposition time	Percentage of convictions and acquittals	Other
Austria	9													
Belgium	7													
Bulgaria	9													
Croatia	8													
Cyprus	4													
Czech Republic	5													
Denmark	9													
Estonia	12													
Finland	8													
France	10													
Germany	8													
Greece	7													
Hungary	8													
Ireland	7													
Italy	8													
Latvia	7													
Lithuania	8													
Luxembourg	9													
Malta	6													
Netherlands	4													
Poland	9													
Portugal	9													
Romania	11													
Slovak Republic	7													
Slovenia	10													
Spain	6													
Sweden	6													
<b>Yes</b>		26	24	27	27	22	20	5	3	5	16	15	19	2
<b>No</b>		1	3	0	0	5	7	22	24	22	11	12	8	25

**Table 1.8 Monitoring of the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) in 2022 (Q71)**

States	Monitoring of the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs)		
	Civil law cases	Criminal law cases	Administrative law cases
Austria			
Belgium			
Bulgaria			
Croatia			
Cyprus			
Czech Republic			
Denmark			
Estonia			
Finland			
France			
Germany			
Greece			
Hungary			
Ireland			
Italy			
Latvia			
Lithuania			
Luxembourg			
Malta			
Netherlands			
Poland			
Portugal			
Romania			
Slovak Republic			
Slovenia			
Spain			
Sweden			
<b>Yes</b>	25	25	24
<b>No</b>	2	2	3

**Table 1.9 Monitoring of the waiting time during judicial proceedings within courts and the public prosecution services in 2022 (Q72)**

States	Monitoring of the waiting time during judicial proceedings	
	Within the courts	Within the public prosecution services
Austria		
Belgium		
Bulgaria		
Croatia		
Cyprus		
Czech Republic		
Denmark		
Estonia		
Finland		
France		
Germany		
Greece		
Hungary		
Ireland		
Italy		
Latvia		
Lithuania		
Luxembourg		
Malta		
Netherlands		
Poland		
Portugal		
Romania		
Slovak Republic		
Slovenia		
Spain		
Sweden		
<b>Yes</b>	12	9
<b>No</b>	15	18

# Indicator 1: Systems for measuring and evaluating the performance of courts and prosecution services

## Comments provided by the national correspondents

### organised by country

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

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

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

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

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

*Question 072. Do you monitor waiting time during judicial proceedings?*

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

*Question 083-1. Who is responsible for setting these targets for each judge?*

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

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

*Question 083-3. Who is responsible for setting these targets for each public prosecutor?*

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

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

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

### Austria

**Q070 (General Comment):** .

**Q070 (2022):** satisfaction of court staff: only supreme administrative court

**Q070 (2017):** "other": e.g. certain kinds of decisions, clearance rate (annually)

**Q072 (2016):** Supreme administrative Court: Statistic of incoming cases, number of decisions delivered, number of postponed cases, length of proceedings (timeframes) and age of cases

**Q083 (2018):** There are no specific targets given to the Judges, which are seen as a conflict with the Independence of Courts.

**Q083 (2016):** Provincial Administrative Courts: Maximum 150 cases a year per judge (average value).

Federal Finance Court:

No performance targets, which are seen in conflict with the independence. However based on a continuous transparent controlling the possibility of benchmarking exists. In addition regular dialogues with the judges regarding their performance are held.

**Q083-1 (General Comment):** No specific targets are formulated in respect of judges.

**Q083-1 (2016):** Answer counts only for the administrative courts.

For the other courts, no performance targets, which are seen as a conflict with the independence of courts.

**Q083-3 (2018):** There are no specific targets given to public prosecutors.

**Q120 (General Comment):** In the Austrian judicial system we have diverse and multifaceted statistic products, which are an important basis for the management of justice. The statistics are regularly compiled by the Federal Computing Center and serve to control the deployment of personnel, but also for the supervision that is necessarily linked to the parties' right to a fair trial.

The work of the public prosecutors is continuously and systematically reviewed on a quantitative level (i.e. number of completed cases, duration of proceedings). In this way, major deviations from the average can be identified. If a public prosecutor shows too many delays in proceedings or excessively long proceedings, this can lead to disciplinary proceedings or even a reduction in their job description. The assessment is carried out by the heads of the senior public prosecutors' offices. There is no systematic qualitative assessment of the work of the public prosecutors.

## **Belgium**

### **Q066 (2021):**

The College of Courts and Tribunals and its support service are working on the implementation of a quality system at the national level; there is no declination at the local level yet, but this project is in full evolution. Within the framework of the law of 14 February 2014 and the College's action plans (2018 and 2020), a quality system will be implemented in respect of judges. The intention is therefore to introduce an integrated framework of quality, internal control and (internal) audit models to replace the executive's existing ex ante control and monitoring systems.

**Q067 (2021):** The College of Courts and Tribunals is working on the implementation of a quality system. This system is based on international scientific references and will be broken down into ten or so themes that constitute the management modules of an organisation. These management modules cover all aspects of an organisation, including organisational management, process management, human resources management, organisational culture, information and communication, financial management, facility management and information and communication technologies. The College of Courts and Tribunals and the steering committees work together to develop their maturity in these different areas.

**Q070 (2021):** In 2021, the College of Courts and Tribunals has started a project to make a central inventory of the backlog in the courts and tribunals using indicators such as length of proceedings, number of pending cases, Disposition time, backlogs.

**Q070 (2017):** There are ad hoc systems for monitoring activities within the courts. There is a central service responsible for the collection of statistics which ensures the annual publication of statistics. The Central Statistical Service is developing a uniform and coordinated policy, but there is (as yet) no central system for regular monitoring of activities.

**Q070 (2016):** There are ad hoc systems for monitoring activities within the courts. There is a central service responsible for the collection of statistics which ensures the annual publication of statistics. But there is no (yet) central system for regular monitoring of activities.

**Q071 (2016):** There are ad hoc evaluation systems within the courts. But there is no central or coordinated system.

**Q072 (2021):** Public Prosecutor's Office: Monitoring mechanism via dashboards for the public prosecution services.

**Q072 (2020):** Monitoring mechanism via dashboards for prosecution services.

**Q083-3 (2021):** To underline the consistency between Q 83-2 and Q 83-3: these are not quantitative targets.

## **Bulgaria**

**Q066 (General Comment):** Supreme Judicial Council: According to the answers of SJC the competent bodies in these matters are:

The Inspectorate to the SJC:

- checks the organization of the initiation and movement of judicial, prosecutorial and investigative cases, as well as the closing of cases within the established terms and in case of violations, signals the administrative head of the relevant body of the judiciary and the relevant College of the Supreme Judicial Council
- sends signals, proposals and reports to other state bodies, including the competent bodies of the judiciary;
- examines applications against violation of the right to examine and resolve cases within reasonable time.

The Judges' College of the SJC:

- annually analyses and reports the degree of workload of the bodies of the judiciary;
- requests and summarizes every 6 months information from the courts about their activity;
- resolves questions about the organization of the activity of the relevant system of judicial authorities;
- adopts rules for the allocation of cases between the judges who consider cases allocated according to Art. 9, para. 3, in order to equalize their total workload;
- determines the number of judicial officers according to the degree of workload on the proposal of or after agreement with the administrative heads of the bodies of the judiciary, and may open new and lays off positions.

The Plenary of the SJC:

- on the proposal of one of the Colleges, after coordination with the administrative heads of the bodies of the judiciary, determines the number of judges, prosecutors and investigators in all courts, prosecutor's offices and investigative departments according to the degree of workload;
- hears and accepts the annual reports of the bodies of the judiciary under Art. 84, item 16 of the Constitution.

.....

According to the answers of The Prosecutor's office of the Republic of Bulgaria:

The legal regulation is in Art. 84, item 16 of the Constitution of the Republic of Bulgaria, according to which the Parliament hears and accepts the annual report of the Prosecutor General submitted by the SJC and Art. 30, para. 2, item 4 of the Judicial System Act, according to which the Plenum of the SJC hears and accepts this annual report.

Approved by the Prosecutor General/ chief prosecutor is the Directive on the control activity of the Prosecutor's Office, aimed at ensuring the exact and uniform application of the laws in the performance of the functional duties of the prosecutors and investigators. The Directive regulates the conditions, order and procedures for carrying out control activities through audits, checks and analyzes of the work of the prosecutor's offices, the National Investigation Service, as well as individual prosecutors and investigators, outside of the institutional and official verification of the legality of their acts.

**Q066 (2021):** Please see the General Comments

**Q066 (2020):** Judiciary system Act:

Article. 198 (1) The criteria for the appraisal of a judge, prosecutor or an investigating magistrate shall be:

1. legal knowledge and skills of applying it;
2. skill of analysing legally relevant facts;
3. skill of making optimum working arrangements;
4. efficiency and discipline;
5. compliance with the rules of ethical behaviour.

(2) In the course of the appraisal under Paragraph (1) the following indicators shall be taken into account:

1. keeping deadlines;
2. number of instruments upheld and reversed and the grounds for this;
3. the results of inspections carried out by the Inspectorate with the Supreme Judicial Council,
4. the overall caseload of the respective judicial district and judicial authority, as well as the workload of the appraised judge, prosecutor or investigating magistrate compared to other judges, prosecutors or investigating magistrates in the same judicial authority.

(4) The time served by the judge, prosecutor or investigating magistrate as a permanent trainer at the National Institute of Justice shall also be included in the appraisal period. The evaluation of the work performance as a trainer shall be given by the Managing Board.

(5) The time served by the judge, prosecutor or investigating magistrate as an European Delegated Prosecutor shall also be included in the appraisal period. The evaluation of the results of their work under Regulation (EU) 2017/1939 shall become part of their appraisal.

Article. 199. (1) A judge shall be appraised under the following specific criteria:

1. complying with the schedule for conduct of court hearings;
2. skill of conducting a court hearing and drawing up a record of proceedings;
3. administrating cases and appeals, preparing for a court hearing;
4. number of appealed judicial instruments from among the appealable judicial instruments, appealed judicial instruments upheld, judicial instruments reversed or invalidated, in whole or in part, and the grounds for it; the ability to reason and justify judicial instruments and to analyse evidence shall be subject to evaluation.

(2) A prosecutor shall be appraised under the following specific criteria:

1. skills of planning and structuring steps in pre-trial and trial proceedings;
2. complying with the written instructions and orders of the superior prosecutor;
3. ability to make working arrangements and direct the investigating authorities and the teams participating in pre-trial proceedings;
4. number of unappealed prosecutorial instruments, including warrants to terminate and suspend criminal proceedings, number of final judicial instruments rendered on instruments submitted by the prosecutor appraised, as well as the final judicial instruments returning cases for the rectification of procedural breaches, and the reasons for this, number of appeals granted, the prosecutorial instruments upheld, modified and reversed upon an instance and on official review.

**Q067 (2020):** The Supreme Judicial Council, through its Commission for Attestation/Appraisal and Competitions at the Judges College/Chamber of the Supreme Judicial Council and the Commission for Attestation/Appraisal and Competitions at the Prosecutorial College/Chamber, are the bodies that perform an objective assessment of the professional, business and moral qualities of magistrates.

**Q070-1 (General Comment):** .

**Q070-1 (2018):** "Other": percentage of returned cases

**Q071 (General Comment):** The duration of the court proceedings initiated by the Prosecutor's Office of the Republic of Bulgaria is monitored, as in case of excessive delay there is a possibility to request acceleration of these proceedings through the procedure under Chapter 26 of the PPC.

**Q083-3-1 (2022):** But there is a quantitative evaluation of the work of a prosecutor which reflects in the individual assessment` - please see Q 120

**Q120 (General Comment):** Supreme Judicial Council: Criteria on which the assessment is based: the criteria are general (relevant to the activity of each judge, prosecutor, and investigator); specific (relevant only to the position held – judge, prosecutor, or investigator), and additional (relevant only to administrative heads and their deputies).

Authority competent to carry out the assessment: the assessment is accepted by the Prosecutor's College of the Supreme Judicial Council.

Purposes for which the evaluation results are used: when participating in a competition for promotion or transfer in position; when participating in a procedure for the selection of an administrative head; for appointment to the position of deputy of the administrative head; on promotion to a higher rank; on secondment; for participation in the composition of a Permanent Appraisals Commission to the Appellate Prosecutor's Offices; participation in a competition committee.

Prosecutor's Office of RB: Such a system exists. According to Art. 196 of the Judicial System Act the evaluation is carried out in advance, in order to acquire irreplaceability, periodic and extraordinary attestation of the magistrates, and the criteria for the same are defined in Art. 198 of the Judicial System Act: legal knowledge and skills; ability to analyze legally relevant facts; ability to optimally organize work; expediency and discipline; compliance with the rules of ethical conduct. Attestation also takes into account the following indicators: compliance with deadlines; number of confirmed and canceled acts and the reasons for this; the results of the inspections of the Inspectorate at the Supreme Judicial Council; the overall workload of the relevant judicial authority, as well as the workload of the assessed judge, prosecutor or investigator compared to other judges, prosecutors or investigators from the same judicial authority.

**Q120-1 (General Comment):** Quantitative evaluation of the work of the prosecutors is carried out by applying the Rules for measuring the workload of the prosecutor's offices and the individual workload of each prosecutor and investigator, adopted by the Prosecution College/collegium of the SJC. It is possible to display the data according to the indicators provided for in the Rules in real time, both for the prosecutor's office as a whole, as well as for individual prosecutor's offices and for each specific prosecutor.

Quantitative data on the workload are taken into account in the appraisal procedure of a specific prosecutor, in the course of which an assessment of his work is carried out, both in terms of quantitative indicators and also regarding the quality of the performed activity according to the results achieved.

Prosecutors are assessed in accordance with Ordinance No. 3 of February 23, 2017 of the Supreme Judicial Council on the indicators and Methodology for Assessment and the Criteria for Reporting the Workload Degree of Prosecutors and Investigators and of Administrative Heads and Their Deputies (promulgated SG No. 21 /10.03.2017).

Attestation is carried out:

1. in advance - for a three-year period from the appointment to the position of prosecutor or investigator - when participating in a competition or when being offered a promotion;
2. to acquire irreplaceability - upon completion of 5 years of experience as a prosecutor or investigator;
3. periodically - for a 5-year period from the attestation of irreplaceability of a prosecutor and investigator, of an administrative head and of a deputy administrative head;
4. extraordinary - in the cases under Art. 197, para. 5 of the Judicial System Act.

Junior prosecutors and junior investigators are not assessed in advance, and a report on their work is prepared by the mentor in the second year of their appointment.

## Croatia

**Q066 (General Comment):** According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15, 67/18), the president of the court evaluates the work of every judge according to Framework Criteria for the work of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework Criteria for the work of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

According to the State Attorney Office Act (Official Gazette, No. 67/18), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are adopted by the Minister in charge of judicial affairs, with the prior opinion of the Chief State Attorney of the Republic of Croatia.

**Q066 (2022):** According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22), the president of the court evaluates the work of every judge according to Framework Criteria for the work of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework Criteria for the work of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice with the prior opinion of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

According to the State Attorney Office Act (Official Gazette, No. 67/18, 21/22), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are

**Q066 (2018):** According to the Courts Act (Official Gazette, number 28/13, 33/15, 82/15), the president of the court evaluates the work of every single judge according to Framework for the workload of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework for the workload of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

**Q066 (2017):** According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15), the president of the court evaluates the work of every single judge in his/her court for the previous year on the basis of the following standards: the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework for the workload of judges, result of work in different kinds of cases in absolute numbers and percentages, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

**Q070 (2019):** As regards "number of appeals", from 2019 we are able to get this data from our case management system.

**Q083 (2020):** According to the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18) , the Minister in charge for Justice, upon the proposal of the General Assembly of the Supreme Court of the Republic of Croatia, adopts the Framework criteria for the work of judges.

**Q083-1 (General Comment):** According to the Courts Act, the Minister of Justice, upon the proposal of the General Session of the Supreme Court of the Republic of Croatia, adopts the Framework criteria for the workload of judges.

**Q083-1-1 (2022):** According to the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) the president of the court in which the judge performs judicial duty determines by decision for the previous calendar year whether the judge has fulfilled his duties as a judge according to the prescribed criteria. If the president of the court determines that the judge, without justifiable reason, did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period or that he performed his judicial duties improperly, he is obliged to initiate disciplinary proceedings against such a judge, in accordance with the State Judicial Council Act. Disciplinary proceedings against the president of the court are initiated by the president of the immediately higher court. According to the State Judicial Council Act (Official Gazette No. 116/10, 57/11, 130/11, 13/13, 28/13, 82/15, 67/18, 126/19, 80/22) disciplinary penalties may be imposed for committed disciplinary offences: rebuke, a fine of up to one third of the salary earned in the previous month in a period of one to three months, a fine of up to one third of the salary earned in the previous month in a period of four to six months, a fine of up to one third of the salary earned in the previous month in a period of seven to twelve months or dismissal from duty. If the president of the court determines that, due to justified reasons, the judge did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period, he is obliged to state in the explanation of the decision what justified reasons are in question and submit the decision immediately to the president of the higher court. Against the decision of the president of the court, which determines whether the judge has fulfilled his duties as a judge, the judge can submit an objection to the president of the court within three days of receiving the decision. The president of the court is obliged to decide on the objection within eight days. The president of the court can reject the complaint or accept it and make a new decision. If the objection is rejected, the judge has the right to appeal to the president of the immediately higher court within eight days from the delivery of the decision on the objection. The president of the immediately higher court can make a decision confirming the decision of the president of the court or accept the appeal and make a new decision. Against this decision, the judge has no right to declare legal remedies.

**Q083-3 (2022):** According to the State Attorney Office Act (Official Gazette No. 67/18, 21/22) , the Minister in charge for Justice, with the prior opinion of Prosecutor General, adopts the Framework criteria for the work of public prosecutors (Deputy State Attorneys).

**Q083-3 (2020):** According to the State Attorney Office Act (Official Gazette No. 67/18) , the Minister in charge for Justice, upon the proposal of Prosecutor General, adopts the Framework criteria for the work of public prosecutors (Deputy State Attorneys).

**Q083-3 (2018):** According to the State Attorney's Act, the Minister of Justice, upon the proposal of Prosecutor General, adopts the Framework criteria for the work of public prosecutors.

**Q083-3-1 (2022):** According to the State Attorney Council Act (Official Gazette No. 67/18, 126/19, 80/22) if the number of resolved cases and actions taken in a one-year period is, without justifiable reason, less than 80% of the average of the state attorney's office in which he holds office, Deputy state attorney is disciplinary liable for disciplinary offence of irregular performance of duty.

**Q120 (2022):** According to the State Attorney Office Act (Official Gazette, No. 67/18, 21/22), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are adopted by the Minister in charge of judicial affairs, with the prior opinion of the Chief State Attorney of the Republic of Croatia.

## Cyprus

**Q066 (General Comment):** Quality standards are applied in practice

**Q066 (2017):** Quality standards are applied in practice

**Q066 (2016):** There are no written standards but in practice there are quality standards.

**Q066 (2015):** In practice there are quality standards

**Q066 (2014):** In practice there are quality standards

**Q120-1 (2021):** the assessment is carried out by the AG the Deputy AG and the head of Department as part of their annual evaluation

## Czech Republic

**Q083 (General Comment):** Quantitative performance targets exist but they are not strictly binding.

**Q083 (2018):** Quantitative performance targets exist but they are not strictly binding.

**Q120 (2022):** The Head of Public Prosecutor's Office monitors e.g. the number of appeals, the number of returned cases etc.

**Q120-1 (2018):** The individual assessment of the public prosecutors' work takes place at least once every two years.

## Denmark

**Q066 (2019):** No, we use quantitative measures. Quality is usually measured as length of time to finalize a case.

**Q066 (2016):** No, we use quantitative measures. Quality is measured as length of time to finalize a case.

**Q066 (2015):** The only standards are objective standards for example acceptable timeframes to finalize a case.

**Q067 (2019):** As above

**Q067 (2018):** The public prosecution is not part of Danish Court Administration.

**Q067 (2017):** Because judges are independent, we do not interfere with a judge decision. However, there is always the possibility to appeal a court decision if either of the parties disagree with the verdict.

**Q067 (2016):** As above.

**Q070 (2021):** Danish Court Administration is typically not doing this. A responsible court follows their cases though.

**Q070 (2020):** We value independence high. Therefore Danish Court Administration does not evaluate the performance or productivity of individual judges. We follow overall productivity and case flow though as that is used to allocate resources and to find the court most in need of vacant judge positions.

**Q070 (2019):** Courts are followed yearly in a yearly report. District courts receive monthly a report about case flow, pending cases, backlogs, weighted cases and the time it takes to finalize cases.

**Q070 (2017):** In Denmark we have a management system which information is updated monthly for the district courts where the points above are shown. For the High Courts and the Supreme Court, the case flow is not followed so often and in a so detailed way, but there are also much fewer cases. "Other": activity in terms of weighted cases and also pending cases

**Q070 (2016):** The so called "weighted cases" are measured in order to have a measure for the activity.

**Q070-1 (2022):** - The prosecution makes monthly reports to the Ministry of Justice on data regarding number of cases, clearance rate, etc.

- Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment. There

is no direct measure of disposition time, but it can be read from this report.

- The prosecution makes a biannual survey on the satisfaction of the prosecution staff.

**Q070-1 (2021):** The prosecution makes quarterly reports to the Ministry of Justice on data regarding number of cases, percentage of conviction etc.

Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment. There is no direct measure of disposition time, but it can be read from this report. The prosecution makes a biannual survey on the satisfaction of the prosecution staff.

**Q070-1 (2020):** The methodology of replying changed in this question.

The prosecution makes quarterly reports to the Ministry of Justice on data regarding number of cases, clearance rate, etc. Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment. There is no direct measure of disposition time, but it can be read from this report. Therefore we find it more correct to check this option. Satisfaction of the prosecution staff has always been measured but not by the ministry of justice. Therefore it was not checked last time. However, it is measured, and we therefore find it correct to check this option. The prosecution makes an annual survey on the satisfaction of the prosecution staff.

**Q071 (2021):** Danish Court Administration is typically not doing this. A responsible court follows their cases though.

**Q071 (2020):** Danish Court Administration is not doing it as a general thing. If a specific court needs help, Danish Court Administration can work out list of pending cases and list them according to age to give the court a tool to locate cases that need attention.

**Q072 (2021):** Danish Court Administration is typically not doing this. A responsible court follows their cases though. The individual courts may work out list of pending cases or warning lists when to act on a case.

**Q072 (2020):** Danish Court Administration is typically not doing this. A responsible court follows their cases though.

**Q072 (2018):** We monitor the overall time from the courts receive a case until it is finalized, but not what happen in between. The same goes for the prosecution

**Q083 (General Comment):** Judges are independent. Therefore measuring is done focusing on case-flows and economic indicators without identifying the individual judge.

**Q083 (2022):** The judges are independent. Therefore measuring is done focusing on case-flows and economic indicators.

**Q083 (2018):** There are no such targets from the side of Danish Court administration, but quantitative performances are used to re-allocate resources so the court in most need of resources in case of a vacant judge position also gets the vacant position.

**Q083-1 (General Comment):** Judges are independent. Therefore measuring is done focusing on case-flows and economic indicators.

**Q083-1 (2018):** NA as per answer 083.

**Q083-2 (General Comment):** There is a productivity target for the prosecution as a whole, but not for each public prosecutor.

**Q120 (2020):** Public prosecutors go through intensive education for the first three years of them being recruited and this evaluation is structured centrally with HR at the Attorney Generals office. During that period they are individually being assessed through exams and through working with mentors. Thus they are continuously being assessed both centrally through exams as well as locally through the daily work that the mentor sees. Later in the career the assessment is not structured in such a way but all through their career the prosecutors are evaluated through their daily work and how they perform in court.

**Q120-1 (2021):** More frequent during the first three years of their career. Less frequent after that.

**Q120-1 (2020):** See response to 120: More frequent during the first three years of their career. Less frequent after that.

## Estonia

**Q066 (General Comment):** Estonia has developed a quality system consisting of 3 parts. The first part contains the quality standards (good practice) for the management of the court that describe activities related to the chairman of the court. The second part contains the quality standards for the administration of courts and is focused on the different roles of the parties involved in the administration of courts: directors, Ministry of Justice, Council for the Administration of Courts. The third part contains quality standards for the court proceedings and is addressed to all the judges. All of the three parts of the quality standards have been discussed and approved by the Council for Administration of Courts, respectively in 2012, 2013 and 2015.

**Q070 (General Comment):** The scope of the monitoring system is extended to the results of proceedings; the categories of cases; the number of decisions appealed and revoked, fully or partially. The waiting time and the 'age' of pending (not solved) cases are also monitored. It is worthy of mention that every year all the courts and the Ministry of Justice enter into an agreement according to which courts should aim to carry out structural changes and to make changes in case-flow management that will ultimately ensure efficient proceedings. The content of the agreement has changed since 2017. The goals are more general and the same for all the courts (except The Supreme Court).

**Q070 (2017):** See previous general comments.

**Q070 (2016):** see general comments

**Q072 (General Comment):** There are reminders in the CMS after certain period.

## Finland

**Q066 (General Comment):** There are no quality standards covering the whole judiciary in Finland. Instead there are several quality projects going on, for example the Quality Project of the Administrative Courts, which started in 2020 and concerns all administrative courts in Finland. The Rovaniemi Court of Appeal Quality Projects have produced quality benchmarks, which evaluate the quality of the adjudication in courts of law. Last assessment was conducted in 2020.

**Q066 (2021):** Prosecution Services' system quality improvement project is underway.

**Q066 (2020):** Prosecution Services' system quality improvement project is underway.

**Q066 (2015):** There is a Quality Project of the courts in the jurisdiction of the Court of Appeal of Rovaniemi. (The jurisdiction of the Court of Appeal of Rovaniemi is the northernmost of the six appellate jurisdictions in Finland.) In 1999, the courts in the jurisdiction of the Court of Appeal of Rovaniemi launched a project for improvement of quality in adjudication. The quality project covers both civil cases and criminal cases. The objective of the quality project is to develop the functioning of the courts further and further so that the proceedings meet the criteria of a fair trial, that the decisions are well reasoned and justified, and that the services of the courts are affordable to the individual customers. The main working method consists of systematic discussions among the judges and also between the judges and stakeholders. The development work is steered by the development committee of the quality project. Normally four working groups for quality are set up for each year. The membership consists of judges from each of the District Courts in the appellate jurisdiction, members of the Court of Appeal, and referendaries of the Court of Appeal. Also prosecutors, private attorneys, public legal aid attorneys and heads of pre-trial investigation may serve as members in the working groups for quality. Each working group for quality is tasked to deal with one of the development themes which have been selected. The reports of the working groups are presented at the Quality Conference, they are discussed, and quality objectives based on the reports are set for the following year. The Report of Quality, containing the final reports, is published every year.

There is also a quality project of the courts in the jurisdiction of the Court of Appeal of Helsinki. Quality Project consists of working methods of two kind: cooperation with the University of Helsinki and working groups. Working groups for quality are set up for each year. The membership consists of judges from District Courts, members of the Court of Appeal, referendaries of the Court of Appeal, prosecutors and lawyers. Each working group for quality is tasked to address to one of the development themes which have been selected. The reports of the working groups are presented at the conference called 'Day of Jurisdiction'.

In addition there is a cooperation project between administrative courts. Some topics of the project have related to the quality standards. The reports of the project have discussed the matters like the factors of quality at administrative courts and the collection of information on quality.

It is also worth mentioning that on 15 October 2009, the presidents of Finnish Courts of Appeal proposed that the Finnish Association of Judges should begin work on drafting ethical guidelines for judges. A working group was set and the draft on ethical principles was discussed widely. The principles were formally released at the Judge Day event held in Helsinki on 12 October 2012.

**Q070 (General Comment):** All courts keep statistics of the mentioned court activities in the operational case management systems. The National Courts Administration can access these figures through a reporting system.

**Q070 (2019):** satisfaction of court staff is monitored with job satisfaction surveys which are taken every second year

**Q070-1 (2021):** "Backlogs": cases that have been pending for longer than a year are monitored

**Q070-1 (2020):** "Backlogs": cases that have been pending for longer than a year are monitored.

**Q072 (2021):** Within the courts, the time the case is pending in a court is monitored.

Prosecution services: The time between police investigation and prosecutor's decision (the time the case is pending in the prosecution service) is monitored.

**Q072 (2020):** Within the courts, the time the case is pending in a court is monitored.

**Q072 (2018):** Within the courts, the time the case is pending in a court is monitored.

**Q083 (General Comment):** A court can decide whether it sets quantitative performance targets for each judge. There are targets set for each judge in some courts.

**Q083 (2016):** It is up to each court to decide. In some courts there are targets set for each judge.

**Q083-1 (General Comment):** The National Courts Administration negotiates annually with each court in order to set targets and objectives for the court for the next year. An allocation of permanent staff and possible additional temporary judges or other staff is decided upon these negotiations but within the state budget. Timeframe (length of proceedings) targets are also set. Possible issues and problems with developing the activities of the court are also discussed. Finally, the appropriation to cover the annual costs of the court operations is agreed. A minutes of the negotiation is written and it includes the targets, objectives and estimated workloads for the court for the next year. The chief justices of the courts can then apply this results-based management system in their respective courts as they see appropriate.

**Q083-1-1 (General Comment):** See general comments to Q 83-1

## France

**Q066 (General Comment):** Standards of quality developed for the public administration are utilised within the judicial system. The charter of administrations thus establishes the rules for welcoming litigants in all courts and may lead to certification. There are also local initiatives aimed at implementing a 'quality system' based on certification by an external body, which consist of establishing procedures describing the process of reception, organisation of work, and management of a case. As regards administrative justice: the rate of annulment and reformulation of jurisdictional decisions must be kept below 15% and the backlog of cases older than two years below 7.5% of the total caseload.

**Q066 (2022):** It is challenging to distinguish between patterns in automatically generated texts, with France preferring the use of the concept of framework. The OARM, a tool to assist magistrates in drafting, provides a library of pre-written paragraphs and standard decisions that allow magistrates to start from these elements and then adapt them to each case they handle. The JAF bible includes frameworks and paragraphs related to disputes handled by family court judges.

**Q066 (2021):** Quality standards developed for public administration are used in the judicial system. The charter of the administrations thus sets the rules for the reception of litigants in all courts and can lead to certification. There are also local initiatives aimed at setting up a "quality system" based on certification by an external body, which consists in establishing procedures describing the reception process, the organisation of work and the management of a case.  
Source DSJ

**Q066 (2020):** "If yes, please specify: Quality standards developed for public administration are used in the judicial system. The charter of the administrations thus sets the rules for the reception of litigants in all the courts and can lead to certification. There are also local initiatives aimed at setting up a "quality system" based on certification by an external body, which consist in establishing procedures describing the reception process, the organization of work and the management of a case. With regard to administrative justice: the rate of annulment and reversal of jurisdictional decisions must be kept below 15% and the stock of cases older than two years below 7.5% of the total stock."

**Q066 (2019):**  
Quality standards developed for public administration are used in the judicial system. The charter of administrations thus sets out the rules for the reception of litigants in all courts and may give rise to certification. There are also local initiatives to set up a "quality system" based on certification by an external body, which consists of establishing procedures describing the process of reception, work organisation and management of a case.  
Administrative justice: the rate of annulment of court decisions must be kept below 15% and the number of cases pending for more than two years.

**Q066 (2016):** Quality standards developed for public administration are used in the judicial system. The charter of the administrations determines the rules for the reception of litigants in all courts and may give rise to certification. There are also local initiatives aimed at setting up a "quality system" based on certification by an external body, which consists in establishing procedures describing the process of reception, organisation of work and management of a case.

**Q067 (2021):** Source DSJ

**Q067 (2020):** The answer is no for the administrative justice.

**Q067 (2014):** 2010: State prosecutors draw an annual report on the activity, management of their public prosecution office and on the enforcement of the law, as well as an annual report concerning the measures of custody and the condition of the custody facilities.

**Q067 (2012):** 2012: in French law on the judicial organisation, there is no statutory or regulatory requirement providing specialised staff in courts responsible for quality norms.

However, as part of the maintenance dialog to have operational resources, each court fills a document for the Ministry of Justice, comprising informations such as the number of handled cases, pending cases, the number of judges and administrative staff, as well as the performance objectives to reach. This document is not available on the intranet to all of the staff. Only agents of the Ministry in charge of the maintenance dialog have access to these figures thanks to appropriate softwares.

**Q070 (2021):** Source DSJ and Council of State

**Q070 (2020):** Judicial and administrative jurisdictions combined.

**Q070 (2019):** Civil and criminal justice: After the deployment of innovative applications, satisfaction questionnaires are sent to users in the courts (heads of courts, directors of registries, judges and registry officials) in order to improve change support actions and the implementation.

In addition, with regard to victims, the Ministry of Justice will conduct a satisfaction survey in the second half of 2019 among victims of criminal offences who resort to victim support associations. The results of this survey, similar to a previous survey conducted in 2011, could be published in 2020. Likewise, the Ministry of Justice is attentive to citizens' views on the way they are received in the courts. For several years now, surveys have been conducted on the reception in the courts by a service provider pretending being a litigant. In 2018, an online survey, coupled with a face-to-face survey, was conducted in seven 1st instance courts "tribunaux de grande instance" among litigants appearing in these courts. In 2019, the satisfaction survey will be carried out in all "tribunaux de grande instance" via an online survey accessible by internet address or QR code. Finally, a national survey is also under way on the reception of litigants in the courts in the specific context of the implementation of social centres within the "tribunaux de grande instance" and the integration within these courts of the three separate courts that previously dealt with these types of litigation. The survey, carried out among court staff, aims to assess the difficulties encountered by persons presenting themselves at the reception desk and to identify any corrections that could be included in the texts.

The reply to the question encompasses replies from administrative justice and civil and criminal justice.

**Q070 (2018):** The coverage rate of cases as well as the structure of civil or criminal litigation are used by the courts.

In addition, other indicators usefully complete the analysis: .

Share of decisions on the merits in completed cases (civil activity).

Share of referrals in completed cases (civil activity).

Theoretical time to sell off the stock.

Average age of the stock.

Percentage of cases over 12 months in stock (civil activity).

**Q070 (2017):** The number of cases referred is an indicator used only by administrative courts.

The courts have business applications to monitor their civil and criminal activities. At national level, data from these applications is

from these applications are collected automatically via infocentres, reprocessed and cross-referenced, then in the form of tables or graphs. These reports can be generated on a monthly basis, except for certain activity data (court of appeal).

These reports can be generated on a monthly basis, except for certain activity data (criminal courts, juvenile court judges, enforcement of sentences), for which reports are generated annually.

These infocentres enable the courts to monitor statistics and manage their activity. They enable the central administration to They enable the central administration to prepare management dialogues from a performance perspective.

**Q070 (2016):** The number of cases subject to referral is an indicator used only by administrative courts.

Courts have business applications to monitor their civil and criminal activities. At national level, data from these applications are collected automatically via info-centres, processed and cross-referenced, and then presented in the form of tables or graphs. These refunds can be generated monthly, except for certain activity data (assize court, juvenile judges, enforcement of sentences), for which the refunds are annual.

These info-centres enable courts to carry out a statistical follow-up and to monitor their activities. They allow the central administration to prepare management dialogues from a performance perspective.

**Q070 (2015):** The number of cases being referred is used only by administrative courts.

The rate of coverage of cases is used by judicial courts.

The state of stocks by age group is used by administrative courts.

**Q070 (2014):** 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)

- the state of the stocks per age group (used by administrative courts)

It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts.

**Q070 (2013):** 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)

- the state of the stocks per age group (used by administrative courts)

It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts.

**Q070 (2012):** 2010, 2012: the category "others" includes the state of the stocks per age group. It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts

**Q070-1 (2021):** Source DSJ

**Q070-1 (2020):** Judicial jurisdiction.

**Q071 (2021):** Source DSJ and Council of State

**Q071 (2020):** No further indication.

**Q071 (2016):** In civil matters, courts of first instance (TGI), labour courts (conseils de prud'hommes) and courts of appeal can measure their stock on the basis of business applications or data returns carried out by info-centers.

The identification of cases not processed within a reasonable time is easier through business applications that offer dashboards breaking down cases in stock by age group.

In criminal matters, first instance courts (TGI) can use the Cassiopée business application to record cases in stock at the registry and the number of unedited judgments. The situation of cases in stock at the registry office cannot be measured via the info-centre, which only allows establishing the number of cases registered with the Public Prosecutor's Office and the Correctional Service.

**Q072 (2021):** Source DSJ, the reply concerns the civil and criminal justice.

**Q072 (2020):** Answer for the court.

**Q083 (2022):** A valid response for administrative jurisdictions.

**Q083 (2016):** Individual quantitative objectives are established only with regard to administrative judges by the respective court president.

**Q083-1 (General Comment):** For administrative jurisdictions, there are individual quantitative objectives. This is not the case for judicial jurisdictions, where the indicators target functions (non-specialised chambers, investigation, juvenile cases, public prosecution) and court clerks. Thus, a set of objectives and indicators are detailed at national level in the annual documents presented to Parliament (Annual Performance Plan and Annual Performance Report), including a number of indicators measuring the 'efficiency' of civil servants and magistrates with an average performance level to achieve (targets). These ratios are very general.

**Q083-2 (2021):** source DSJ

**Q120 (2022):** The assessment of the public prosecutor's magistrate provided for by statutory order No. 58-1270 of 22 December 1958 aims to determine the professional value of the magistrate. It must reflect his legal and technical professional skills, his level of commitment, assess his abilities to exercise a specific function and identify training needs within his career path. The assessment is established by the Attorney General near the Court of Appeal or Prosecutor near the Superior Court of Appeal for magistrates from their jurisdiction. Considered as a moment for exchange, this evaluation should highlight both the skills that were mobilized by the magistrate and areas where improvement could be made. It contributes to better situate his activity within service organization and operation while specifying missions related to its functions highlighting its professional potential.

For magistrates, evaluation offers a privileged opportunity to take stock of their activities, consider developments in their professional practice and regularly position themselves relative to their career goals.

For evaluators it should enable them detect each individual's potential so as contribute towards efficient human resource management.

**Q120 (2021):** source DSJ

**Q120-1 (General Comment):** Article 12-1 of the Decree of 22 December 1958 establishes the principle of evaluating the professional activity of each magistrate every two years. An assessment must also be conducted when applying for promotion.

**Q120-1 (2022):** Article 12-1 of the ordinance of December 22, 1958 establishes the principle of evaluating the professional activity of each magistrate every two years. An evaluation must also be conducted when applying for advancement on the promotion list.

**Q120-1 (2021):** source DSJ

## **Germany**

**Q066 (General Comment):** Due to judicial independence, there are no national level quality standards.

**Q066 (2022):** Due to judicial independence, there are no national level quality standards.

**Q066 (2013):** For 2010, 2012 and 2013, no information was provided from Mecklenburg-Western Pomerania and Thuringia. Four Landers replied "Yes", while the remaining Landers answered "No".

In Baden-Württemberg, the performance of each court is compared against the others in regard to number and duration of proceedings. Key performance indicators on performance ability of the courts are ascertained and compared at the Lander level.

A comprehensive quality management system has been introduced in Schleswig-Holstein at all courts and public prosecution offices. All of the accessible areas of the court administration are subject to quality management. Judicial independence and the professional independence of Rechtspfleger present natural constitutional and statutory boundaries that must always be considered.

In Brandenburg, a quality management system seeks to guarantee that quality demands that are statutorily prescribed, self-imposed, or demanded by users of the system are fulfilled with an optimal use of resources. These last years, a number of strategies have been implemented for ensuring quality in the justice system by means of cost and performance accounting, a controlling system, budgeting of personnel costs, benchmark procedures, balanced scorecard, the EFQM Model, various instruments for personnel and organisation development, calculation of personnel requirements, optimisation of business processes, surveys of attorneys, citizens, and employees, and evaluation instruments both for individual judicial and public prosecution work as well as for the courts and public prosecution offices as organisational units. The increased use of modern technology (e.g. Internet) has opened up the possibility for the justice system to reach a large number of citizens and, thus, to offer court users the best possible service. Likewise, the continuous expansion of electronic legal transactions offers new opportunities for improvement in the quality of the justice system with regard to the performance characteristics public accessibility and public service. However, the developments and models named are not uniformly established in the Lander. In Lower Saxony, a quality strategy was developed through the surveys AgiL (performance comparison of local courts) and LiVE (performance comparison of regional courts). This is based on the assumption that it is possible to compare courts by the collection of data. Following the comparison, an analysis is conducted to determine the reasons for which better numbers are achieved at one court location over another. These are then discussed in expert groups and measures are developed to promote those tools that seem likely to succeed for the duties at all court locations. The surveys do not serve to evaluate individual employees but rather to uncover structures that promote performance, which can then be transposed. This quality management concept takes place together with judicial councils and personnel representatives.

**Q067 (2022):** Due to judicial independence, there are no national level quality standards.

**Q067 (2021):** Due to judicial independence, there are no national level quality standards.

**Q067 (2020):** Due to judicial independence, there are no national level quality standards.

**Q070 (General Comment):** The Federal Statistical Office collects key figures on court performance (incoming cases, resolved cases, pending cases on the beginning and the end of a year) from the federal states. The Federal Statistical Office processes and publishes the data once per year for the civil, criminal, family, administrative, labour, social and financial courts.

**Q070 (2022):** The monitoring activities no. 1-4 were selected by all respondent federal states and the activities no. 5 and 9-13 were selected by the majority of the federal states.

A minority of the federal states (as in previous years) reported the following "other" monitoring activities: statistics on the nature of resolution (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.), number of main-trial days, participation of interpreters and experts. (While the situation has not changed since the last cycle, the option "other" was not selected this time for the purpose of methodological consistency with the answers to other questions in this section). One federal state has not yet replied.

**Q070 (2021):** The monitoring activities no. 1-4 were selected by all Länder, the activities no. 5 and 9-13 were selected by most Länder and the activities under "other" were only mentioned by a some Länder (5).

**Q070 (2020):** The monitoring activities mentioned under "other" were reported only by some of the Länder.

**Q070 (2019):** Some of the Länder did mention a monitoring system concerning other court activities such as statistics on the nature of resolution are kept (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**Q070 (2018):** Some of the Länder did mention a monitoring system concerning other court activities such as statistics on the nature of resolution are kept (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**Q070 (2016):** other: Some of the Länder did mention a monitoring system concerning other court activities such as statistics on the nature of resolution are kept (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**Q070 (2014):** In 2014, some of the Landers did mention a monitoring system concerning other court activities, namely statistics on the nature of resolution (e.g. in civil matters cases are dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**Q070 (2013):** In 2013, seven Landers communicated information on their regular monitoring system. For example, Baden-Württemberg referred to calculation of the specific personnel requirements on a mathematical-analytical basis. Bavaria mentioned the type of proceedings, form of decision, etc. for courts of labour and social jurisdiction and workload, ratio of part-time employees; average age of employees, training and sick days, duration of proceedings in months, ratio of appeals for courts of general jurisdiction. In Brandenburg, the number of pending cases and the ratio of terminated proceedings as against incoming cases are monitored.

**Q070 (2012):** For 2010 and 2012, five Landers did not provide any reply. Seven Landers communicated detailed information on their regular monitoring system of courts' activity. Among the main other monitored parameters are the deadlines for the drafting of judgments (Bavaria), the number of pending cases and the ratio of terminated proceedings as against incoming cases (Brandenburg), the nature of resolution – cases dealt with by contentious judgment, by acknowledgment, by settlement etc. (Hamburg), cases allocated among staff, i.e. caseload quota (Hesse); finance benchmarks, item costs, standardized deployment of person hours related to product (Saxony-Anhalt).

**Q070-1 (General Comment):** The Federal Statistical Office collects key figures on the public prosecution offices' performance (incoming cases, resolved cases, pending cases on the beginning and the end of a year) from the federal states and publishes the data once per year.

**Q070-1 (2022):** The monitoring activities no. 1-4 were selected by all respondent federal states and the activities 5 and 10 to 12 were selected by the majority of the federal states. A minority of the federal states also monitors the costs of the judicial proceedings.

One federal state has not yet replied.

**Q070-1 (2021):** The monitoring activities no. 1-5 and 1-12 were selected by most Länder, the activity no. 9 (monitoring of costs) was selected by some (5) Länder.

**Q070-1 (2020):** A few Länder answered that they have also been monitoring productivity and costs.

**Q071 (2022):** The majority of the respondent federal states monitor pending cases and backlogs. Two federal states could not provide an answer, one federal state has not yet replied.

**Q071 (2021):** Four of the Länder could not provide an answer. The remaining Länder monitor pending cases and backlogs for all of the case categories mentioned above.

**Q071 (2020):** The majority, but not all of the Länder have reported to monitor pending cases and backlogs.

**Q071 (2018):** In 2018, Länder have monitored the number of pending cases and the backlogs.

**Q072 (2022):** One federal state monitors waiting time with respect to the ordinary courts. A minority of 3 federal states monitor waiting time with regard to the public prosecution services. The vast majority of the federal states does not monitor waiting time.

**Q072 (2021):** Courts: One of the Länder reported that waiting times are monitored with respect to ordinary courts.

Public Prosecution: While the majority of the Länder answered "no", a small minority of 3 Länder answered "yes".

**Q083 (General Comment):** There are no quantitative performance targets because this might interfere with judicial independence as defined by article 97 of the Basic Law for the Federal Republic of Germany ("Judges shall be independent and subject only to the law.").

**Q083 (2022):** Of the respondent 15 federal states, 14 reported that there are no quantitative performance targets for judges. One federal state has not yet replied.

**Q083-1 (2020):** There are no quantitative performance targets for each judge

**Q083-2 (2022):** Out of 15 respondent federal states, 14 reported that there are no quantitative performance targets for public prosecutors. One federal state has not yet replied.

**Q083-2 (2021):** The vast majority of the Länder selected "no", 2 of the Länder answered "yes".

**Q083-3 (2021):** There are no quantitative performance targets for each public prosecutor. The 2 Länder that have quantitative performance targets answered, that the prosecutor General is responsible for setting these targets.

**Q083-3 (2020):** There are no quantitative performance targets for each public prosecutor

**Q120 (2022):** Out of 15 respondent federal states, 12 reported that there is a quantitative evaluation of the public prosecutors' work and 12 reported that there is a qualitative evaluation (one federal state has not yet replied).

The assessment is generally carried out by the direct superior and is based on different criteria such as specialised knowledge, expression, cooperation, leadership skills, negotiating skills, etc. The results are mostly used for decisions about promotions.

**Q120 (2021):** The vast majority of the Länder answered "yes", 3 answered "no".

## Greece

**Q066 (General Comment):** Quality standards are set by the Code of Organization of Courts and Status of Judicial Officers (Law 1756/1988).

**Q066 (2022):** According to Law 4938/2022 (art.104) of the organization of court and tribunals code.

**Q066 (2021):** Most of the measures taken recently in Greece aim at speeding up administrative justice. However, the law provides a set of quality criteria that must be taken into account when inspectors check the performance of each judge.

**Q066 (2017):** Most of the measures taken recently in Greece aim at speeding up Justice. However the Law provides a set of quality criteria that must be taken into account when inspectors check the performance of each judge.

**Q067 (2021):** It depends on the court, the answer was changed from yes to no although there are judicial services that have answered positively the majority have answered no.

**Q067 (2017):** The Law provides a set of quality criteria that must be taken into account when inspectors check the performance of each judge.

**Q070 (General Comment):** According to Law 4938/2022 (art. 99-104), supreme judges appointed as inspectors for two year's term, redact every year general reports on the operation of each court and prosecutor's office in their district and recommend the necessary measures for the proper functioning of the service.

**Q070 (2022):** Many courts have chosen the option number of Appeals but not all. The Council of State has additionally selected the options number of Appeals and ratio of Appeals. The General Commission of the State for ordinary administrative courts has additionally selected the options number of Appeals and clearance rate.

According to Law 4938/2022 (art. 99-104), supreme judges appointed as inspectors for two year's term, redact every year general reports on the operation of each court and prosecutor's office in their district and recommend the necessary measures for the proper functioning of the service.

Regarding administrative courts, this task is fulfilled by the General Commission of the State for ordinary administrative courts. In the near future we hope to be able to use a business intelligence program, in order to extract composite statistical data without contacting any court.

[E-mail: g-epitropia-d-d@otenet.gr]

**Q070 (2019):** The Greek government has introduced a new system for organizing and evaluating the planning and implementation of public sector actions and projects, which introduces among others, monitoring court activities. (L. 4622/2019 art. 49 foll.)

**Q070 (2017):** Regarding Administrative Courts, this task is fulfilled by the General Commission of the State for ordinary administrative courts. In the near future there will be a possibility for the General Commission of the state to use a business intelligence program, in order to extract composite statistical data without contacting any court [E-mail: g-epitropia-d-d@otenet.gr]

**Q070-1 (2022):** It is noted that the clearance rate was not selected by all prosecutors' offices, in addition several prosecutors' offices but not all have chosen the option of percentage of convictions and acquittals.

**Q072 (General Comment):** The waiting time during court procedures is monitored annually through the inspection process. The interval between the adjudication of the case and the issuance of the decision is watched, so that the judge does not have much pending and there is a quick delivery of justice.

**Q072 (2018):** There is a monitoring system regarding the length of the judicial procedure, but it does not include such kind of information.

**Q072 (2016):** There is a monitoring system regarding the length of the judicial procedure, but it does not include such kind of information.

**Q083 (General Comment):** The Head of each court is responsible for the assignment of the cases between judges of his/her competence. In this sense, he/she is aware of the quantitative performance of judges.

**Q083 (2022):** Every administrative judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation, according to a model adopted by the General Commission of the State.

**Q083 (2020):** Every administrative judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation.

**Q083 (2018):** Every judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation.

**Q083 (2016):** Every judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation.

**Q083-2 (2022):** There is, however, as far as possible an equal distribution of cases between them by the Head of the Service (Prosecution Service) and the obligation of the public prosecutor to process the cases assigned to him in the time frames provided for each case.

**Q083-3 (2022):** The answer chosen is in accordance with the answers of the majority of the prosecutors' offices.

**Q083-3-1 (2022):** NAP: No targets are set

**Q120 (2022):** The question was answered by the prosecutor's office of the Supreme Court.

**Q120-1 (2022):** The question was answered by the prosecutor's office of the Supreme Court.

## Hungary

**Q066 (General Comment):** Second instance courts have to prepare a note on the decision and the trial procedure of the first instance court, based on professional criteria in every case. In this note, the court of appeal has to examine: the application of substantive, procedural and administrative regulations; the preparation of the hearings; the quality of the judges trial leading practice; if the coercive measures were well founded; if the hearings were set timely; if the ruling was transcribed in time; if the decision was edited correctly. The conclusions are summarized and judges of first instance courts are informed about them at least once a year.

Furthermore, the departments of the Supreme Court (Kúria) responsible for examining the judicial practice evaluates the practice of the courts and regularly inform judges about their experience.

**Q070 (General Comment):** Among others:

- individual judge's statistics, - statistics on the reasons of the postpone of the trials,
- number of trial days in cases, - number of tried cases per day,
- pending cases of an individual judge / court,
- the time frame of pending cases
- number of appealed cases,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**Q070 (2022):** - statistics on the reasons of the postpone of the trials,

- number of trial days in cases, - number of tried cases per day,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**Q070 (2021):** - statistics on the reasons of the postpone of the trials,

- number of trial days in cases, - number of tried cases per day,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**Q070 (2020):** - statistics on the reasons of the postpone of the trials,

- number of trial days in cases, - number of tried cases per day,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**Q070 (2019):** Other:

- statistics on the reasons of the postpone of the trials,
- number of trial days in cases, - number of tried cases per day,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**Q070 (2018):** Other:

- statistics on the reasons of the postpone of the trials,
- number of trial days in cases, - number of tried cases per day,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**Q070 (2015):** Among others:

- individual judge's statistics,
- statistics on the reasons of the postpone of the trials,
- number of trial days in cases,
- number of tried cases per day,
- pending cases of an individual judge / court,
- the time frame of pending cases
- number of appealed cases,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**Q070 (2014):** In 2013 and 2014, among other are quoted individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of tried cases per day, the number of pending cases of an individual judge/court, the time frame of pending cases, the number of appealed cases, the subject of incoming/resolved/pending cases, the ratio of litigious and non-litigious cases. Cases that are pending over 2 or 5 years have a separated statistical report every month, as well as cases in which there were no actions taken in the last 30 days by the court.

**Q070 (2013):** In 2013 and 2014, among other are quoted individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of tried cases per day, the number of pending cases of an individual judge/court, the time frame of pending cases, the number of appealed cases, the subject of incoming/resolved/pending cases, the ratio of litigious and non-litigious cases. Cases that are pending over 2 or 5 years have a separated statistical report every month, as well as cases in which there were no actions taken in the last 30 days by the court.

**Q070 (2012):** In 2010 and 2012, a reference is made to individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of resolved cases, the number of cases scheduled within one day, the number of pending cases of an individual judge.

**Q070-1 (2022):** The public prosecution services are led in a hierarchical structure. Leaders perform their duties at a national and regional level, as well as at the level of each organizational unit. It is up to the decision of the leader who exercises the employer's rights to determine how the activities (performance, quality) of the prosecution office should be evaluated and on the basis of what indicators in order to manage the organizational unit effectively. The set of indicators may vary from year to year, depending on the circumstances. Therefore, more than one answer could be given to the given question.

For example, the performance of individual prosecutors or officers may be assessed at the level of an organizational unit; a staff satisfaction survey may be conducted; or a target analysis based on client satisfaction may be carried out.

The clearance rate could also be considered as a reference point and is actually monitored by the public prosecution services.

However, statistics are produced at the level of the prosecution services and at the regional level on a calendar year basis.

Therefore, those decisions on the termination of prosecution proceedings which are made at the end of a year, but become final only in the following year, can only be taken into account in the next year. The number of indictments and the number of finally closed cases that are closed because of finally closed court cases in the years after the indictment may also differ from the number of indictments on an annual basis. Therefore, the "clearance rate" – as a reference point – is a difficult criterion to follow.

At the national level, the Prosecutor General is required to present a report to Parliament. This report does not focus on the performance of individual public prosecutors; instead, it assesses the performance of the public prosecution service as a whole and according to a breakdown of organizational units. In our 2023 response, we tried to take this into account and, in this respect, we have indicated that primarily the indicators indicated were taken into account. Compared to our previous response in 2020, there was no change in terms of the fact that the clearance rate had been taken into account, even if it was not the primary evaluation criterion.

**Q070-1 (2021):** The BTM system (Criminal Justice Activity Indicator System) is available for the Prosecution Service of Hungary. This system regularly monitors prosecution activities (performance and quality), however, it does not contain any information about the number of incoming cases, length of proceedings, number of resolved cases, backlogs etc.

**Q071 (General Comment):** Judges have to report those cases on a monthly basis that are pending for more than 2 years. The president of the court can order a fast-track procedure for a case based on the report.

**Q071 (2018):** Judges have to report those cases on a monthly basis that are pending for more than 2 years. The president of the court can order a fast-track procedure for a case based on the report.

**Q072 (General Comment):** The administrative office of the court reports those cases to the president in which there was no judicial activity in the last 30 days.

**Q072 (2022):** It was not possible to give an unambiguous answer to this question because of the reasons given in point 70-1. There are several possible "waiting times" in court proceedings which can be monitored. The length of proceedings can be and is monitored by the public prosecution services at the organizational, regional and local levels to different extents. As there was no substantive change in this respect, our reply is modified as follows, in line with the previous answer. If the question refers to the judicial recess, the answer is "yes"; it is monitored by those who exercise the employer's rights, mainly for the purpose of granting a leave of absence.

**Q072 (2018):** The administrative office of the court reports those cases to the president in which there was no judicial activity in the last 30 days.

**Q083 (General Comment):** Since 1999, there is a national regulation adopted by the central administration body of the courts that regulates – among other things – how many trial days should a judge have per year. Every court has an internal regulation for judges, defining how many hearings shall they have at a trial day and how many cases shall they hear at a monthly basis. This regulation is adopted by the president of the court, taking into consideration the opinion of the judicial council. The president of the NOJ has to give his/her consent for the regulation.

**Q083-1 (General Comment):** The courts' organizational and operational rules provide for the number of hearing days a judge should have in a month and the number of cases a judge should monthly hear. These rules are issued by the president of the court after the judicial council expressed an opinion on them. The judicial council is a self-governing organ of the courts, consisting of judges who are elected by their peers. The rules are approved by the president of the National Office for the Judiciary.

**Q083-2 (2022):** Quantitative performance targets have not yet been set. The public prosecution services were in the process of installing a new specialized IT system (IIDR), which was originally planned to affect internal prosecution statistics too. However, it has not been introduced. The planned system is currently under revision, so it is not possible to provide information on how and when it will be introduced and whether quantitative performance targets will be set.

**Q083-2 (2021):** For the time being, no performance targets are in place, but the development of such targets is in progress.

**Q120 (2022):** The person exercising the employer's rights assesses a prosecutor's work every eight years. The purpose of assessment based on the examination of case files is to assess the quality of the prosecutor's professional activities, to evaluate his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. In accordance with Section 50 (1) of the Prosecution Employment Status Act, prosecutors, with the exception of the Prosecutor General and the Deputy Prosecutor General, shall be assessed before the expiry of the fixed term of the first prosecution appointment, while in the case of a first appointment for an indefinite term, before the expiry of a period of three years following the appointment, and thereafter every eight years, provided that they worked under the supervision of the assessor or his/her deputy for minimum one year during the assessment period. Prosecutors do not need to be assessed during the six years preceding the completion of the applicable old-age pension age. In addition to cases mentioned above, a prosecutor shall also be assessed if requested by the assessor, provided that two years have elapsed since the previous assessment, circumstances have emerged that indicate the prosecutor's professional ineligibility or the necessity to alter the evaluation of the previous assessment. The purpose of assessment is to assess the quality of the prosecutor's professional activities, to evaluate his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. The assessment may only feature duly supported, factual findings. In the event of an ineligible grade, upon the disclosure of the result of the assessment, the prosecutor shall be called upon to resign his/her office within thirty days. If despite the call the prosecutor does not resign his/her office, his/her prosecution service employment shall be terminated by exempting him/her from office. In accordance with Sections 13/A-13/F of Instruction 4/2012. (I. 6.) of the Prosecutor General on specific questions regarding the status of employees of the Prosecution Service, a case file examination shall be carried out as a basis for the assessment which is due to follow with regard to the prosecutor appointed to a prosecution office subordinated to the Office of the Prosecutor General prior to the time when the assessment is due. Such a case file examination shall not be carried out for senior head prosecutors. Case file examinations shall discover the examined prosecutor's practice regarding the application of substantive and procedural law during at least a one-year period prior to the case file examination, or since the prosecutor's latest assessment – or in absence of an assessment – since the time of his/her appointment at the most. The case file examination and its evaluation shall be done by a prosecutor (hereinafter: examiner prosecutor) who works at the prosecution office directly superior to the prosecution office where the examined prosecutor is appointed to and who works in the same field of prosecutorial activity or expertise as the examined prosecutor. The examiner prosecutor shall be designated by the directly superior prosecution office or at the Office of the Prosecutor General by the head of the organizational unit in the prosecution service that is competent in view of the examined prosecutor's duties.

**Q120-1 (2021):** Under Section 50 (1) of Act on Prosecutors, prosecutors shall be assessed on a regular basis, with the exception of the Prosecutor General and the Deputy Prosecutors General. In case of the first appointment, which is for a definite term, the prosecutor shall be assessed by the end of that term. In case of appointment to prosecutor for an indefinite term, the prosecutor shall be assessed within 3 years following the appointment; then the assessment shall be carried out every 8 years.

Prosecutors do not need to be assessed within the period of six years before reaching retirement age.

Besides the above, prosecutors shall be assessed if they request so, provided that at least 2 years have elapsed since the last assessment, or in the occurrence of any circumstance which suggests professional inadequacy, or which necessitates the amendment of the results of the last assessment. The assessment procedure involves examination of case files, as set out in Sections 13A to 13F of the Prosecutor General's Order No. 4/2012.

**Q120-1 (2018):** The evaluation system is defined by Articles 50-52 of the Act on the Legal Status of Prosecutors. The purpose is to assess the quality of the prosecutor's activities, his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. Prosecutors, with the exception of the Prosecutor General and the Deputy Prosecutor General, are assessed before the expiry of the fixed term of the first appointment, while in the case of a first appointment for an indefinite term, before the expiry of a period of 3 years following the appointment, and thereafter every 8 years. Prosecutors need not be assessed during the 6 years preceding the completion of the applicable old-age pension age. A prosecutor shall also be assessed if: requested by the prosecutor; circumstances have emerged that indicate the prosecutor's professional ineligibility or the necessity to alter the evaluation of the previous assessment; in the extraordinary proceeding to be completed without delay, s/he fails to meet the deadline extended by the superior prosecutor. The assessment is the duty of the person exercising the employer's rights. The official work of prosecutors assigned to the Ministry is evaluated by the Minister responsible for justice in accordance with the rules applicable to government officials. As a result, prosecutors may be awarded the following grades: excellent, suitable for promotion; excellent and fully eligible; eligible; eligible, subsequent assessment required; ineligible. In the event of an ineligible grade, the prosecutor shall be called upon to resign his/her office within thirty days. If the prosecutor is awarded a grade "eligible, subsequent assessment required", the person exercising the employer's rights identifies the deficiencies and irregularities and states the main criteria of the desired changes which shall be reviewed prior to the next assessment (within 2 years). A prosecutor shall be awarded an ineligible grade upon the next assessment if he/she fails to obtain an eligible grade. S/he may request a court of law to quash any erroneous or untrue finding.

## Ireland

**Q066 (2021):** With effect from October 1 2022, a statutory system providing for investigation and adjudication of complaints in relation to judicial conduct has been commenced pursuant to Judicial Council Act 2019.

**Q067 (2021):** Secretary of Judicial Council and Judicial Conduct Committee of that Committee investigate and adjudicate complaints.

**Q070 (2022):** These are not new or recently introduced monitoring options.

**Q070 (2014):** 2014: Since 2014 Ireland introduced a monitoring system for the length of proceedings and it is now capable of calculating average length of proceedings in first instance jurisdictions.

**Q070-1 (2022):** Information is published in Part 2 and Part 4 of ODPP Annual Report 2021 (<https://www.dppireland.ie/app/uploads/2023/02/AR2021eng.pdf>).

**Q070-1 (2020):** information is published in Annual Report available at: <https://www.dppireland.ie/app/uploads/2020/10/AR-2019-eng.pdf>

**Q070-1 (2018):** Information is published in Annual Report available at [https://www.dppireland.ie/filestore/documents/AR2017\\_\[eng\].pdf](https://www.dppireland.ie/filestore/documents/AR2017_[eng].pdf)

**Q071 (2022):** N/A

**Q071 (2020):** NAP

**Q071 (2018):** NAP

**Q071 (2016):** NAP

**Q083-1 (2018):** NAP

**Q083-1 (2016):** NAP

**Q083-2 (2022):** Allocation of files happens in some divisions but not all, and not all prosecutors are assigned a specific number of files per week. Additionally, targets can be influenced by external factors such as: the number of investigation files received, or the availability of court dates in order to process cases. The main reason why prosecutors are not assigned a set number of files is because the size and complexity of files can vary significantly.

**Q083-2 (2021):** Prosecutors in our directing division are allocated a specific number of files per week. Decisions must be issued within a designated time frame and this is monitored by our case management system

**Q083-2 (2018):** Work is demand led by number of files submitted by external investigating agencies

**Q083-3 (2022):** Unit Heads assign a number of files to each Prosecutor depending on ability or grade. This might not mean that “targets” are set. The targets for the Office are ultimately greatly impacted by external factors like the amount of investigation files that are submitted to the office, the availability of court dates to process cases and the fact that the size and complexity of files varies. A Prosecutor’s ability to progress their caseload is very much impacted by these factors so within this Office we don’t usually reference “targets”.

**Q120 (2022):** A Prosecutor’s performance is individually assessed through PMDS (Performance Management and Development System). PMDS assesses how a jobholder’s work performance, career and development needs are managed. It links the management of individual performance to the objectives of the Office, as set out in the Strategy of Statement and Business Plan. PMDS seeks to strike a balance between the needs of the organisation and the development needs of those who work in it. It recognises the need for continual change and improvement and for the involvement of staff in bringing this about. Individual prosecutors are responsible for carrying out their own goal setting and assessment. The PMDS form is then reviewed and assessed by the prosecutor’s manager.

**Q120-1 (2021):** Performance Management System

**Q120-1 (2018):** Prosecutors working in-house are required to participate in Public service wide Performance Management and Development System (PMDS).

## Italy

**Q066 (General Comment):** In Italy there is not a strict quality system as such. However, there is a regular monitoring system in place which tracks the performance of court activities.

**Q070 (General Comment):** Within the framework of the National Recovery and Resilience Plan (PNRR), the Ministry of Justice has introduced an additional monitoring system specifically designed for PNRR purposes, in order to keep track of a series of KPIs related to the efficiency of the Italian courts.

**Q072 (2018):** Waiting time is monitored only for Administrative Justice.

**Q083 (General Comment):** Law n.71 of 17 June 2022 has recently modified article 2 of Legislative Decree n.109, 23 February 2006, regarding disciplinary responsibility of professional magistrates. The amendment has introduced specific disciplinary offences regarding the conduct of the magistrate who does not cooperate in reaching the goals laid in the 'Program for the management of civil and criminal proceedings' (in Italian 'Programma di Gestione'), which is disciplined by art37 of Decree-Law II. 98 of 6 of July 2011 and regularly approved by each Court.

**Q083 (2020):** Quantitative performance targets are set in terms of length and timeframe of proceedings. Judges who fail to meet certain requirements may face disciplinary proceedings.

**Q083 (2018):** Quantitative performance targets are set in terms of length and timeframe of proceedings. Judges who fail to meet certain requirements may face disciplinary proceedings.

**Q083 (2016):** Quantitative performance targets are set in terms of length and timeframe of proceedings. Judges who fail to meet certain requirements may face disciplinary proceedings.

**Q083-1-1 (2022):** Disciplinary sanction as provided by the Legislative Decree no 109 of 23rd February 2006, regarding disciplinary responsibility of professional magistrates.

**Q083-2 (General Comment):** Law n.71 of 17 June 2022 has recently modified article 2 of Legislative Decree n.109, 23 February 2006, regarding disciplinary responsibility of professional magistrates. The amendment has introduced specific disciplinary offences regarding the conduct of the magistrate who does not cooperate in reaching the goals laid in the 'Program for the management of civil and criminal proceedings' (in Italian 'Programma di Gestione'), which is disciplined by art37 of Decree-Law II. 98 of 6 of July 2011 and regularly approved by each Court.

**Q083-3-1 (2022):** Disciplinary sanction as provided by the Legislative Decree no 109 of 23rd February 2006, regarding disciplinary responsibility of professional magistrates.

**Q120 (General Comment):** The assessment procedure applies to both judges and public prosecutors. Every four years, the High Council for the Judiciary (CSM) conducts a professional appraisal based on the professional skills of judges/prosecutors. The professional status of both judges and prosecutors is organized into 7 different levels. Several criteria are taken into consideration: independence, impartiality, balance, professional capacity, work capacity, diligence and commitment. The assessment is based on a number of acts and documents that describe all the professional aspects of the magistrate to be evaluated. The most significant are:

- "self report" where the magistrate illustrates all the elements that he/she believes are necessary or useful to be considered for the purpose of his/her appraisal;
- a random sample of acts and documents produced by the magistrate during the evaluation period;
- an "informative report" prepared by a superior of the magistrate;
- the statistics concerning activity of the magistrate: the number of provisions drafted, the processing times of the proceedings, the time for filing the documents (even in comparison with the other magistrates of the office);
- work related publications, if any;
- reports from the lawyers' council, if any.

**Q120-1 (2022):** Every four years

## Latvia

**Q066 (General Comment):** In January 15, 2020 the "Visitors service standards of the district (city) courts and regional courts" were approved. This document summarizes the general principles related to functions such as judicial reception and providing with information. The standards help court staff to raise their professionalism and understand the court visitors servicing values.

**Q066 (2022):** The reply is partly "yes" because according to the Law on Judicial Power Section 27.1., a Chief Judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (standard of time periods for adjudication of matters) prior to the beginning of each calendar year, in co-operation with court judges. This standard shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and other basic principles related to the guarantee of fair trial. A Chief Judge of a court shall approve the standard and supervise the actual time periods of examining matters in a court. He/she shall submit information to the Board of Justice regarding the approved standard until 1 February of each year. In January 15, 2020 the "Visitors service standards of the district (city) courts and regional courts" were approved. This document summarizes the general principles related to functions such as judicial reception and providing with information. The standards help court staff to raise their professionalism and understand the court visitors servicing values.

**Q066 (2021):** Partly yes, according to the Law on Judicial Power Section 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year.

**Q066 (2020):** Partly yes, according to the Law on Judicial Power Section 27.1. the Court President before the beginning of each calendar year, shall plan and determine the objectives of the court work in relation to average time periods for the examination of cases in a court (the standard of time periods for the examination of cases) in cooperation with court judges. The standard of time periods for the examination of cases shall be determined by taking into account the court resources and the necessity to ensure the right of a person to the examination of a case in a reasonable time period and in conformity with other basic principles for the examination of cases. The Court President shall submit the standard case examination time limits for approval to the Judicial Council until 1 February of each year.

**Q066 (2019):** In January 15, 2020 the "Visitors service standards of the district (city) and regional court" is adopted. This document defines the procedure by which the employee of the district (city) and regional court shall ensure the servicing of the court visitor, the participant in the proceedings, its representative (hereinafter - customer) (the acceptance of the client, the provision of information and communication in person, by telephone and by electronic means) and basic customer service values, general principles and basic rules for customer service.

**Q066 (2017):** According to the Law on Judicial Power Art 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year. First standards of time periods for adjudication of matters were submitted to the Board of Justice in 2014.

**Q066 (2016):** Partly yes, according to the Law on Judicial Power Section 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year.

First standards of time periods for adjudication of matters were submitted to the Board of Justice in 2014.

**Q066 (2015):** Since 2008 courts apply 'The visitors service standards of the district (city) courts and regional courts'. This courts visitor's service standard summarizes the general principles of judicial reception and providing with information. Standard helps court staff to raise their professionalism and understand the court visitors servicing values. On 2015 May 18 Council of Justice approved guidelines on communication of the court system. The aim of the guidelines is to promote the effective functioning of the judiciary and promote the public confidence in the judiciary, creating a positive Court's image and enhance its' authority in society.

**Q066 (2014):** In 2014, for the first time, standards of time periods for adjudication of matters were submitted to the Board of Justice.

**Q070 (General Comment):** Implemented business intelligence solution allows monitor all the mentioned court activities very closely.

Satisfaction of court staff and users is being evaluated by regular questionnaires in courts.

**Q070 (2022):** The indicators "productivity of judges and court staff" and "number of appeals" are taken into account when assessing the professional activity of a judge, because the objective of the assessment of the professional activities of a judge is to promote the continuous professional growth of a judge throughout his or her career, thereby improving the quality of the work of the judge and the court. An Annual evaluation of court staff is also carried out, which is essential for high-quality work of courts.

**Q070 (2017):** Decision stability (proportion of decisions appealed in higher instance)

**Q070 (2016):** Decision stability (proportion of decisions appealed in higher instance)

**Q071 (2018):** We have created a specific tool for this purpose that is available also in public from <https://dati.gov.lv/>

**Q072 (2022):** "Within the courts": On an irregular basis, the Ministry of Justice and the Council of Justice analyze the number of days (period) from the initiation or receipt of the case in court to the moment when the case review is started.

**Q083-1 (General Comment):** According to the Law on Judicial Power, when adjudicating, judges are independent and are subject only to the law. Therefore, judges set targets by themselves. However, the President of the court monitors the workload of the judges in the court as a whole, assigning cases to another judge if necessary.

**Q083-2 (General Comment):** The prosecutor provides a monthly report on the statistical indicators of his or her work. In addition, the statistical indicators of the individual work of the public prosecutor (statistical indicators for the monitoring of the investigation, prosecution, maintenance of the State prosecution and other functions of the public prosecutor) are also analysed during the process of assessing the professional activities of prosecutors (not less than once every five years).

**Q120 (General Comment):** Evaluation is carried out by the Attestation Commission of Prosecutors. During the evaluation of a public prosecutor the following indicators of the quality of performance of the functions are assessed: supervision, criminal prosecution, maintenance of state prosecution in court, as well as the protection of state and individual rights. An assessment of professional competences is also carried out. The results are generally used to evaluate professional performance and suitability for the position. In the case of a negative opinion, the Commission can determine specific tasks that must be performed to eliminate the deficiencies found in prosecutor's professional activity or to improve his/her professional activity.

**Q120-1 (General Comment):** The assessment of the professional activities of prosecutors have been commenced and is operational from 1 January 2014, within which the professional activities of prosecutors are assessed on a regular basis (not less than once every five years).

**Q120-1 (2020):** Not less than once every five years

## Lithuania

**Q070 (General Comment):** All of these data are recorded in the Lithuanian Court Information System (LITEKO), as well as other data, related to the case, it's process and the parties to the proceedings.

**Q072 (2022):** Within the courts: through an administrative supervision mechanism.

**Q072 (2020):** courts: through administrative supervision mechanism

**Q083-2 (2018):** The quantitative performance targets are defined for the Prosecutor General's Office and 5 regional Prosecutor's Offices, but not for individual public prosecutors.

**Q083-3 (2018):** The quantitative performance targets are defined for the Prosecutor's Offices, but not for individual public prosecutors.

**Q120 (2022):** The service, qualifications of the prosecutors and their suitability for the position are assessed by the Prosecutors' Assessment Commission.

The Commission is composed of seven members (four prosecutors and three persons (non-prosecutors) of impeccable reputation, nominated by the President of the Republic, the Speaker of the Seimas, and the Prime Minister) for a period of three years.

The Commission assesses data on the procedural and non-procedural performance and professional qualities of the prosecutor, and, in the case of the evaluation of the chief prosecutor (or deputy), also on the administrative performance.

**Q120-1 (General Comment):** According to Article 33 of the Law on Prosecution Service, evaluation of prosecutor's individual performance, qualification and suitability is carried out by the Attestation Commission. Performance of a prosecutor who has received a positive evaluation after his/her internship, is thereafter evaluated every five years during the regular evaluation of the service. The extraordinary evaluation can be carried out by decision of the Prosecutor General: at the request of the public prosecutor him/herself, if at least half a year has passed since his/her last evaluation; in the case the prosecutor is applying for a higher position, or to the same or an equivalent post after the expiry of the term of appointment; if three years have passed since the last evaluation of his/her service; if the prosecutor's performance has repeatedly been deficient, giving rise to reasonable doubts as to his/her suitability for the position in question.

**Q120-1 (2022):** The Commission carries out regular and extraordinary assessments of the service.

Regular service assessments are carried out:

1. at the end of the prosecutor's traineeship;
2. every five years.

An extraordinary service assessment may be carried out:

1. at the reasoned request of the prosecutor, if at least half a year has elapsed since the last assessment;
2. when, at the end of his/her term of office, the prosecutor seeks appointment to a higher, the same or an equivalent post, provided that three years have elapsed since the last service assessment;
3. in cases where it is established that the prosecutor's performance has repeatedly been deficient, giving rise to reasonable doubts as to his suitability for the post in question.

## Luxembourg

**Q070 (General Comment):** No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request of the competent authorities.

**Q070 (2017):** ??? (see comments to parent campaign)

**Q070 (2016):** No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request by the competent authorities.

**Q070 (2015):** By using the newly implemented statistical tools, the information ticked in addition to last year's questionnaire can now be retrieved by the statistical service on an as needed basis at least for criminal cases. Identical markers are being implemented for civil and commercial cases and will available in a foreseeable future.

**Q070 (2014):** 2014: There is no regular monitoring system. However, new statistical tools are implemented and can provide monitoring elements when necessary without daily measurement current affairs.

**Q071 (2018):** New systems of monitoring have been implemented since 2016 (JUCIV for the civil law cases and JANGA for administrative law cases)

**Q071 (2016):** No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request by the competent authorities.

**Q072 (2014):** According to 2014 data, the newly set up statistical tools, as well as the courts' CMS, allow an "as needed" check of the waiting time.

**Q083-1 (2018):** NAP

**Q083-2 (2018):** NAP

**Q083-3 (2018):** NAP

## Malta

**Q066 (General Comment):** There exists a Code of Ethics for the members of the Judiciary which, though not providing for the organisation and quality of the judicial work, does lay upon the members of the Judiciary certain obligations which are important in ensuring the transparency and independence of the judicial process.

**Q066 (2017):** There exists a Code of Ethics for the members of the Judiciary which, though not providing for the organisation and quality of the judicial work, does lay upon the members of the Judiciary certain obligations which are important in ensuring the transparency and independence of the judicial process.

**Q066 (2016):** There exists a Code of Ethics for the Judiciary which, though not providing for the organisation and quality of judicial work, does lay upon the members of the Judiciary, certain obligations which are important in ensuring the transparency and independence of the judicial process.

**Q067 (2018):** There are general quality standards that apply to the public sector, but not specific quality standards that monitor the implementation of quality standards within the judiciary or the prosecution services.

**Q070 (2022):** Other: Age of the pending caseload.

**Q070 (2019):** Other: age of pending caseload

**Q070 (2017):** other: clearance rate

**Q070 (2015):** The monitoring of court activities also takes place through the ongoing analysis of the Clearance Rate and Disposition Time of the various courts. This data is also being published online on a monthly basis. The category "other" refers to the monitoring of the Clearance Rate and Disposition Time of all civil courts, boards and tribunals. This exercise was started in 2015.

**Q070 (2014):** In 2014, the court administration was monitoring length of proceedings through the number of incoming and resolved cases, as well as through the pending caseload. The age of civil cases was another parameter that was being assessed.

On the occasion of the 2014 exercise, it has been indicated that since 2015, Malta started computing the Disposition Time and Clearance Rate of all the civil and criminal courts. By the end of 2015, for the civil courts, this information will be made available online.

**Q070-1 (2022):** The Office of the Attorney General has embarked on a data management process that is seeing more information being collected in respect of the efficiency parameters of the Office. This explains why in this evaluation cycle, the categories of 'Backlog' and 'Productivity of Prosecutors and prosecutors staff' have been marked.

**Q070-1 (2021):** The Attorney General is collecting data on length of proceedings and using it to monitor efficiency. This exercise will be refined in the coming months within the scope of an ongoing project addressing the re-engineering of processes within the Office of the AG.

**Q070-1 (2018):** The Office of the AG does hold a record of the number of incoming cases and terminated cases, but these are not as yet organised into official performance indicators.

**Q072 (2016):** In Malta, there is no formal monitoring system. However, an "informal" monitoring used to take place. It falls mostly within the remit of the Chief Justice and the respective members of the judiciary.

**Q083 (General Comment):** The administration of the case load is left in the hands of the individual judge and magistrate together with the Chief Justice who assigns the particular duties to each judge and magistrate.

**Q083 (2016):** The administration of the case load is left in the hands of the individual judge/ magistrate together with the Chief Justice who assigns the particular duties to each judge and magistrate.

**Q083-1 (2018):** NA

**Q083-3 (2018):** NA

**Q120-1 (2022):** It is up to the discretion of the Attorney General to carry out such evaluation but it has been carried out at least once annually.

**Q120-1 (2021):** The work of public prosecutors is constantly monitored by the Deputy AG and the AG herself. The monitoring is not scheduled at specific annual intervals but it is ingrained in the daily work processes in the Office.

**Q120-1 (2020):** The work of public prosecutors is constantly monitored by the Deputy AG and the AG herself. The monitoring is not scheduled at specific annual intervals but it is ingrained in the daily work processes in the Office.

**Q120-1 (2018):** The work of public prosecutors is constantly monitored by the Deputy Attorney General (in charge of the criminal field) and the Attorney General. The monitoring is not scheduled at specific annual intervals, but is ongoing and ingrained in the daily work processes of the Office.

## Netherlands

**Q066 (General Comment):** There are quality standards that are measured by annual statistical figures per individual court. Examples are the scores of customer satisfaction surveys, the percentage of cases judged by three instead of one judge, and case processing times (the so-called 'Kengetallen gerechten'). The Team Judicial Quality (TJK, Team Juridische Kwaliteit) studies topics in a thematic manner, on a structural basis. A team of public prosecutors participates in TJK and assesses the judicial work of colleagues in a structured and systemic way. There is often a baseline assessment, as well as a follow-up, sometimes a second follow-up. The assessment framework is adjusted if necessary. See also [www.tweedekamer.nl/kamerstukken/detail?id=2018D52900&did=2018D52900](http://www.tweedekamer.nl/kamerstukken/detail?id=2018D52900&did=2018D52900). There are professional standards too, developed to show what 'good justice' entails. These standards are publically available on the website of the Judiciary. See <https://www.rechtspraak.nl/Organisatie-en-contact/Rechtspraak-in-Nederland/Rechters/Paginas/De-professionele-standaarden-van-de-rechters.aspx>.

**Q066 (2019):** There is a so-called Team Judicial Quality (Team Juridische Kwaliteit), which studies topics in a theme-wise manner. This is part of the program 'Programma OM Strafvordering 2020'. A team of public prosecutors participates in TKJ and assesses the judicial work of colleagues in a structured and systematic way. There is often a first assessment (baseline) and a first follow-up assessment, and sometimes even a second follow-up. If necessary, the assessment framework is adjusted.

**Q067 (General Comment):** Courts: there are staff members (policy officers) within the offices that coordinate the quality in that office.

Public prosecution: At the head office of the public prosecution (Parket-General), there is personnel responsible for producing, implementing, evaluating and auditing quality measures. These are the TJK (as mentioned in Q66), Team Processes and Information (standard processes and procedures) and the Scientific Bureau OM (national guidelines and policy regulations).

**Q067 (2017):** yes

**Q070 (2020):** There is an annual publication that includes the appeal ratio for some case types. To call it 'monitoring' would be a bit too much, but it is annually checked and reported on.

Incoming cases and length of proceedings have not previously been mentioned, but these are monitored.

**Q071 (General Comment):** The public prosecution logically only monitors criminal law cases, the courts monitor all types of cases.

**Q071 (2021):** Public prosecution only monitors criminal law cases, the courts monitor all.

**Q072 (General Comment):** Waiting time can be monitored through registration in the court system.

Agreements are made across the justice chain on timeframes in which particular caseloads (sexual offences, youth cases, and specific traffic violations) should be handled. These agreements are monitored.

Government (the Second Chamber) is annually informed on the agreements via factsheet. Additionally, timeframe agreements were reached within the public prosecution on the speed with which penal orders are to be issued, the terms in which an objection is to be judged and the speed with which the first decision with attachment is to be taken.

**Q072 (2020):** Within the courts: Registration in the court system gives the opportunity to monitor waiting time.

Within the public prosecution services: Across the justice chain, agreements have been made on the timeframes in which particular caseloads (sexual offences, youth cases and specific traffic violations) should be handled. These agreements are monitored. Annually, the government (Second Chamber) is informed on this via the factsheet 'Strafrechtketen'. Besides this, timeframe-agreements have been reached within the public prosecution on speed with which penal orders are to be issued, terms in which an objection is to be judged and the speed with which the first decision with attachment is to be taken (eerste beslissing bij beslag).

**Q072 (2013):** All steps and dates are recorded in information systems of the court. But this registration does not show 'waiting times' as such.

**Q083 (2016):** There is a planning and control cycle (3 times per year) which involves financial/accounting evaluation but also visits ('bestuurlijke overleggen'), there is once per year an accountant check of the annual report (per court and for total of 19 district courts, 5 general appeal courts and 2 specialised courts (Trade and Industry Tribunal (CBb) and Central Appeals Tribunal (CRvB)), and once every 4 years there is a round of visitations.

**Q083-1 (2018):** NAP

**Q083-1 (2016):** The planning and control cycle is done by The Council for the Judiciary, on a court level (not at individual judge level). Targets for each individual judge are not imposed by The Council for the Judiciary.

**Q083-2 (General Comment):** There is no national policy on targets for every prosecutor. An office could choose to set targets for their prosecutors (see next question), but these may vary across offices.

**Q083-2 (2020):** There is no national policy on targets for every prosecutor. An office (parket) could choose to set targets for their prosecutors (see next question), but this may vary across offices.

**Q083-3 (General Comment):** There is no national policy on targets for every prosecutor. An office could choose to set targets for their prosecutors (see next question), but these may vary across offices.

**Q120 (General Comment):** The public prosecution has a team Judicial Quality at the General Office that studies the quality of the criminal proceedings of the public prosecution. As part of these studies and assessments, a pool of prosecutors has been compiled, and they study the work of other public prosecutors. This is an assessment of an office, not of individual prosecutors. The results of these studies are used for quality enhancement trajectories. The studies are repeated periodically.

**Q120 (2020):** The public prosecution has a team Judicial Quality at the General Office (Parket Generaal) that studies the quality of the criminal proceedings of the public prosecution. As part of these studies and assessments, a pool of prosecutors has been compiled, and they study the work of other public prosecutors. The results of these studies are used for quality enhancement trajectories. The studies are repeated periodically.

**Q120-1 (General Comment):** A regular cycle of individual assessments exists, based on certain competencies a public prosecutor should possess. The extent to which the public prosecutor possesses these competencies is assessed in performance and assessment reviews. Furthermore, each prosecutor has to obtain a certificate implying they are 'fit for trial', that they have the necessary skills to represent the public prosecution at trial.

## Poland

**Q066 (General Comment):** The Ministry of Justice collects statistical data sent by common courts concerning their current activity, and also evaluates annual information on the activity of courts, prepared by presidents of courts of appeal about the activity of courts within the area of appeals, within the scope of tasks entrusted to them. In addition, the Minister of Justice convenes a meeting with presidents of courts of appeal at least once a year to discuss issues related to exercising supervision. Within the framework of that evaluation, a multifaceted analysis of collected statistical data is conducted, inter alia, an indicator of stability of jurisprudence, an indicator of control over the inflow of court cases or time of adjudication in incoming cases. However, no legal provision defines specific quality standards for individual indicators, concerning organisational quality and/or justice quality policy, to be formulated for the justice system as a whole.

**Q066 (2016):** The most important indicator comes from evaluation of judgements through second instance procedure. In this purpose "judgement stability" ratio are in use as a ratio of judgements reversed or annulled in procedure of appeal.

**Q067 (General Comment):** Inspection departments operate in the appellate and regional courts. The task of the judges working in these departments is to perform on behalf of the president of the court activities in the scope of supervision over the administrative activity of the courts in the area of the operation of a given appellate or district court. Supervision consists in taking actions to improve the office of the courts or increase the efficiency and level of work organization culture in the courts. For this purpose, visits of departments in courts or surveys of recognized cases of a given category are carried out, the secretariats of departments in the courts are controlled.

Activities in the scope of administrative supervision can not enter the field in which judges and assessors are independent.

**Q070 (2017):** Supervision covers only the administrative activities of the courts. There are the internal supervision exercised by the presidents of the courts and the external supervision exercised by the Minister of Justice within the narrow scope specified in the law.

**Q070 (2016):** Supervision covers only the administrative activities of the courts. There are the internal supervision exercised by the presidents of the courts and the external supervision exercised by the Minister of Justice within the narrow scope specified in the law.

**Q070-1 (2021):** In 2021, following the implementation of the new central ICT system PROK-SYS, which provides for a modern reporting system, the possibility of obtaining data on a wide range of activities of all organisational units of the prosecution offices was created. The system provides a solution for generating types of reports on the costs of proceedings. This allows for daily supervision of the activities of the prosecution offices from every level, including the central level. Prior to 2021, data on the costs of proceedings were only collected locally.

**Q072 (General Comment):** Public Prosecution services

The issue of the duration of pre-trial proceedings is defined in the Code of Criminal Procedure, in Article 310 § 1 and § 2 and Article 325i § 1. Article 310 § 1 and § 2 states that the investigation shall be completed within 3 months. In justified cases the investigation period may be extended by a specified period of time by the public prosecutor supervising the investigation or the public prosecutor directly superior to the public prosecutor leading the investigation, but not longer than one year. In particularly justified cases a competent public prosecutor superior to the prosecutor supervising or leading the investigation may extend the investigation by a specified period of time.

Article 325i § 1 states that an investigation should be completed within 2 months. The prosecutor may extend this period to 3 months, and in particularly justified cases – to a longer specified period of time.

The authority empowered to order the extension of an investigation or an inquiry by a specified period of time shall monitor such proceedings with respect to their proper conduct in view of their possible length and shall assess the validity of the procedural steps taken or to be taken.

The request for the extension of an investigation or an inquiry must include the steps that need to be taken in the further course of the proceedings and indicate the reasons why they have not yet been taken.

Courts:

The presidents of the courts, in exercising internal administrative supervision over the administrative activity of the courts, control the taking of actions by judges within appropriate time limits; direct control is also exercised by the presidents of the divisions. Monitored also within the framework of management control and analysis of annual information on activities of courts operating within the area of appellate courts prepared by presidents of courts of appeal

**Q072 (2021):** \* courts -The presidents of the courts, exercising internal administrative supervision over the administrative activity of the courts, control the taking of actions by the judges in due time; direct control is also exercised by the presidents of the divisions. Monitoring also takes place within the framework of the external administrative supervision of the Minister of Justice over the administrative activity of common courts within the framework of management control and analysis of annual information on the activity of courts operating on the territory of courts of appeal prepared by presidents of courts of appeal.

\*prosecutors - In the course of pre-trial proceedings, the public prosecutor commissioning other bodies to carry out procedural actions or appointing experts to prepare an opinion shall each time set a deadline for their implementation. If the entrusted activities are not carried out in time, the prosecutor makes an enquiry as to the reasons for the delay and the deadline for carrying out the activities. The course of pre-trial proceedings is monitored both in terms of internal service supervision and external service supervision, in order to ensure their proper dynamics.

At the trial stage, if a hearing is postponed without a date being set, the prosecutor's office makes timely enquiries as to whether the reasons preventing it from being scheduled have ceased.

**Q072 (2018):** In the mode of external and internal administrative supervision over the administrative activity of courts by analyzing the results of the courts or departments and monitoring the efficiency of individual cases in the case of detected lengthiness.

**Q083 (General Comment):** In general there are not any quantitative performance targets defined for each judge but for certain cases the law imposes timeframe for performing specific action or handling specific matters. President of the court sets the performance target with using statistically calculated indicators of average performance that court and individual judge is expected to achieve.

**Q083-1 (General Comment):** .

**Q083-1 (2016):** For certain cases the law imposes timeframe for performing specific action or handling specific matters. President of court sets the performance target with using statistically calculated indicators of average performance that court and individual judge is expected to achieve.

**Q083-3 (2022):** If one were to consider that this question, is linked to question 83-2 on quantitative objectives, then the answer is NAP. Which is not to say that the efficiency of a prosecutor is not subject to any assessment by superiors. Indeed, it is the task of prosecutors exercising a managerial function to ensure the proper and efficient performance of official tasks in the units and organisational units entrusted to them, in particular to ensure the efficiency of the proceedings conducted by the prosecutors subordinate to them. Executives are therefore obliged to have knowledge of, inter alia, the number of proceedings conducted by their subordinate prosecutors, the number of proceedings completed by them, the number of protracted proceedings and to react to cases of, for example, protracted proceedings.

**Q083-3 (2020):** Individual goals are set by prosecutors themselves in a way that enables them to carry out their duties effectively

## Portugal

**Q066 (General Comment):** Law on the organisation of the judicial system (Law 62/2013 of 26 August) sets out that the High Council for the Judiciary and the Prosecutor-General, in liaison with the member of Government responsible for the justice, establish, within their respective competences, the strategic objectives for first instance courts for a three year period. These entities are also responsible for setting, every year, the strategic objectives of first instance courts for the following judicial year. Taking into account the results obtained in the previous year and the strategic objectives formulated for the subsequently year, the president of the court and the public prosecutor coordinator, after hearing the judiciary administrator, articulate proposals for the procedural objectives for each court. For instance, the Prosecutor General's Directives and Instructions define good practices of functional performance at national level and their compliance may be viewed an indicator of the quality of the work developed (example, Directive 5/2019, on acting in cases of domestic violence (<https://dre.pt/home/-/dre/126870404/details/maximized> - text in Portuguese).

In addition to Directives and Instructions, the performance assessment system for prosecutors is based on quality criteria/performance parameters, as a rule, uniformly applied at national level.

**Q066 (2021):** For instance, the Prosecutor General's Directives and Instructions define good practices of functional performance at national level and their compliance may be viewed an indicator of the quality of the work developed (example, Directive 5/2019, on acting in cases of domestic violence (<https://dre.pt/home/-/dre/126870404/details/maximized> - text in Portuguese).

In addition to Directives and Instructions, the performance assessment system for prosecutors is based on quality criteria/performance parameters, as a rule, uniformly applied at national level.

**Q066 (2020):** For instance, the Prosecutor General's Directives and Instructions define good practices of functional performance at national level and their compliance may be viewed an indicator of the quality of the work developed (example, Directive 5/2019, on acting in cases of domestic violence (<https://dre.pt/home/-/dre/126870404/details/maximized> - text in Portuguese).

In addition to Directives and Instructions, the performance assessment system for prosecutors is based on quality criteria/performance parameters, as a rule, uniformly applied at national level.

**Q067 (General Comment):** The High Council of the Public Prosecution Service has "inspectors" ("inspectores") who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**Q067 (2022):** The High Council of the Public Prosecution Service has "inspectors" ("inspectores") who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**Q067 (2021):** The High Council of the Public Prosecution Service has "inspectors" ("inspectores") who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**Q067 (2020):** The High Council of the Public Prosecution Service has "inspectors" ("inspectores") who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**Q070 (2022):** Users satisfaction is monitored through surveys and indirectly by the consulting body of each court that includes members of the community. The appeal ratio is only monitored in the context of judges evaluation.

**Q070 (2020):** we included "satisfaction of users" because one of the tasks of the president judge of the court is to monitor and evaluate the activity of the court, in particular the quality of the justice service provided to citizens, taking into account particular complaints or responses to satisfaction questionnaires. "Article 94 of Law 62/2013, 26th August, on the judicial organization"

**Q070 (2019):** In this evaluation cycle we included "satisfaction of users" because one of the tasks of the president judge of the court is to monitor and evaluate the activity of the court, in particular the quality of the justice service provided to citizens, taking into account particular complaints or responses to satisfaction questionnaires. "Article 94 of Law 62/2013, 26th August, on the judicial organization"

**Q070 (2017):** Scheduling; delays of judges and sections.

**Q070 (2016):** Scheduling; delays of judges and sections.

**Q070 (2015):** Scheduling: time delays of judges and sections of the court.

**Q070-1 (2020):** We included "clearance rate" and "disposition time" because one of the tasks of the public prosecutor coordinator is to monitor and evaluate the activity of the public prosecutors services, including the efficiency of procedures. Article 101 of Law 62/2013, 26th August on judicial organization.

**Q072 (General Comment):** Through SITAF and CITIUS (case management systems for administrative and tax courts and judicial courts, respectively) it is possible to check waiting times during judicial proceedings. The Portuguese Code of Criminal Procedure establishes no binding timeframes for criminal investigations. At a national level, within the public prosecution services, there is only monitoring of the judicial proceedings time during on criminal investigations, with reference to this timeframe.

At a local level, some other proceedings (such as the initial intervention of public prosecutors on protection of adults with some incapacity, requesting accompanying measures – under the legal framework of the accompanied adult [Regime Jurídico do Maior Acompanhado]) are also monitored on time duration.

**Q072 (2022):** The waiting period is monitored in the quarterly monitoring of all judicial courts. The Court President reports to the council the number of cases that are waiting procedural movement for more than 1, 2, 3 or 4 months.

**Q072 (2021):** Because of the Covid-19 pandemic, the courts were asked for specific elements on the steps taken in the Courts. Also, the procedural laws (e.g. civil and criminal) provides that the registry shall send to the President of the Court, on a monthly base, information detailing the cases in which three months have elapsed since the expiration of the deadline set for the performance of the judge's own act.

**Q072 (2018):** Through SITAF and CITIUS (case management systems) it is possible to check waiting times during judicial proceedings.

**Q083 (General Comment):** Taking into account the results obtained in the previous year and the strategic objectives formulated for the following year, the president of the court and the coordinating prosecutor, after hearing the judicial administrator, articulate, for the following year, proposals for objectives of a procedural nature (management or administrative) for the district and for the courts of extended territorial jurisdiction, as well as for the Public Prosecution Offices located there, which have to be ratified respectively by the Judicial High Council and the Attorney General's Office.

The procedural objectives of the district shall refer, in particular, to the number of completed cases and the time of their duration, taking into account, among other factors, the nature of the process or the value of the case, considering the human resources and the means related to the functioning of the district and based, namely, on the established procedural reference values.

The procedural objectives of the district may not impose, limit or condition the decisions to be rendered in specific cases, either on the merits of the matter, or on the option for the procedural form understood as more appropriate.

The procedural objectives of the district must be reflected in the objectives established annually for judicial officers and be considered in the respective assessment.

The procedural objectives of the district must be considered in the evaluation criteria of the magistrates, defined by the respective Councils.

**Q083-2 (General Comment):** Yes for some District Prosecution's Office and No at a national level. At national level, only reference values are fixed for the purpose of placing prosecutors. Also at a national level, the fact that a prosecutor has finished more proceedings than those that he/she started is a general criterion of evaluation and compliance with general objectives, in the qualitative individual assessment of the public prosecutors' work.

**Q083-3 (2020):** The local hierarchically superior public prosecutor can set individual targets for each public prosecutor. The High Council of the Public Prosecution Service only sets reference values for the purpose of placing prosecutors and establishing how many prosecutors are needed for a particular Public Prosecution Office.

**Q120 (General Comment):** The prosecutors are evaluated periodically in time lapses between 3 to 5 years. The evaluation is held by the Prosecutors Superior High Council and it evaluates the quality of the work held by all prosecutors. A higher ranked prosecutor does the evaluation and produces a report that is sanctioned by the Prosecutors Superior High Council.

## Romania

**Q066 (General Comment):** There are no formal standards for quality established for the whole judiciary. However, informal standards are being used (such as training, quality of the reasoning, assessment of the activity of the judges, assessment of the good reputation of the judges etc.).

More precisely, the activity of courts is evaluated and monitored periodically, on the basis of certain statistical data/performance indicators, such as those presented at question 70. The evaluation is achieved by verifications carried out by inspectors of the Judicial Inspection of the SCM, by elaborating periodical reports. The schedule and thematic of those verifications are approved every year by the SCM.

At organizational level, there are no quality standards established for courts. It may be considered that such standards exist at individual level, for each judge, by the indicators for the evaluation of professional activity.

**Q066 (2012):** In the frame of the 2012 exercise, a reference was made to the “Court Optimisation Project” financed by the World Bank, implemented from October 2011 to March 2013. The final recommendation included the introduction of Key Performance Indicators (KPIs), such as the clearance rate, the number of cases older than one year, the number of cases solved within 1 year, and the comparative measurement system.

**Q070 (General Comment):** Since 2012, the category “other” subsumes the length of administrative procedures, the number of final convictions, legal aid, suspended cases etc.

**Q070 (2022):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**Q070 (2021):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**Q070 (2020):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**Q070 (2019):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**Q070 (2017):** - e.g. suspended cases

**Q070 (2016):** - suspended cases etc.

**Q071 (2022):** STATIS - statistics monitoring application including for court's efficiency assessment

**Q071 (2021):** STATIS - statistics monitoring application including for court's efficiency assessment

**Q071 (2020):** STATIS - statistics monitoring application including for court's efficiency assessment

**Q072 (2022):** There are statistical reports developed by an IT application called Statis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

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**Q072 (2016):** There are statistical reports developed by an IT application called Statis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**Q072 (2014):** According to 2014 data, there are statistical reports developed by Statis IT application monitoring the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc. More precisely, in 2014, the Superior Council of Magistracy has established a working group that has analyzed several national and international documents on the efficiency of the courts and has developed a set of indicators that are used to make an overall assessment of the efficiency of courts, sections and, if needed panels of judges. These indicators were implemented and used in the Statis application.

**Q083-1 (2016):** There are no formal standards for quality established for the whole Judiciary. However, informal standards are being used (such as training, quality of the reasoning, assessment of the activity of the judges, assessment of the good reputation of the judges etc.)

**Q120 (2022):** According to Article 87 of Law No 303/2022 -The individual professional evaluation of judges and prosecutors involves analysing and noting of the criteria and indicators for assessing the professional performance of judges and prosecutors, indicators which concern, in particular, the quality of the activity, the efficiency, the integrity and the obligation to continue vocational training, and in the case of judges and prosecutors appointed to senior positions, the manner of carrying out the managerial duties. (2) Professional evaluation of judges and prosecutors aims to establish the level of their professional competence and also to improve professional performance, increase the efficiency of the activity of courts and prosecutor's offices and public trust in judicial authority, maintain and consolidate the of the quality of the judicial system

**Q120-1 (2022):** Legislation on the statute of judges and prosecutors was replaced by Law no. 303/2022

**Q120-1 (2020):** According to the provisions of art. 39 of the Law no. 303/2004, amended and republished in 2018, judges and prosecutors are being periodically evaluated under the observance of the professional and performance criteria. The evaluation shall envisage the quality of their activity, efficiency, integrity as well as the fulfillment of the obligation to take part in in-service professional training and on managerial activity for those judges and prosecutors in leadership positions. The periodical evaluation shall be first carried out by the end of the first 2 years of activity after the entering in profession and shall be continued every 3/4/5 years depending on the seniority in profession (5-10 years, 10-15 years, over 15 years of seniority).

**Q120-1 (2018):** similar to judges, see Q114, 114.1 and the additional comments

## **Slovak Republic**

**Q066 (General Comment):** Internal revision of the court is a type of control of the court and judges, which aims to check the current state of the judiciary, to identify the causes of shortcomings in the performance of the judiciary and to propose measures to eliminate them.

**Q066 (2020):** Internal revision of the court is a type of control of the court and judges, which aims to check the current state of the judiciary, to identify the causes of shortcomings in the performance of the judiciary and to propose measures to eliminate them.

**Q066 (2014):** There is a system to evaluate the overall functioning of courts with respect to the Manifesto of the Government of the Slovak Republic for the period of 2010-2014:

[http://www.vlada.gov.sk/data/files/855\\_the-manifesto-of-the-government-of-the-slovak-republic-for-the-period-of-2010-2014.pdf](http://www.vlada.gov.sk/data/files/855_the-manifesto-of-the-government-of-the-slovak-republic-for-the-period-of-2010-2014.pdf)

**Q067 (General Comment):** Judicial Council, Council of Prosecutors and disciplinary commissions.

**Q067 (2020):** Judicial Council, Council of Prosecutors and disciplinary commissions.

**Q067 (2019):** Judicial Council, Council of Prosecutors and disciplinary commissions

**Q070 (General Comment):** The category “other” encompasses: the number of cases according to types of disputes, the results of the cases

(reconciliation, dismissals, full satisfaction, partial satisfaction, etc.). Statistical data of the Ministry of Justice of the Slovak Republic are

detailed and regularly collected and published in a yearbook which is publicly accessible at the website of the Analytical centre of MoJ

<https://www.justice.gov.sk/Stranky/Informacie/Analyticke-centrum.aspx>

<http://web.ac-mssr.sk/statisticka-rocenka-2018/>. Data on the activity of the courts are published every month in interactive Dashboard on the <http://web.ac-mssr.sk/dashboard/>.

**Q083-3 (2022):** Prosecutors do not have quantitative performance targets within a certain period, but at the same time they have responsibility for their work, and therefore the hierarchically superior public prosecutor is responsible for observing the duties and goals of each prosecutor.

## **Slovenia**

**Q066 (General Comment):** The Supreme Court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). A special office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies on the level of entire judiciary and individual courts. Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports.

The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

The 2013 amendment to the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. Since 2015, the Supreme Court has been adopting the timeframes for different types of procedures as well as for different procedural phases for next year (as a part of the Criteria for quality of work).

As for public prosecution, the criteria for quality of work are defined in the Prosecution Policy (adopted by the Prosecutor General), while the quantitative aspects of work are defined in the Criteria for evaluating the performance of the state prosecutor's offices adopted by the State Prosecutorial Council.

**Q066 (2015):** The Supreme Court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as "Inspiring example" in the EC document Quality of Public Administration - A Toolbox for Practitioners - <http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

A special office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies on the level of entire judiciary and individual courts.

Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports.

The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

The 2013 amendment to the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. In 2015 the Supreme Court adopted the timeframes for different types of procedures as well as for different procedural phases for 2016 (as a part of the Criteria for quality of work).

**Q066 (2014):** 2014 A dedicated office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies at the level of entire judiciary and individual courts level.

Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports.

The recent amendment of the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. Since the amendment was adopted in the middle of 2013, the first Annual report of Supreme Court will be for 2014 (to be published in 2015).

Consequently, only 2015 will be the (first) year to formally adopt the aforementioned Criteria.

The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

**Q066 (2013):** 2013 According to the priorities for the whole judiciary, set by the Supreme Court in the „Opening of the judicial year“ document for judicial year 2013, specific areas were monitored and the standards determined for the following areas:

1. Management of courts
2. Solving of oldest unresolved cases
3. Business process – Time management of judicial procedures and the reform of civil enforcement procedure
4. Disburdening the judges
5. Levelling of human resources

**Q066 (2012):** 2012: The Supreme court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as Inspiring example in the EC document Quality of Public Administration - A Toolbox for Practitioners – <http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

**Q067 (General Comment):** The Office for Court Management Development at the Supreme Court promotes the improvement in leadership and management of courts and the increase in effectiveness and efficiency. It is responsible for the preparation of different reports and analysis regarding work of courts and the promotion of best practices. The Department for the Organization and Development of Management of the Supreme State Prosecutor's Office of the Republic of Slovenia is responsible for monitoring the implementation of the Prosecution Policy and the Criteria for the Success of Prosecution of State Prosecutor's Offices.

**Q070 (General Comment):** In Slovenia there is a regular monitoring system in a form of collecting data on court statistics. Court statistics are collected and published four times a year by the Ministry of Justice. They include the data on the number of judges and court staff, number of incoming, resolved and pending cases, age of unresolved cases, length of proceedings, average time to resolve a case, type of decision, court backlogs, legal remedies and time to issue a court decision. Besides that, the data on court activities are automatically on national level, thus statistical analysis are made possible. All courts have access to a wide range of special reports, generated in the Court management information system. Reports include detailed information on court activities (for example length of specific phases of a court proceeding, top 20 oldest cases in certain area of law, etc.), human resources, court performance indicators (the critical indicators are marked red for unsatisfactory performance and green when meeting the standards) that provide guidance to presidents and directors of courts. The business intelligence system that creates priority reports derives the data from the Data warehouse of the Supreme Court. The same source is used for Court statistics publications by the Ministry of Justice. Each court is able to access the above mentioned reports at any moment, while some data are quarterly collected and published on national level (as prescribed by the Court rules).  
The satisfaction surveys are performed and results published bi-annually.

**Q070 (2015):** The data on court activities are automatically collected on national level, thus statistical analysis is made possible.

All courts have access to a wide range of special reports, generated in the Court management information system. Reports include detailed information on court activities (e.g. length of specific phases of a court proceeding, top 20 oldest cases per legal area etc.), human resources, court performance indicators (the critical indicators are marked red for unsatisfactory performance and green when meeting the standards) that provide guidance to presidents and directors of courts. These additional data available to court management officials are the reason, why we put check before "other elements".

The business intelligence system that creates priority reports derives the data from the Data warehouse of the Supreme Court. The same source is used for Court statistics publications by the Ministry of Justice.

Each court is able to access the above mentioned reports at any moment, while some data are quarterly collected and published on national level (as prescribed by the Court rules).

**Q070-1 (General Comment):** The BI tools that use data gathered in information system of the State Prosecutor's Office provide the heads of prosecution offices with up-to-date overview of the performance of state prosecutors and the functioning of the office. Heads can customize the level and content of information presented to them for the purpose of making quantitative data supported decisions on allocation of work among prosecutors, control of the case-flow.

**Q070-1 (2022):** "other": percentage of different types of decisions, value of proceeds of crime under freezing order, pronounced criminal sanctions...

**Q070-1 (2020):** "Other": percentage of different types of decisions, value of proceeds of crime under freezing order, pronounced criminal sanctions...

**Q072 (General Comment):** In accordance with the Prosecution Policy adopted in 2017, cases in which a final court decision at first instance has not been adopted within 3 years of filing a written charge with the court, are monitored in particular.

**Q083 (General Comment):** Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

**Q083 (2018):** Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

**Q083 (2016):** Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

**Q083-1 (General Comment):** See Q114.

**Q083-2 (General Comment):** .

**Q083-3 (General Comment):** .

**Q120 (General Comment):** On the proposal of the State Prosecutor General, State Prosecutorial Council adopts Criteria for the assessment of state prosecutors' performance. They define quality and quantity indicators. The quantitative criteria define expected time for the resolution of cases and for typical procedural acts. The performance of the evaluated prosecutor is compared to other prosecutors at his/her office concerning the number of assigned, resolved and unresolved cases, number of attendances at the court hearings, conviction rate, pronounced sanctions and number of logged appeals. Head of state prosecutor's office as competent authority for the matters of state prosecution administration can alert the public prosecutor to his duty to meet the targets.

Regular individual assessment of the public prosecutors' work is carried out every three years. The assessment can also be carried out on demand of the State Prosecutorial Council, head of prosecutor's office, Minister or the prosecutor himself. In first three years after the appointment for the state prosecutor the assessment is carried out every single year.

**Q120-1 (General Comment):** Regular individual assessment of the public prosecutors' work is carried out every three years. The assessment can also be carried out on demand of the State Prosecutorial Council, head of prosecutor's office, Minister or the prosecutor himself. In first three years after the appointment for the state prosecutor the assessment is carried out every single year.

**Q120-1 (2018):** Every three years

## Spain

**Q066 (2015):** Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

**Q067 (2015):** Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

**Q070 (General Comment):** The category "other" encompasses: number of enforcement procedures, number of decisions appealed, number of rogatory letters issued, received and resolved, aid between courts, pending writings, form of termination of trials, etc.

**Q070 (2017):** The category "other" includes many other data such appeals, aid between courts, pending writings, etc.

**Q070 (2016):** The category "other" includes many other data such appeals, aid between courts, pending writings, enforcement proceedings, form of termination of trials, etc.

**Q083 (General Comment):** In accordance with the Agreement of November 29, 2018, of the Plenary of the General Council of the Judiciary, which approves Regulation 2/2018, on the remuneration regime of the Judicial and Prosecution Careers, in relation to variable remuneration for objectives, it corresponds to the Plenary of the Council of the Judiciary to approve the system for the determination of the performance objectives of each destination of the Judicial Career

**Q083-3 (General Comment):** In accordance with Royal Decree 432/2004, of March 12, which regulates the variable complement by objectives of the members of the Prosecution service, the State Attorney General, at the proposal of the Prosecution Inspection, after hearing the Prosecutor Council and prior the report from the Ministry of Justice, will determine for each annual period the objectives whose fulfillment will lead to the perception of the variable remuneration.

**Q120 (2021):** SOURCES: Royal Decree 432/2004, of March 12, which regulates the variable complement by objectives of the members of the Prosecution service.

Agreement of November 29, 2018, of the Plenary of the General Council of the Judiciary, by which Regulation 2/2018 is approved, regulating the remuneration regime Judicial career

# Indicator 1: Systems for measuring and evaluating the performance of courts and prosecution services

## Comments provided by the national correspondents

### organised by question no.

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

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

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

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

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

*Question 072. Do you monitor waiting time during judicial proceedings?*

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

*Question 083-1. Who is responsible for setting these targets for each judge?*

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

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

*Question 083-3. Who is responsible for setting these targets for each public prosecutor?*

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

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

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

### Question 066

#### Belgium

##### (2021):

The College of Courts and Tribunals and its support service are working on the implementation of a quality system at the national level; there is no declination at the local level yet, but this project is in full evolution. Within the framework of the law of 14 February 2014 and the College's action plans (2018 and 2020), a quality system will be implemented in respect of judges. The intention is therefore to introduce an integrated framework of quality, internal control and (internal) audit models to replace the executive's existing ex ante control and monitoring systems.

#### Bulgaria

**(General Comment):** Supreme Judicial Council: According to the answers of SJC the competent bodies in these matters are:  
The Inspectorate to the SJC:

- checks the organization of the initiation and movement of judicial, prosecutorial and investigative cases, as well as the closing of cases within the established terms and in case of violations, signals the administrative head of the relevant body of the judiciary and the relevant College of the Supreme Judicial Council

- sends signals, proposals and reports to other state bodies, including the competent bodies of the judiciary;
- examines applications against violation of the right to examine and resolve cases within reasonable time.

The Judges' College of the SJC:

- annually analyses and reports the degree of workload of the bodies of the judiciary;
- requests and summarizes every 6 months information from the courts about their activity;
- resolves questions about the organization of the activity of the relevant system of judicial authorities;
- adopts rules for the allocation of cases between the judges who consider cases allocated according to Art. 9, para. 3, in order to equalize their total workload;
- determines the number of judicial officers according to the degree of workload on the proposal of or after agreement with the administrative heads of the bodies of the judiciary, and may open new and lays off positions.

The Plenary of the SJC:

- on the proposal of one of the Colleges, after coordination with the administrative heads of the bodies of the judiciary, determines the number of judges, prosecutors and investigators in all courts, prosecutor's offices and investigative departments according to the degree of workload;
- hears and accepts the annual reports of the bodies of the judiciary under Art. 84, item 16 of the Constitution.

.....

According to the answers of The Prosecutor's office of the Republic of Bulgaria:

The legal regulation is in Art. 84, item 16 of the Constitution of the Republic of Bulgaria, according to which the Parliament hears and accepts the annual report of the Prosecutor General submitted by the SJC and Art. 30, para. 2, item 4 of the Judicial System Act, according to which the Plenum of the SJC hears and accepts this annual report.

Approved by the Prosecutor General/ chief prosecutor is the Directive on the control activity of the Prosecutor's Office, aimed at ensuring the exact and uniform application of the laws in the performance of the functional duties of the prosecutors and investigators. The Directive regulates the conditions, order and procedures for carrying out control activities through audits, checks and analyzes of the work of the prosecutor's offices, the National Investigation Service, as well as individual prosecutors and investigators, outside of the institutional and official verification of the legality of their acts.

**(2021):** Please see the General Comments

**(2020): Judiciary system Act:**

Article. 198 (1) The criteria for the appraisal of a judge, prosecutor or an investigating magistrate shall be:

1. legal knowledge and skills of applying it;
2. skill of analysing legally relevant facts;
3. skill of making optimum working arrangements;
4. efficiency and discipline;
5. compliance with the rules of ethical behaviour.

(2) In the course of the appraisal under Paragraph (1) the following indicators shall be taken into account:

1. keeping deadlines;
2. number of instruments upheld and reversed and the grounds for this;
3. the results of inspections carried out by the Inspectorate with the Supreme Judicial Council,
4. the overall caseload of the respective judicial district and judicial authority, as well as the workload of the appraised judge, prosecutor or investigating magistrate compared to other judges, prosecutors or investigating magistrates in the same judicial authority.

(4) The time served by the judge, prosecutor or investigating magistrate as a permanent trainer at the National Institute of Justice shall also be included in the appraisal period. The evaluation of the work performance as a trainer shall be given by the Managing Board.

(5) The time served by the judge, prosecutor or investigating magistrate as an European Delegated Prosecutor shall also be included in the appraisal period. The evaluation of the results of their work under Regulation (EU) 2017/1939 shall become part of their appraisal.

Article. 199. (1) A judge shall be appraised under the following specific criteria:

1. complying with the schedule for conduct of court hearings;
2. skill of conducting a court hearing and drawing up a record of proceedings;
3. administrating cases and appeals, preparing for a court hearing;
4. number of appealed judicial instruments from among the appealable judicial instruments, appealed judicial instruments upheld, judicial instruments reversed or invalidated, in whole or in part, and the grounds for it; the ability to reason and justify judicial instruments and to analyse evidence shall be subject to evaluation.

(2) A prosecutor shall be appraised under the following specific criteria:

1. skills of planning and structuring steps in pre-trial and trial proceedings;
2. complying with the written instructions and orders of the superior prosecutor;
3. ability to make working arrangements and direct the investigating authorities and the teams participating in pre-trial proceedings;
4. number of unappealed prosecutorial instruments, including warrants to terminate and suspend criminal proceedings, number of final judicial instruments rendered on instruments submitted by the prosecutor appraised, as well as the final judicial instruments returning cases for the rectification of procedural breaches, and the reasons for this, number of appeals granted, the prosecutorial instruments upheld, modified and reversed upon an instance and on official review. (2) An investigating

## Croatia

**(General Comment):** According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15, 67/18), the president of the court evaluates the work of every judge according to Framework Criteria for the work of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework Criteria for the work of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

According to the State Attorney Office Act (Official Gazette, No. 67/18), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are adopted by the Minister in charge of judicial affairs, with the prior opinion of the Chief State Attorney of the Republic of Croatia.

**(2022):** According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22), the president of the court evaluates the work of every judge according to Framework Criteria for the work of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework Criteria for the work of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice with the prior opinion of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

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**(2018):** According to the Courts Act (Official Gazette, number 28/13, 33/15, 82/15), the president of the court evaluates the work of every single judge according to Framework for the workload of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework for the workload of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

**(2017):** According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15), the president of the court evaluates the work of every single judge in his/her court for the previous year on the basis of the following standards: the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework for the workload of judges, result of work in different kinds of cases in absolute numbers and percentages, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

## **Cyprus**

**(General Comment):** Quality standards are applied in practice

**(2017):** Quality standards are applied in practice

**(2016):** There are no written standards but in practice there are quality standards.

**(2015):** In practice there are quality standards

**(2014):** In practice there are quality standards

## **Denmark**

**(2019):** No, we use quantitative measures. Quality is usually measured as length of time to finalize a case.

**(2016):** No, we use quantitative measures. Quality is measured as length of time to finalize a case.

**(2015):** The only standards are objective standards for example acceptable timeframes to finalize a case.

## Estonia

**(General Comment):** Estonia has developed a quality system consisting of 3 parts. The first part contains the quality standards (good practice) for the management of the court that describe activities related to the chairman of the court. The second part contains the quality standards for the administration of courts and is focused on the different roles of the parties involved in the administration of courts: directors, Ministry of Justice, Council for the Administration of Courts. The third part contains quality standards for the court proceedings and is addressed to all the judges. All of the three parts of the quality standards have been discussed and approved by the Council for Administration of Courts, respectively in 2012, 2013 and 2015.

## Finland

**(General Comment):** There are no quality standards covering the whole judiciary in Finland. Instead there are several quality projects going on, for example the Quality Project of the Administrative Courts, which started in 2020 and concerns all administrative courts in Finland. The Rovaniemi Court of Appeal Quality Projects have produced quality benchmarks, which evaluate the quality of the adjudication in courts of law. Last assessment was conducted in 2020.

**(2021):** Prosecution Services' system quality improvement project is underway.

**(2020):** Prosecution Services' system quality improvement project is underway.

**(2015):** There is a Quality Project of the courts in the jurisdiction of the Court of Appeal of Rovaniemi. (The jurisdiction of the Court of Appeal of Rovaniemi is the northernmost of the six appellate jurisdictions in Finland.) In 1999, the courts in the jurisdiction of the Court of Appeal of Rovaniemi launched a project for improvement of quality in adjudication. The quality project covers both civil cases and criminal cases. The objective of the quality project is to develop the functioning of the courts further and further so that the proceedings meet the criteria of a fair trial, that the decisions are well reasoned and justified, and that the services of the courts are affordable to the individual customers. The main working method consists of systematic discussions among the judges and also between the judges and stakeholders. The development work is steered by the development committee of the quality project. Normally four working groups for quality are set up for each year. The membership consists of judges from each of the District Courts in the appellate jurisdiction, members of the Court of Appeal, and referendaries of the Court of Appeal. Also prosecutors, private attorneys, public legal aid attorneys and heads of pre-trial investigation may serve as members in the working groups for quality. Each working group for quality is tasked to deal with one of the development themes which have been selected. The reports of the working groups are presented at the Quality Conference, they are discussed, and quality objectives based on the reports are set for the following year. The Report of Quality, containing the final reports, is published every year.

There is also a quality project of the courts in the jurisdiction of the Court of Appeal of Helsinki. Quality Project consists of working methods of two kind: cooperation with the University of Helsinki and working groups. Working groups for quality are set up for each year. The membership consists of judges from District Courts, members of the Court of Appeal, referendaries of the Court of Appeal, prosecutors and lawyers. Each working group for quality is tasked to address to one of the development themes which have been selected. The reports of the working groups are presented at the conference called 'Day of Jurisdiction'.

In addition there is a cooperation project between administrative courts. Some topics of the project have related to the quality standards. The reports of the project have discussed the matters like the factors of quality at administrative courts and the collection of information on quality.

It is also worth mentioning that on 15 October 2009, the presidents of Finnish Courts of Appeal proposed that the Finnish Association of Judges should begin work on drafting ethical guidelines for judges. A working group was set and the draft on ethical principles was discussed widely. The principles were formally released at the Judge Day event held in Helsinki on 12 October 2012.

## France

**(General Comment):** Standards of quality developed for the public administration are utilised within the judicial system. The charter of administrations thus establishes the rules for welcoming litigants in all courts and may lead to certification. There are also local initiatives aimed at implementing a 'quality system' based on certification by an external body, which consist of establishing procedures describing the process of reception, organisation of work, and management of a case. As regards administrative justice: the rate of annulment and reformulation of jurisdictional decisions must be kept below 15% and the backlog of cases older than two years below 7.5% of the total caseload.

**(2022):** It is challenging to distinguish between patterns in automatically generated texts, with France preferring the use of the concept of framework. The OARM, a tool to assist magistrates in drafting, provides a library of pre-written paragraphs and standard decisions that allow magistrates to start from these elements and then adapt them to each case they handle. The JAF bible includes frameworks and paragraphs related to disputes handled by family court judges.

**(2021):** Quality standards developed for public administration are used in the judicial system. The charter of the administrations thus sets the rules for the reception of litigants in all courts and can lead to certification. There are also local initiatives aimed at setting up a "quality system" based on certification by an external body, which consists in establishing procedures describing the reception process, the organisation of work and the management of a case.  
Source DSJ

**(2020):** "If yes, please specify: Quality standards developed for public administration are used in the judicial system. The charter of the administrations thus sets the rules for the reception of litigants in all the courts and can lead to certification. There are also local initiatives aimed at setting up a "quality system" based on certification by an external body, which consist in establishing procedures describing the reception process, the organization of work and the management of a case. With regard to administrative justice: the rate of annulment and reversal of jurisdictional decisions must be kept below 15% and the stock of cases older than two years below 7.5% of the total stock."

### **(2019):**

Quality standards developed for public administration are used in the judicial system. The charter of administrations thus sets out the rules for the reception of litigants in all courts and may give rise to certification. There are also local initiatives to set up a "quality system" based on certification by an external body, which consists of establishing procedures describing the process of reception, work organisation and management of a case.  
Administrative justice: the rate of annulment of court decisions must be kept below 15% and the number of cases pending for more than two years.

**(2016):** Quality standards developed for public administration are used in the judicial system. The charter of the administrations determines the rules for the reception of litigants in all courts and may give rise to certification. There are also local initiatives aimed at setting up a "quality system" based on certification by an external body, which consists in establishing procedures describing the process of reception, organisation of work and management of a case.

## Germany

**(General Comment):** Due to judicial independence, there are no national level quality standards.

**(2022):** Due to judicial independence, there are no national level quality standards.

**(2013):** For 2010, 2012 and 2013, no information was provided from Mecklenburg-Western Pomerania and Thuringia. Four Landers replied “Yes”, while the remaining Landers answered “No”.

In Baden-Württemberg, the performance of each court is compared against the others in regard to number and duration of proceedings. Key performance indicators on performance ability of the courts are ascertained and compared at the Lander level.

A comprehensive quality management system has been introduced in Schleswig-Holstein at all courts and public prosecution offices. All of the accessible areas of the court administration are subject to quality management. Judicial independence and the professional independence of Rechtspfleger present natural constitutional and statutory boundaries that must always be considered.

In Brandenburg, a quality management system seeks to guarantee that quality demands that are statutorily prescribed, self-imposed, or demanded by users of the system are fulfilled with an optimal use of resources. These last years, a number of strategies have been implemented for ensuring quality in the justice system by means of cost and performance accounting, a controlling system, budgeting of personnel costs, benchmark procedures, balanced scorecard, the EFQM Model, various instruments for personnel and organisation development, calculation of personnel requirements, optimisation of business processes, surveys of attorneys, citizens, and employees, and evaluation instruments both for individual judicial and public prosecution work as well as for the courts and public prosecution offices as organisational units. The increased use of modern technology (e.g. Internet) has opened up the possibility for the justice system to reach a large number of citizens and, thus, to offer court users the best possible service. Likewise, the continuous expansion of electronic legal transactions offers new opportunities for improvement in the quality of the justice system with regard to the performance characteristics public accessibility and public service. However, the developments and models named are not uniformly established in the Lander. In Lower Saxony, a quality strategy was developed through the surveys AgiL (performance comparison of local courts) and LiVE (performance comparison of regional courts). This is based on the assumption that it is possible to compare courts by the collection of data. Following the comparison, an analysis is conducted to determine the reasons for which better numbers are achieved at one court location over another. These are then discussed in expert groups and measures are developed to promote those tools that seem likely to succeed for the duties at all court locations. The surveys do not serve to evaluate individual employees but rather to uncover structures that promote performance, which can then be transposed. This quality management concept takes place together with judicial councils and personnel representatives.

## Greece

**(General Comment):** Quality standards are set by the Code of Organization of Courts and Status of Judicial Officers (Law 1756/1988).

**(2022):** According to Law 4938/2022 (art.104) of the organization of court and tribunals code.

**(2021):** Most of the measures taken recently in Greece aim at speeding up administrative justice. However, the law provides a set of quality criteria that must be taken into account when inspectors check the performance of each judge.

**(2017):** Most of the measures taken recently in Greece aim at speeding up Justice. However the Law provides a set of quality criteria that must be taken into account when inspectors check the performance of each judge.

## Hungary

**(General Comment):** Second instance courts have to prepare a note on the decision and the trial procedure of the first instance court, based on professional criteria in every case. In this note, the court of appeal has to examine: the application of substantive, procedural and administrative regulations; the preparation of the hearings; the quality of the judges trial leading practice; if the coercive measures were well founded; if the hearings were set timely; if the ruling was transcribed in time; if the decision was edited correctly. The conclusions are summarized and judges of first instance courts are informed about them at least once a year.

Furthermore, the departments of the Supreme Court (Kúria) responsible for examining the judicial practice evaluates the practice of the courts and regularly inform judges about their experience.

## Ireland

**(2021):** With effect from October 1 2022, a statutory system providing for investigation and adjudication of complaints in relation to judicial conduct has been commenced pursuant to Judicial Council Act 2019.

## Italy

**(General Comment):** In Italy there is not a strict quality system as such. However, there is a regular monitoring system in place which tracks the performance of court activities.

## Latvia

**(General Comment):** In January 15, 2020 the "Visitors service standards of the district (city) courts and regional courts" were approved. This document summarizes the general principles related to functions such as judicial reception and providing with information. The standards help court staff to raise their professionalism and understand the court visitors servicing values.

**(2022):** The reply is partly "yes" because according to the Law on Judicial Power Section 27.1., a Chief Judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (standard of time periods for adjudication of matters) prior to the beginning of each calendar year, in co-operation with court judges. This standard shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and other basic principles related to the guarantee of fair trial. A Chief Judge of a court shall approve the standard and supervise the actual time periods of examining matters in a court. He/she shall submit information to the Board of Justice regarding the approved standard until 1 February of each year. In January 15, 2020 the "Visitors service standards of the district (city) courts and regional courts" were approved. This document summarizes the general principles related to functions such as judicial reception and providing with information. The standards help court staff to raise their professionalism and understand the court visitors servicing values.

**(2021):** Partly yes, according to the Law on Judicial Power Section 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year.

**(2020):** Partly yes, according to the Law on Judicial Power Section 27.1. the Court President before the beginning of each calendar year, shall plan and determine the objectives of the court work in relation to average time periods for the examination of cases in a court (the standard of time periods for the examination of cases) in cooperation with court judges. The standard of time periods for the examination of cases shall be determined by taking into account the court resources and the necessity to ensure the right of a person to the examination of a case in a reasonable time period and in conformity with other basic principles for the examination of cases. The Court President shall submit the standard case examination time limits for approval to the Judicial Council until 1 February of each year.

**(2019):** In January 15, 2020 the "Visitors service standards of the district (city) and regional court" is adopted. This document defines the procedure by which the employee of the district (city) and regional court shall ensure the servicing of the court visitor, the participant in the proceedings, its representative (hereinafter - customer) (the acceptance of the client, the provision of information and communication in person, by telephone and by electronic means) and basic customer service values, general principles and basic rules for customer service.

**(2017):** According to the Law on Judicial Power Art 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year. First standards of time periods for adjudication of matters were submitted to the Board of Justice in 2014.

**(2016):** Partly yes, according to the Law on Judicial Power Section 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year.  
First standards of time periods for adjudication of matters were submitted to the Board of Justice in 2014.

**(2015):** Since 2008 courts apply 'The visitors service standards of the district (city) courts and regional courts'. This courts visitor's service standard summarizes the general principles of judicial reception and providing with information. Standard helps court staff to raise their professionalism and understand the court visitors servicing values.  
On 2015 May 18 Council of Justice approved guidelines on communication of the court system. The aim of the guidelines is to promote the effective functioning of the judiciary and promote the public confidence in the judiciary, creating a positive Court's image and enhance its' authority in society.

**(2014):** In 2014, for the first time, standards of time periods for adjudication of matters were submitted to the Board of Justice.

## Malta

**(General Comment):** There exists a Code of Ethics for the members of the Judiciary which, though not providing for the organisation and quality of the judicial work, does lay upon the members of the Judiciary certain obligations which are important in ensuring the transparency and independence of the judicial process.

**(2017):** There exists a Code of Ethics for the members of the Judiciary which, though not providing for the organisation and quality of the judicial work, does lay upon the members of the Judiciary certain obligations which are important in ensuring the transparency and independence of the judicial process.

**(2016):** There exists a Code of Ethics for the Judiciary which, though not providing for the organisation and quality of judicial work, does lay upon the members of the Judiciary, certain obligations which are important in ensuring the transparency and independence of the judicial process.

## Netherlands

**(General Comment):** There are quality standards that are measured by annual statistical figures per individual court. Examples are the scores of customer satisfaction surveys, the percentage of cases judged by three instead of one judge, and case processing times (the so-called 'Kengetallen gerechten'). The Team Judicial Quality (TJK, Team Juridische Kwaliteit) studies topics in a thematic manner, on a structural basis. A team of public prosecutors participates in TJQ and assesses the judicial work of colleagues in a structured and systemic way. There is often a baseline assessment, as well as a follow-up, sometimes a second follow-up. The assessment framework is adjusted if necessary. See also [www.tweedekamer.nl/kamerstukken/detail?id=2018D52900&did=2018D52900](http://www.tweedekamer.nl/kamerstukken/detail?id=2018D52900&did=2018D52900). There are professional standards too, developed to show what 'good justice' entails. These standards are publically available on the website of the Judiciary. See <https://www.rechtspraak.nl/Organisatie-en-contact/Rechtspraak-in-Nederland/Rechters/Paginas/De-professionele-standaarden-van-de-rechters.aspx>.

**(2019):** There is a so-called Team Judicial Quality (Team Juridische Kwaliteit), which studies topics in a theme-wise manner. This is part of the program 'Programma OM Strafvordering 2020'. A team of public prosecutors participates in TKJ and assesses the judicial work of colleagues in a structured and systematic way. There is often a first assessment (baseline) and a first follow-up assessment, and sometimes even a second follow-up. If necessary, the assessment framework is adjusted.

## Poland

**(General Comment):** The Ministry of Justice collects statistical data sent by common courts concerning their current activity, and also evaluates annual information on the activity of courts, prepared by presidents of courts of appeal about the activity of courts within the area of appeals, within the scope of tasks entrusted to them. In addition, the Minister of Justice convenes a meeting with presidents of courts of appeal at least once a year to discuss issues related to exercising supervision. Within the framework of that evaluation, a multifaceted analysis of collected statistical data is conducted, inter alia, an indicator of stability of jurisprudence, an indicator of control over the inflow of court cases or time of adjudication in incoming cases. However, no legal provision defines specific quality standards for individual indicators, concerning organisational quality and/or justice quality policy, to be formulated for the justice system as a whole.

**(2016):** The most important indicator comes from evaluation of judgements through second instance procedure. In this purpose "judgement stability" ratio are in use as a ratio of judgements reversed or annulled in procedure of appeal.

## Portugal

**(General Comment):** Law on the organisation of the judicial system (Law 62/2013 of 26 August) sets out that the High Council for the Judiciary and the Prosecutor-General, in liaison with the member of Government responsible for the justice, establish, within their respective competences, the strategic objectives for first instance courts for a three year period. These entities are also responsible for setting, every year, the strategic objectives of first instance courts for the following judicial year. Taking into account the results obtained in the previous year and the strategic objectives formulated for the subsequently year, the president of the court and the public prosecutor coordinator, after hearing the judiciary administrator, articulate proposals for the procedural objectives for each court. For instance, the Prosecutor General's Directives and Instructions define good practices of functional performance at national level and their compliance may be viewed an indicator of the quality of the work developed (example, Directive 5/2019, on acting in cases of domestic violence (<https://dre.pt/home/-/dre/126870404/details/maximized> - text in Portuguese).

In addition to Directives and Instructions, the performance assessment system for prosecutors is based on quality criteria/performance parameters, as a rule, uniformly applied at national level.

**(2021):** For instance, the Prosecutor General's Directives and Instructions define good practices of functional performance at national level and their compliance may be viewed an indicator of the quality of the work developed (example, Directive 5/2019, on acting in cases of domestic violence (<https://dre.pt/home/-/dre/126870404/details/maximized> - text in Portuguese)). In addition to Directives and Instructions, the performance assessment system for prosecutors is based on quality criteria/performance parameters, as a rule, uniformly applied at national level.

**(2020):** For instance, the Prosecutor General's Directives and Instructions define good practices of functional performance at national level and their compliance may be viewed an indicator of the quality of the work developed (example, Directive 5/2019, on acting in cases of domestic violence (<https://dre.pt/home/-/dre/126870404/details/maximized> - text in Portuguese). In addition to Directives and Instructions, the performance assessment system for prosecutors is based on quality criteria/performance parameters, as a rule, uniformly applied at national level.

## Romania

**(General Comment):** There are no formal standards for quality established for the whole judiciary. However, informal standards are being used (such as training, quality of the reasoning, assessment of the activity of the judges, assessment of the good reputation of the judges etc.).

More precisely, the activity of courts is evaluated and monitored periodically, on the basis of certain statistical data/performance indicators, such as those presented at question 70. The evaluation is achieved by verifications carried out by inspectors of the Judicial Inspection of the SCM, by elaborating periodical reports. The schedule and thematic of those verifications are approved every year by the SCM.

At organizational level, there are no quality standards established for courts. It may be considered that such standards exist at individual level, for each judge, by the indicators for the evaluation of professional activity.

**(2012):** In the frame of the 2012 exercise, a reference was made to the "Court Optimisation Project" financed by the World Bank, implemented from October 2011 to March 2013. The final recommendation included the introduction of Key Performance Indicators (KPIs), such as the clearance rate, the number of cases older than one year, the number of cases solved within 1 year, and the comparative measurement system.

## Slovak Republic

**(General Comment):** Internal revision of the court is a type of control of the court and judges, which aims to check the current state of the judiciary, to identify the causes of shortcomings in the performance of the judiciary and to propose measures to eliminate them.

**(2020):** Internal revision of the court is a type of control of the court and judges, which aims to check the current state of the judiciary, to identify the causes of shortcomings in the performance of the judiciary and to propose measures to eliminate them.

**(2014):** There is a system to evaluate the overall functioning of courts with respect to the Manifesto of the Government of the Slovak Republic for the period of 2010-2014:

[http://www.vlada.gov.sk/data/files/855\\_the-manifesto-of-the-governmentof-the-slovak-republic-for-the-period-of-2010-2014.pdf](http://www.vlada.gov.sk/data/files/855_the-manifesto-of-the-governmentof-the-slovak-republic-for-the-period-of-2010-2014.pdf)

## Slovenia

**(General Comment):** The Supreme Court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). A special office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies on the level of entire judiciary and individual courts. Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports.

The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

The 2013 amendment to the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. Since 2015, the Supreme Court has been adopting the timeframes for different types of procedures as well as for different procedural phases for next year (as a part of the Criteria for quality of work).

As for public prosecution, the criteria for quality of work are defined in the Prosecution Policy (adopted by the Prosecutor General), while the quantitative aspects of work are defined in the Criteria for evaluating the performance of the state prosecutor's offices adopted by the State Prosecutorial Council.

**(2015):** The Supreme Court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as "Inspiring example" in the EC document Quality of Public Administration - A Toolbox for Practitioners - <http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

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The 2013 amendment to the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. In 2015 the Supreme Court adopted the timeframes for different types of procedures as well as for different procedural phases for 2016 (as a part of the Criteria for quality of work).

**(2014):** 2014 A dedicated office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies at the level of entire judiciary and individual courts level. Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports. The recent amendment of the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. Since the amendment was adopted in the middle of 2013, the first Annual report of Supreme Court will be for 2014 (to be published in 2015). Consequently, only 2015 will be the (first) year to formally adopt the aforementioned Criteria. The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

**(2013):** 2013 According to the priorities for the whole judiciary, set by the Supreme Court in the „Opening of the judicial year“ document for judicial year 2013, specific areas were monitored and the standards determined for the following areas:

1. Management of courts
2. Solving of oldest unresolved cases
3. Business process – Time management of judicial procedures and the reform of civil enforcement procedure
4. Disburdening the judges
5. Levelling of human resources

**(2012):** 2012: The Supreme court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as Inspiring example in the EC document Quality of Public Administration - A Toolbox for Practitioners – <http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

## Spain

**(2015):** Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

## Question 067

## Belgium

**(2021):** The College of Courts and Tribunals is working on the implementation of a quality system. This system is based on international scientific references and will be broken down into ten or so themes that constitute the management modules of an organisation. These management modules cover all aspects of an organisation, including organisational management, process management, human resources management, organisational culture, information and communication, financial management, facility management and information and communication technologies. The College of Courts and Tribunals and the steering committees work together to develop their maturity in these different areas.

## **Bulgaria**

**(2020):** The Supreme Judicial Council, through its Commission for Attestation/Appraisal and Competitions at the Judges College/Chamber of the Supreme Judicial Council and the Commission for Attestation/Appraisal and Competitions at the Prosecutorial College/Chamber, are the bodies that perform an objective assessment of the professional, business and moral qualities of magistrates.

## **Denmark**

**(2019):** As above

**(2018):** The public prosecution is not part of Danish Court Administration.

**(2017):** Because judges are independent, we do not interfere with a judge decision. However, there is always the possibility to appeal a court decision if either of the parties disagree with the verdict.

**(2016):** As above.

## **France**

**(2021):** Source DSJ

**(2020):** The answer is no for the administrative justice.

**(2014):** 2010: State prosecutors draw an annual report on the activity, management of their public prosecution office and on the enforcement of the law, as well as an annual report concerning the measures of custody and the condition of the custody facilities.

**(2012):** 2012: in French law on the judicial organisation, there is no statutory or regulatory requirement providing specialised staff in courts responsible for quality norms. However, as part of the maintenance dialog to have operational resources, each court fills a document for the Ministry of Justice, comprising informations such as the number of handled cases, pending cases, the number of judges and administrative staff, as well as the performance objectives to reach. This document is not available on the intranet to all of the staff. Only agents of the Ministry in charge of the maintenance dialog have access to these figures thanks to appropriate softwares.

## **Germany**

**(2022):** Due to judicial independence, there are no national level quality standards.

**(2021):** Due to judicial independence, there are no national level quality standards.

**(2020):** Due to judicial independence, there are no national level quality standards.

## **Greece**

**(2021):** It depends on the court, the answer was changed from yes to no although there are judicial services that have answered positively the majority have answered no.

**(2017):** The Law provides a set of quality criteria that must be taken into account when inspectors check the performance of each judge.

### **Ireland**

**(2021):** Secretary of Judicial Council and Judicial Conduct Committee of that Committee investigate and adjudicate complaints.

### **Malta**

**(2018):** There are general quality standards that apply to the public sector, but not specific quality standards that monitor the implementation of quality standards within the judiciary or the prosecution services.

### **Netherlands**

**(General Comment):** Courts: there are staff members (policy officers) within the offices that coordinate the quality in that office.

Public prosecution: At the head office of the public prosecution (Parket-General), there is personnel responsible for producing, implementing, evaluating and auditing quality measures. These are the TJQ (as mentioned in Q66), Team Processes and Information (standard processes and procedures) and the Scientific Bureau OM (national guidelines and policy regulations).

**(2017):** yes

### **Poland**

**(General Comment):** Inspection departments operate in the appellate and regional courts. The task of the judges working in these departments is to perform on behalf of the president of the court activities in the scope of supervision over the administrative activity of the courts in the area of the operation of a given appellate or district court. Supervision consists in taking actions to improve the office of the courts or increase the efficiency and level of work organization culture in the courts. For this purpose, visits of departments in courts or surveys of recognized cases of a given category are carried out, the secretariats of departments in the courts are controlled.

Activities in the scope of administrative supervision can not enter the field in which judges and assessors are independent.

### **Portugal**

**(General Comment):** The High Council of the Public Prosecution Service has “inspectors” (“inspectores”) who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**(2022):** The High Council of the Public Prosecution Service has “inspectors” (“inspectores”) who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**(2021):** The High Council of the Public Prosecution Service has “inspectors” (“inspectores”) who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**(2020):** The High Council of the Public Prosecution Service has “inspectors” (“inspectores”) who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

### **Slovak Republic**

**(General Comment):** Judicial Council, Council of Prosecutors and disciplinary commissions.

**(2020):** Judicial Council, Council of Prosecutors and disciplinary commissions.

**(2019):** Judicial Council, Council of Prosecutors and disciplinary commissions

## **Slovenia**

**(General Comment):** The Office for Court Management Development at the Supreme Court promotes the improvement in leadership and management of courts and the increase in effectiveness and efficiency. It is responsible for the preparation of different reports and analysis regarding work of courts and the promotion of best practices. The Department for the Organization and Development of Management of the Supreme State Prosecutor's Office of the Republic of Slovenia is responsible for monitoring the implementation of the Prosecution Policy and the Criteria for the Success of Prosecution of State Prosecutor's Offices.

## **Spain**

**(2015):** Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

## **Question 070**

## **Austria**

**(General Comment):** .

**(2022):** satisfaction of court staff: only supreme administrative court

**(2017):** "other": e.g. certain kinds of decisions, clearance rate (annually)

## **Belgium**

**(2021):** In 2021, the College of Courts and Tribunals has started a project to make a central inventory of the backlog in the courts and tribunals using indicators such as length of proceedings, number of pending cases, Disposition time, backlogs.

**(2017):** There are ad hoc systems for monitoring activities within the courts. There is a central service responsible for the collection of statistics which ensures the annual publication of statistics. The Central Statistical Service is developing a uniform and coordinated policy, but there is (as yet) no central system for regular monitoring of activities.

**(2016):** There are ad hoc systems for monitoring activities within the courts. There is a central service responsible for the collection of statistics which ensures the annual publication of statistics. But there is no (yet) central system for regular monitoring of activities.

## **Croatia**

**(2019):** As regards "number of appeals", from 2019 we are able to get this data from our case management system.

## **Denmark**

**(2021):** Danish Court Administration is typically not doing this. A responsible court follow their cases though.

**(2020):** We value independence high. Therefore Danish Court Administration does not evaluate the performance or productivity of individual judges. We follow overall productivity and case flow though as that is used to allocate resources and to find the court most in need of vacant judge positions.

**(2019):** Courts are followed yearly in a yearly report. District courts receives monthly a report about case flow, pending cases, backlogs, weighted cases and the time it takes to finalize cases.

**(2017):** In Denmark we have a management system which information is updated monthly for the district courts where the points above are shown. For the High Courts and the Supreme Court, the case flow is not followed so often and in a so detailed way, but there are also much fewer cases. "Other": activity in terms of weighted cases and also pending cases

**(2016):** The so called "weighted cases" are measured in order to have a measure for the activity.

## **Estonia**

**(General Comment):** The scope of the monitoring system is extended to the results of proceedings; the categories of cases; the number of decisions appealed and revoked, fully or partially. The waiting time and the 'age' of pending (not solved) cases are also monitored. It is worthy of mention that every year all the courts and the Ministry of Justice enter into an agreement according to which courts should aim to carry out structural changes and to make changes in case-flow management that will ultimately ensure efficient proceedings. The content of the agreement has changed since 2017. The goals are more general and the same for all the courts (except The Supreme Court).

**(2017):** See previous general comments.

**(2016):** see general comments

## **Finland**

**(General Comment):** All courts keep statistics of the mentioned court activities in the operational case management systems. The National Courts Administration can access these figures through a reporting system.

**(2019):** satisfaction of court staff is monitored with job satisfaction surveys which are taken every second year

## **France**

**(2021):** Source DSJ and Council of State

**(2020):** Judicial and administrative jurisdictions combined.

**(2019):** Civil and criminal justice: After the deployment of innovative applications, satisfaction questionnaires are sent to users in the courts (heads of courts, directors of registries, judges and registry officials) in order to improve change support actions and the implementation.

In addition, with regard to victims, the Ministry of Justice will conduct a satisfaction survey in the second half of 2019 among victims of criminal offences who resort to victim support associations. The results of this survey, similar to a previous survey conducted in 2011, could be published in 2020. Likewise, the Ministry of Justice is attentive to citizens' views on the way they are received in the courts. For several years now, surveys have been conducted on the reception in the courts by a service provider pretending being a litigant. In 2018, an online survey, coupled with a face-to-face survey, was conducted in seven 1st instance courts "tribunaux de grande instance" among litigants appearing in these courts. In 2019, the satisfaction survey will be carried out in all "tribunaux de grande instance" via an online survey accessible by internet address or QR code. Finally, a national survey is also under way on the reception of litigants in the courts in the specific context of the implementation of social centres within the "tribunaux de grande instance" and the integration within these courts of the three separate courts that previously dealt with these types of litigation. The survey, carried out among court staff, aims to assess the difficulties encountered by persons presenting themselves at the reception desk and to identify any corrections that could be included in the texts.

The reply to the question encompasses replies from administrative justice and civil and criminal justice.

**(2018):** The coverage rate of cases as well as the structure of civil or criminal litigation are used by the courts.

In addition, other indicators usefully complete the analysis: .

Share of decisions on the merits in completed cases (civil activity).

Share of referrals in completed cases (civil activity).

Theoretical time to sell off the stock.

Average age of the stock.

Percentage of cases over 12 months in stock (civil activity).

**(2017):** The number of cases referred is an indicator used only by administrative courts.

The courts have business applications to monitor their civil and criminal activities. At national level, data from these applications is

from these applications are collected automatically via infocentres, reprocessed and cross-referenced, then in the form of tables or graphs. These reports can be generated on a monthly basis, except for certain activity data (court of appeal).

These reports can be generated on a monthly basis, except for certain activity data (criminal courts, juvenile court judges, enforcement of sentences), for which reports are generated annually.

These infocentres enable the courts to monitor statistics and manage their activity. They enable the central administration to They enable the central administration to prepare management dialogues from a performance perspective.

**(2016):** The number of cases subject to referral is an indicator used only by administrative courts.

Courts have business applications to monitor their civil and criminal activities. At national level, data from these applications are collected automatically via info-centres, processed and cross-referenced, and then presented in the form of tables or graphs. These refunds can be generated monthly, except for certain activity data (assize court, juvenile judges, enforcement of sentences), for which the refunds are annual.

These info-centres enable courts to carry out a statistical follow-up and to monitor their activities. They allow the central administration to prepare management dialogues from a performance perspective.

**(2015):** The number of cases being referred is used only by administrative courts.

The rate of coverage of cases is used by judicial courts.

The state of stocks by age group is used by administrative courts.

**(2014):** 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)

- the state of the stocks per age group (used by administrative courts)

It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts.

**(2013):** 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)
- the state of the stocks per age group (used by administrative courts)

It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts.

**(2012):** 2010, 2012: the category "others" includes the state of the stocks per age group. It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts

## Germany

**(General Comment):** The Federal Statistical Office collects key figures on court performance (incoming cases, resolved cases, pending cases on the beginning and the end of a year) from the federal states. The Federal Statistical Office processes and publishes the data once per year for the civil, criminal, family, administrative, labour, social and financial courts.

**(2022):** The monitoring activities no. 1-4 were selected by all respondent federal states and the activities no. 5 and 9-13 were selected by the majority of the federal states.

A minority of the federal states (as in previous years) reported the following "other" monitoring activities: statistics on the nature of resolution (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.), number of main-trial days, participation of interpreters and experts. (While the situation has not changed since the last cycle, the option "other" was not selected this time for the purpose of methodological consistency with the answers to other questions in this section). One federal state has not yet replied.

**(2021):** The monitoring activities no. 1-4 were selected by all Länder, the activities no. 5 and 9-13 were selected by most Länder and the activities under "other" were only mentioned by a some Länder (5).

**(2020):** The monitoring activities mentioned under "other" were reported only by some of the Länder.

**(2019):** Some of the Länder did mention a monitoring system concerning other court activities such as statistics on the nature of resolution are kept (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**(2018):** Some of the Länder did mention a monitoring system concerning other court activities such as statistics on the nature of resolution are kept (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**(2016):** other: Some of the Länder did mention a monitoring system concerning other court activities such as statistics on the nature of resolution are kept (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**(2014):** In 2014, some of the Landers did mention a monitoring system concerning other court activities, namely statistics on the nature of resolution (e.g. in civil matters cases are dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**(2013):** In 2013, seven Landers communicated information on their regular monitoring system. For example, Baden-Württemberg referred to calculation of the specific personnel requirements on a mathematical-analytical basis. Bavaria mentioned the type of proceedings, form of decision, etc. for courts of labour and social jurisdiction and workload, ratio of part-time employees; average age of employees, training and sick days, duration of proceedings in months, ratio of appeals for courts of general jurisdiction. In Brandenburg, the number of pending cases and the ratio of terminated proceedings as against incoming cases are monitored.

**(2012):** For 2010 and 2012, five Landers did not provide any reply. Seven Landers communicated detailed information on their regular monitoring system of courts' activity. Among the main other monitored parameters are the deadlines for the drafting of judgments (Bavaria), the number of pending cases and the ratio of terminated proceedings as against incoming cases (Brandenburg), the nature of resolution – cases dealt with by contentious judgment, by acknowledgment, by settlement etc. (Hamburg), cases allocated among staff, i.e. caseload quota (Hesse); finance benchmarks, item costs, standardized deployment of person hours related to product (Saxony-Anhalt).

## Greece

**(General Comment):** According to Law 4938/2022 (art. 99-104), supreme judges appointed as inspectors for two year's term, redact every year general reports on the operation of each court and prosecutor's office in their district and recommend the necessary measures for the proper functioning of the service.

**(2022):** Many courts have chosen the option number of Appeals but not all. The Council of State has additionally selected the options number of Appeals and ratio of Appeals. The General Commission of the State for ordinary administrative courts has additionally selected the options number of Appeals and clearance rate.

According to Law 4938/2022 (art. 99-104), supreme judges appointed as inspectors for two year's term, redact every year general reports on the operation of each court and prosecutor's office in their district and recommend the necessary measures for the proper functioning of the service.

Regarding administrative courts, this task is fulfilled by the General Commission of the State for ordinary administrative courts. In the near future we hope to be able to use a business intelligence program, in order to extract composite statistical data without contacting any court.

[E-mail: g-epitropia-d-d@otenet.gr]

**(2019):** The Greek government has introduced a new system for organizing and evaluating the planning and implementation of public sector actions and projects, which introduces among others, monitoring court activities. (L. 4622/2019 art. 49 foll.)

**(2017):** Regarding Administrative Courts, this task is fulfilled by the General Commission of the State for ordinary administrative courts. In the near future there will be a possibility for the General Commission of the state to use a business intelligence program, in order to extract composite statistical data without contacting any court [E-mail: g-epitropia-d-d@otenet.gr]

## Hungary

**(General Comment):** Among others:

- individual judge's statistics, - statistics on the reasons of the postpone of the trials,
- number of trial days in cases, - number of tried cases per day,
- pending cases of an individual judge / court,
- the time frame of pending cases
- number of appealed cases,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

- (2022):**
- statistics on the reasons of the postpone of the trials,
  - number of trial days in cases, - number of tried cases per day,
  - the subject of incoming / finished / pending cases,
  - the ratio of litigious and non-litigious cases,
  - cases that are pending over 2 or 5 years have a separated statistical report every month
  - cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2021):** - statistics on the reasons of the postpone of the trials,  
- number of trial days in cases, - number of tried cases per day,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2020):** - statistics on the reasons of the postpone of the trials,  
- number of trial days in cases, - number of tried cases per day,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2019): Other:**  
- statistics on the reasons of the postpone of the trials,  
- number of trial days in cases, - number of tried cases per day,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2018): Other:**  
- statistics on the reasons of the postpone of the trials,  
- number of trial days in cases, - number of tried cases per day,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2015): Among others:**  
- individual judge's statistics,  
- statistics on the reasons of the postpone of the trials,  
- number of trial days in cases,  
- number of tried cases per day,  
- pending cases of an individual judge / court,  
- the time frame of pending cases  
- number of appealed cases,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2014):** In 2013 and 2014, among other are quoted individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of tried cases per day, the number of pending cases of an individual judge/court, the time frame of pending cases, the number of appealed cases, the subject of incoming/resolved/pending cases, the ratio of litigious and non-litigious cases. Cases that are pending over 2 or 5 years have a separated statistical report every month, as well as cases in which there were no actions taken in the last 30 days by the court.

**(2013):** In 2013 and 2014, among other are quoted individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of tried cases per day, the number of pending cases of an individual judge/court, the time frame of pending cases, the number of appealed cases, the subject of incoming/resolved/pending cases, the ratio of litigious and non-litigious cases. Cases that are pending over 2 or 5 years have a separated statistical report every month, as well as cases in which there were no actions taken in the last 30 days by the court.

**(2012):** In 2010 and 2012, a reference is made to individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of resolved cases, the number of cases scheduled within one day, the number of pending cases of an individual judge.

## **Ireland**

**(2022):** These are not new or recently introduced monitoring options.

**(2014):** 2014: Since 2014 Ireland introduced a monitoring system for the length of proceedings and it is now capable of calculating average length of proceedings in first instance jurisdictions.

## **Italy**

**(General Comment):** Within the framework of the National Recovery and Resilience Plan (PNRR), the Ministry of Justice has introduced an additional monitoring system specifically designed for PNRR purposes, in order to keep track of a series of KPIs related to the efficiency of the Italian courts.

## **Latvia**

**(General Comment):** Implemented business intelligence solution allows monitor all the mentioned court activities very closely.

Satisfaction of court staff and users is being evaluated by regular questionnaires in courts.

**(2022):** The indicators "productivity of judges and court staff" and "number of appeals" are taken into account when assessing the professional activity of a judge, because the objective of the assessment of the professional activities of a judge is to promote the continuous professional growth of a judge throughout his or her career, thereby improving the quality of the work of the judge and the court. An Annual evaluation of court staff is also carried out, which is essential for high-quality work of courts.

**(2017):** Decision stability (proportion of decisions appealed in higher instance)

**(2016):** Decision stability (proportion of decisions appealed in higher instance)

## **Lithuania**

**(General Comment):** All of these data are recorded in the Lithuanian Court Information System (LITEKO), as well as other data, related to the case, it's process and the parties to the proceedings.

## **Luxembourg**

**(General Comment):** No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request of the competent authorities.

**(2017):** ??? (see comments to parent campaign)

**(2016):** No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request by the competent authorities.

**(2015):** By using the newly implemented statistical tools, the information ticked in addition to last year's questionnaire can now be retrieved by the statistical service on an as needed basis at least for criminal cases. Identical markers are being implemented for civil and commercial cases and will available in a foreseeable future.

**(2014):** 2014: There is no regular monitoring system. However, new statistical tools are implemented and can provide monitoring elements when necessary without daily measurement current affairs.

#### **Malta**

**(2022):** Other: Age of the pending caseload.

**(2019):** Other: age of pending caseload

**(2017):** other: clearance rate

**(2015):** The monitoring of court activities also takes place through the ongoing analysis of the Clearance Rate and Disposition Time of the various courts. This data is also being published online on a monthly basis. The category "other" refers to the monitoring of the Clearance Rate and Disposition Time of all civil courts, boards and tribunals. This exercise was started in 2015.

**(2014):** In 2014, the court administration was monitoring length of proceedings through the number of incoming and resolved cases, as well as through the pending caseload. The age of civil cases was another parameter that was being assessed. On the occasion of the 2014 exercise, it has been indicated that since 2015, Malta started computing the Disposition Time and Clearance Rate of all the civil and criminal courts. By the end of 2015, for the civil courts, this information will be made available online.

#### **Netherlands**

**(2020):** There is an annual publication that includes the appeal ratio for some case types. To call it 'monitoring' would be a bit too much, but it is annually checked and reported on. Incoming cases and length of proceedings have not previously been mentioned, but these are monitored.

#### **Poland**

**(2017):** Supervision covers only the administrative activities of the courts. There are the internal supervision exercised by the presidents of the courts and the external supervision exercised by the Minister of Justice within the narrow scope specified in the law.

**(2016):** Supervision covers only the administrative activities of the courts. There are the internal supervision exercised by the presidents of the courts and the external supervision exercised by the Minister of Justice within the narrow scope specified in the law.

#### **Portugal**

**(2022):** Users satisfaction is monitored through surveys and indirectly by the consulting body of each court that includes members of the community. The appeal ratio is only monitored in the context of judges evaluation.

**(2020):** we included "satisfaction of users" because one of the tasks of the president judge of the court is to monitor and evaluate the activity of the court, in particular the quality of the justice service provided to citizens, taking into account particular complaints or responses to satisfaction questionnaires. "Article 94 of Law 62/2013, 26th August, on the judicial organization"

**(2019):** In this evaluation cycle we included "satisfaction of users" because one of the tasks of the president judge of the court is to monitor and evaluate the activity of the court, in particular the quality of the justice service provided to citizens, taking into account particular complaints or responses to satisfaction questionnaires. "Article 94 of Law 62/2013, 26th August, on the judicial organization"

**(2017):** Scheduling; delays of judges and sections.

**(2016):** Scheduling; delays of judges and sections.

**(2015):** Scheduling: time delays of judges and sections of the court.

## Romania

**(General Comment):** Since 2012, the category "other" subsumes the length of administrative procedures, the number of final convictions, legal aid, suspended cases etc.

**(2022):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**(2021):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**(2020):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**(2019):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**(2017):** - e.g. suspended cases

**(2016):** - suspended cases etc.

## Slovak Republic

**(General Comment):** The category "other" encompasses: the number of cases according to types of disputes, the results of the cases (reconciliation, dismissals, full satisfaction, partial satisfaction, etc.). Statistical data of the Ministry of Justice of the Slovak Republic are detailed and regularly collected and published in a yearbook which is publicly accessible at the website of the Analytical centre of MoJ <https://www.justice.gov.sk/Stranky/Informacie/Analyticke-centrum.aspx> <http://web.ac-mssr.sk/statisticka-rocenka-2018/>. Data on the activity of the courts are published every month in interactive Dashboard on the <http://web.ac-mssr.sk/dashboard/>.

## Slovenia

**(General Comment):** In Slovenia there is a regular monitoring system in a form of collecting data on court statistics. Court statistics are collected and published four times a year by the Ministry of Justice. They include the data on the number of judges and court staff, number of incoming, resolved and pending cases, age of unresolved cases, length of proceedings, average time to resolve a case, type of decision, court backlogs, legal remedies and time to issue a court decision. Besides that, the data on court activities are automatically on national level, thus statistical analysis are made possible. All courts have access to a wide range of special reports, generated in the Court management information system. Reports include detailed information on court activities (for example length of specific phases of a court proceeding, top 20 oldest cases in certain area of law, etc.), human resources, court performance indicators (the critical indicators are marked red for unsatisfactory performance and green when meeting the standards) that provide guidance to presidents and directors of courts. The business intelligence system that creates priority reports derives the data from the Data warehouse of the Supreme Court. The same source is used for Court statistics publications by the Ministry of Justice. Each court is able to access the above mentioned reports at any moment, while some data are quarterly collected and published on national level (as prescribed by the Court rules).  
The satisfaction surveys are performed and results published bi-annually.

**(2015):** The data on court activities are automatically collected on national level, thus statistical analysis is made possible.

All courts have access to a wide range of special reports, generated in the Court management information system. Reports include detailed information on court activities (e.g. length of specific phases of a court proceeding, top 20 oldest cases per legal area etc.), human resources, court performance indicators (the critical indicators are marked red for unsatisfactory performance and green when meeting the standards) that provide guidance to presidents and directors of courts. These additional data available to court management officials are the reason, why we put check before "other elements".

The business intelligence system that creates priority reports derives the data from the Data warehouse of the Supreme Court. The same source is used for Court statistics publications by the Ministry of Justice.

Each court is able to access the above mentioned reports at any moment, while some data are quarterly collected and published on national level (as prescribed by the Court rules).

## Spain

**(General Comment):** The category "other" encompasses: number of enforcement procedures, number of decisions appealed, number of rogatory letters issued, received and resolved, aid between courts, pending writings, form of termination of trials, etc.

**(2017):** The category "other" includes many other data such appeals, aid between courts, pending writings, etc.

**(2016):** The category "other" includes many other data such appeals, aid between courts, pending writings, enforcement proceedings, form of termination of trials, etc.

## Question 070-1

### Bulgaria

**(General Comment):** .

**(2018):** "Other": percentage of returned cases

### Denmark

**(2022):** - The prosecution makes monthly reports to the Ministry of Justice on data regarding number of cases, clearance rate, etc.

- Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment. There

is no direct measure of disposition time, but it can be read from this report.

- The prosecution makes an biannual survey on the satisfaction of the prosecution staff.

**(2021):** The prosecution makes quarterly reports to the Ministry of Justice on data regarding number of cases, percentage of conviction etc.

Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment. There is no direct measure of disposition time, but it can be read from this report. The prosecution makes a biannual survey on

the satisfaction of the prosecution staff.

**(2020):** The methodology of replying changed in this question.

The prosecution makes quarterly reports to the Ministry of Justice on data regarding number of cases, clearance rate, etc.

Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment.

There is no direct measure of disposition time, but it can be read from this report. Therefore we find it more correct to check this option. Satisfaction of the prosecution staff has always been measured but not by the ministry of justice. Therefore it was not checked last time. However, it is measured, and we therefore find it correct to check this option. The prosecution makes an annual survey on the satisfaction of the prosecution staff.

## **Finland**

**(2021):** "Backlogs": cases that have been pending for longer than a year are monitored

**(2020):** "Backlogs": cases that have been pending for longer than a year are monitored.

## **France**

**(2021):** Source DSJ

**(2020):** Judicial jurisdiction.

## **Germany**

**(General Comment):** The Federal Statistical Office collects key figures on the public prosecution offices' performance (incoming cases, resolved cases, pending cases on the beginning and the end of a year) from the federal states and publishes the data once per year.

**(2022):** The monitoring activities no. 1-4 were selected by all respondent federal states and the activities 5 and 10 to 12 were selected by the majority of the federal states. A minority of the federal states also monitors the costs of the judicial proceedings.

One federal state has not yet replied.

**(2021):** The monitoring activities no. 1-5 and 1-12 were selected by most Länder, the activity no. 9 (monitoring of costs) was selected by some (5) Länder.

**(2020):** A few Länder answered that they have also been monitoring productivity and costs.

## **Greece**

**(2022):** It is noted that the clearance rate was not selected by all prosecutors' offices, in addition several prosecutors' offices but not all have chosen the option of percentage of convictions and acquittals.

## Hungary

**(2022):** The public prosecution services are led in a hierarchical structure. Leaders perform their duties at a national and regional level, as well as at the level of each organizational unit. It is up to the decision of the leader who exercises the employer's rights to determine how the activities (performance, quality) of the prosecution office should be evaluated and on the basis of what indicators in order to manage the organizational unit effectively. The set of indicators may vary from year to year, depending on the circumstances. Therefore, more than one answer could be given to the given question.

For example, the performance of individual prosecutors or officers may be assessed at the level of an organizational unit; a staff satisfaction survey may be conducted; or a target analysis based on client satisfaction may be carried out.

The clearance rate could also be considered as a reference point and is actually monitored by the public prosecution services. However, statistics are produced at the level of the prosecution services and at the regional level on a calendar year basis.

Therefore, those decisions on the termination of prosecution proceedings which are made at the end of a year, but become final only in the following year, can only be taken into account in the next year. The number of indictments and the number of finally closed cases that are closed because of finally closed court cases in the years after the indictment may also differ from the number of indictments on an annual basis. Therefore, the "clearance rate" – as a reference point – is a difficult criterion to follow.

At the national level, the Prosecutor General is required to present a report to Parliament. This report does not focus on the performance of individual public prosecutors; instead, it assesses the performance of the public prosecution service as a whole and according to a breakdown of organizational units. In our 2023 response, we tried to take this into account and, in this respect, we have indicated that primarily the indicators indicated were taken into account. Compared to our previous response in 2020, there was no change in terms of the fact that the clearance rate had been taken into account, even if it was not the primary evaluation criterion.

**(2021):** The BTM system (Criminal Justice Activity Indicator System) is available for the Prosecution Service of Hungary. This system regularly monitors prosecution activities (performance and quality), however, it does not contain any information about the number of incoming cases, length of proceedings, number of resolved cases, backlogs etc.

## Ireland

**(2022):** Information is published in Part 2 and Part 4 of ODPP Annual Report 2021 (<https://www.dppireland.ie/app/uploads/2023/02/AR2021eng.pdf>).

**(2020):** information is published in Annual Report available at: <https://www.dppireland.ie/app/uploads/2020/10/AR-2019-eng.pdf>

**(2018):** Information is published in Annual Report available at [https://www.dppireland.ie/filestore/documents/AR2017\\_\[eng\].pdf](https://www.dppireland.ie/filestore/documents/AR2017_[eng].pdf)

## Malta

**(2022):** The Office of the Attorney General has embarked on a data management process that is seeing more information being collected in respect of the efficiency parameters of the Office. This explains why in this evaluation cycle, the categories of 'Backlog' and 'Productivity of Prosecutors and prosecutors staff' have been marked.

**(2021):** The Attorney General is collecting data on length of proceedings and using it to monitor efficiency. This exercise will be refined in the coming months within the scope of an ongoing project addressing the re-engineering of processes within the Office of the AG.

**(2018):** The Office of the AG does hold a record of the number of incoming cases and terminated cases, but these are not as yet organised into official performance indicators.

## Poland

**(2021):** In 2021, following the implementation of the new central ICT system PROK-SYS, which provides for a modern reporting system, the possibility of obtaining data on a wide range of activities of all organisational units of the prosecution offices was created. The system provides a solution for generating types of reports on the costs of proceedings. This allows for daily supervision of the activities of the prosecution offices from every level, including the central level. Prior to 2021, data on the costs of proceedings were only collected locally.

## Portugal

**(2020):** We included "clearance rate" and "disposition time" because one of the tasks of the public prosecutor coordinator is to monitor and evaluate the activity of the public prosecutors services, including the efficiency of procedures. Article 101 of Law 62/2013, 26th August on judicial organization.

## Slovenia

**(General Comment):** The BI tools that use data gathered in information system of the State Prosecutor's Office provide the heads of prosecution offices with up-to-date overview of the performance of state prosecutors and the functioning of the office. Heads can customize the level and content of information presented to them for the purpose of making quantitative data supported decisions on allocation of work among prosecutors, control of the case-flow.

**(2022):** "other": percentage of different types of decisions, value of proceeds of crime under freezing order, pronounced criminal sanctions...

**(2020):** "Other": percentage of different types of decisions, value of proceeds of crime under freezing order, pronounced criminal sanctions...

## Question 071

### Belgium

**(2016):** There are ad hoc evaluation systems within the courts. But there is no central or coordinated system.

### Bulgaria

**(General Comment):** The duration of the court proceedings initiated by the Prosecutor's Office of the Republic of Bulgaria is monitored, as in case of excessive delay there is a possibility to request acceleration of these proceedings through the procedure under Chapter 26 of the PPC.

### Denmark

**(2021):** Danish Court Administration is typically not doing this. A responsible court follow their cases though.

**(2020):** Danish Court Administration is not doing it as a general thing. If a specific court needs help, Danish Court Administration can work out list of pending cases and list them according to age to give the court a tool to locate cases that need attention.

### France

**(2021):** Source DSJ and Council of State

**(2020):** No further indication.

**(2016):** In civil matters, courts of first instance (TGI), labour courts (conseils de prud'hommes) and courts of appeal can measure their stock on the basis of business applications or data returns carried out by info-centers.

The identification of cases not processed within a reasonable time is easier through business applications that offer dashboards breaking down cases in stock by age group.

In criminal matters, first instance courts (TGI) can use the Cassiopée business application to record cases in stock at the registry and the number of unedited judgments. The situation of cases in stock at the registry office cannot be measured via the info-centre, which only allows establishing the number of cases registered with the Public Prosecutor's Office and the Correctional Service.

## **Germany**

**(2022):** The majority of the respondent federal states monitor pending cases and backlogs. Two federal states could not provide an answer, one federal state has not yet replied.

**(2021):** Four of the Länder could not provide an answer. The remaining Länder monitor pending cases and backlogs for all of the case categories mentioned above.

**(2020):** The majority, but not all of the Länder have reported to monitor pending cases and backlogs.

**(2018):** In 2018, Länder have monitored the number of pending cases and the backlogs.

## **Hungary**

**(General Comment):** Judges have to report those cases on a monthly basis that are pending for more than 2 years. The president of the court can order a fast-track procedure for a case based on the report.

**(2018):** Judges have to report those cases on a monthly basis that are pending for more than 2 years. The president of the court can order a fast-track procedure for a case based on the report.

## **Ireland**

**(2022):** N/A

**(2020):** NAP

**(2018):** NAP

**(2016):** NAP

## **Latvia**

**(2018):** We have created a specific tool for this purpose that is available also in public from <https://dati.gov.lv/>

## **Luxembourg**

**(2018):** New systems of monitoring have been implemented since 2016 (JUCIV for the civil law cases and JANGA for administrative law cases)

**(2016):** No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request by the competent authorities.

## Netherlands

**(General Comment):** The public prosecution logically only monitors criminal law cases, the courts monitor all types of cases.

**(2021):** Public prosecution only monitors criminal law cases, the courts monitor all.

## Romania

**(2022):** STATIS - statistics monitoring application including for court's efficiency assessment

**(2021):** STATIS - statistics monitoring application including for court's efficiency assessment

**(2020):** STATIS - statistics monitoring application including for court's efficiency assessment

## Question 072

### Austria

**(2016):** Supreme administrative Court: Statistic of incoming cases, number of decisions delivered, number of postponed cases, length of proceedings (timeframes) and age of cases

### Belgium

**(2021):** Public Prosecutor's Office: Monitoring mechanism via dashboards for the public prosecution services.

**(2020):** Monitoring mechanism via dashboards for prosecution services.

### Denmark

**(2021):** Danish Court Administration is typically not doing this. A responsible court follow their cases though. The individual courts may work out list of pending cases or warning lists when to act on a case.

**(2020):** Danish Court Administration is typically not doing this. A responsible court follow their cases though.

**(2018):** We monitor the overall time from the courts receive a case until it is finalized, but not what happen in between. The same goes for the prosecution

### Estonia

**(General Comment):** There are reminders in the CMS after certain period.

### Finland

**(2021):** Within the courts, the time the case is pending in a court is monitored.

Prosecution services: The time between police investigation and prosecutor's decision (the time the case is pending in the prosecution service) is monitored.

**(2020):** Within the courts, the time the case is pending in a court is monitored.

**(2018):** Within the courts, the time the case is pending in a court is monitored.

### France

**(2021):** Source DSJ, the reply concerns the civil and criminal justice.

**(2020):** Answer for the court.

## **Germany**

**(2022):** One federal state monitors waiting time with respect to the ordinary courts. A minority of 3 federal states monitor waiting time with regard to the public prosecution services. The vast majority of the federal states does not monitor waiting time.

**(2021):** Courts: One of the Länder reported that waiting times are monitored with respect to ordinary courts.  
Public Prosecution: While the majority of the Länder answered "no", a small minority of 3 Länder answered "yes".

## **Greece**

**(General Comment):** The waiting time during court procedures is monitored annually through the inspection process. The interval between the adjudication of the case and the issuance of the decision is watched, so that the judge does not have much pending and there is a quick delivery of justice.

**(2018):** There is a monitoring system regarding the length of the judicial procedure, but it does not include such kind of information.

**(2016):** There is a monitoring system regarding the length of the judicial procedure, but it does not include such kind of information.

## **Hungary**

**(General Comment):** The administrative office of the court reports those cases to the president in which there was no judicial activity in the last 30 days.

**(2022):** It was not possible to give an unambiguous answer to this question because of the reasons given in point 70-1. There are several possible "waiting times" in court proceedings which can be monitored. The length of proceedings can be and is monitored by the public prosecution services at the organizational, regional and local levels to different extents. As there was no substantive change in this respect, our reply is modified as follows, in line with the previous answer.

If the question refers to the judicial recess, the answer is "yes"; it is monitored by those who exercise the employer's rights, mainly for the purpose of granting a leave of absence.

**(2018):** The administrative office of the court reports those cases to the president in which there was no judicial activity in the last 30 days.

## **Italy**

**(2018):** Waiting time is monitored only for Administrative Justice.

## **Latvia**

**(2022):** "Within the courts": On an irregular basis, the Ministry of Justice and the Council of Justice analyze the number of days (period) from the initiation or receipt of the case in court to the moment when the case review is started.

## **Lithuania**

**(2022):** Within the courts: through an administrative supervision mechanism.

**(2020):** courts: through administrative supervision mechanism

### **Luxembourg**

**(2014):** According to 2014 data, the newly set up statistical tools, as well as the courts' CMS, allow an "as needed" check of the waiting time.

### **Malta**

**(2016):** In Malta, there is no formal monitoring system. However, an "informal" monitoring used to take place. It falls mostly within the remit of the Chief Justice and the respective members of the judiciary.

### **Netherlands**

**(General Comment):** Waiting time can be monitored through registration in the court system.

Agreements are made across the justice chain on timeframes in which particular caseloads (sexual offences, youth cases, and specific traffic violations) should be handled. These agreements are monitored.

Government (the Second Chamber) is annually informed on the agreements via factsheet. Additionally, timeframe agreements were reached within the public prosecution on the speed with which penal orders are to be issued, the terms in which an objection is to be judged and the speed with which the first decision with attachment is to be taken.

**(2020):** Within the courts: Registration in the court system gives the opportunity to monitor waiting time.

Within the public prosecution services: Across the justice chain, agreements have been made on the timeframes in which particular caseloads (sexual offences, youth cases and specific traffic violations) should be handled. These agreements are monitored. Annually, the government (Second Chamber) is informed on this via the factsheet 'Strafrechtketen'. Besides this, timeframe-agreements have been reached within the public prosecution on speed with which penal orders are to be issued, terms in which an objection is to be judged and the speed with which the first decision with attachment is to be taken (eerste beslissing bij beslag).

**(2013):** All steps and dates are recorded in information systems of the court. But this registration does not show 'waiting times' as such.

### **Poland**

**(General Comment):** Public Prosecution services

The issue of the duration of pre-trial proceedings is defined in the Code of Criminal Procedure, in Article 310 § 1 and § 2 and Article 325i § 1. Article 310 § 1 and § 2 states that the investigation shall be completed within 3 months. In justified cases the investigation period may be extended by a specified period of time by the public prosecutor supervising the investigation or the public prosecutor directly superior to the public prosecutor leading the investigation, but not longer than one year. In particularly justified cases a competent public prosecutor superior to the prosecutor supervising or leading the investigation may extend the investigation by a specified period of time.

Article 325i § 1 states that an investigation should be completed within 2 months. The prosecutor may extend this period to 3 months, and in particularly justified cases – to a longer specified period of time.

The authority empowered to order the extension of an investigation or an inquiry by a specified period of time shall monitor such proceedings with respect to their proper conduct in view of their possible length and shall assess the validity of the procedural steps taken or to be taken.

The request for the extension of an investigation or an inquiry must include the steps that need to be taken in the further course of the proceedings and indicate the reasons why they have not yet been taken.

**Courts:**

The presidents of the courts, in exercising internal administrative supervision over the administrative activity of the courts, control the taking of actions by judges within appropriate time limits; direct control is also exercised by the presidents of the divisions. Monitored also within the framework of management control and analysis of annual information on activities of courts operating within the area of appellate courts prepared by presidents of courts of appeal

**(2021):** \* courts -The presidents of the courts, exercising internal administrative supervision over the administrative activity of the courts, control the taking of actions by the judges in due time; direct control is also exercised by the presidents of the divisions. Monitoring also takes place within the framework of the external administrative supervision of the Minister of Justice over the administrative activity of common courts within the framework of management control and analysis of annual information on the activity of courts operating on the territory of courts of appeal prepared by presidents of courts of appeal.

\*prosecutors - In the course of pre-trial proceedings, the public prosecutor commissioning other bodies to carry out procedural actions or appointing experts to prepare an opinion shall each time set a deadline for their implementation. If the entrusted activities are not carried out in time, the prosecutor makes an enquiry as to the reasons for the delay and the deadline for carrying out the activities. The course of pre-trial proceedings is monitored both in terms of internal service supervision and external service supervision, in order to ensure their proper dynamics.

At the trial stage, if a hearing is postponed without a date being set, the prosecutor's office makes timely enquiries as to whether the reasons preventing it from being scheduled have ceased.

**(2018):** In the mode of external and internal administrative supervision over the administrative activity of courts by analyzing the results of the courts or departments and monitoring the efficiency of individual cases in the case of detected lengthiness.

## Portugal

**(General Comment):** Through SITAF and CITIUS (case management systems for administrative and tax courts and judicial courts, respectively) it is possible to check waiting times during judicial proceedings.

The Portuguese Code of Criminal Procedure establishes no binding timeframes for criminal investigations. At a national level, within the public prosecution services, there is only monitoring of the judicial proceedings time during on criminal investigations, with reference to this timeframe.

At a local level, some other proceedings (such as the initial intervention of public prosecutors on protection of adults with some incapacity, requesting accompanying measures – under the legal framework of the accompanied adult [Regime Jurídico do Maior Acompanhado]) are also monitored on time duration.

**(2022):** The waiting period is monitored in the quarterly monitoring of all judicial courts. The Court President reports to the council the number of cases that are waiting procedural movement for more than 1, 2, 3 or 4 months.

**(2021):** Because of the Covid-19 pandemic, the courts were asked for specific elements on the steps taken in the Courts. Also, the procedural laws (e.g. civil and criminal) provides that the registry shall send to the President of the Court, on a monthly base, information detailing the cases in which three months have elapsed since the expiration of the deadline set for the performance of the judge's own act.

**(2018):** Through SITAF and CITIUS (case management systems) it is possible to check waiting times during judicial proceedings.

## Romania

**(2022):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2021):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2020):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2018):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2016):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2014):** According to 2014 data, there are statistical reports developed by Stasis IT application monitoring the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc. More precisely, in 2014, the Superior Council of Magistracy has established a working group that has analyzed several national and international documents on the efficiency of the courts and has developed a set of indicators that are used to make an overall assessment of the efficiency of courts, sections and, if needed panels of judges. These indicators were implemented and used in the Stasis application.

## Slovenia

**(General Comment):** In accordance with the Prosecution Policy adopted in 2017, cases in which a final court decision at first instance has not been adopted within 3 years of filing a written charge with the court, are monitored in particular.

## Question 083

### Austria

**(2018):** There are no specific targets given to the Judges, which are seen as a conflict with the Independence of Courts.

**(2016):** Provincial Administrative Courts: Maximum 150 cases a year per judge (average value).

Federal Finance Court:

No performance targets, which are seen in conflict with the independence. However based on a continuous transparent controlling the possibility of benchmarking exists. In addition regular dialogues with the judges regarding their performance are held.

### Croatia

**(2020):** According to the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18) , the Minister in charge for Justice, upon the proposal of the General Assembly of the Supreme Court of the Republic of Croatia, adopts the Framework criteria for the work of judges.

#### **Czech Republic**

**(General Comment):** Quantitative performance targets exist but they are not strictly binding.

**(2018):** Quantitative performance targets exist but they are not strictly binding.

#### **Denmark**

**(General Comment):** Judges are independent. Therefore measuring is done focusing on case-flows and economic indicators without identifying the individual judge.

**(2022):** The judges are independent. Therefore measuring is done focusing on case-flows and economic indicators.

**(2018):** There are no such targets from the side of Danish Court administration, but quantitative performances are used to re-allocate resources so the court in most need of resources in case of a vacant judge position also gets the vacant position.

#### **Finland**

**(General Comment):** A court can decide whether it sets quantitative performance targets for each judge. There are targets set for each judge in some courts.

**(2016):** It is up to each court to decide. In some courts there are targets set for each judge.

#### **France**

**(2022):** A valid response for administrative jurisdictions.

**(2016):** Individual quantitative objectives are established only with regard to administrative judges by the respective court president.

#### **Germany**

**(General Comment):** There are no quantitative performance targets because this might interfere with judicial independence as defined by article 97 of the Basic Law for the Federal Republic of Germany ("Judges shall be independent and subject only to the law.").

**(2022):** Of the respondent 15 federal states, 14 reported that there are no quantitative performance targets for judges. One federal state has not yet replied.

#### **Greece**

**(General Comment):** The Head of each court is responsible for the assignment of the cases between judges of his/her competence. In this sense, he/she is aware of the quantitative performance of judges.

**(2022):** Every administrative judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation, according to a model adopted by the General Commission of the State.

**(2020):** Every administrative judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation.

**(2018):** Every judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation.

**(2016):** Every judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation.

## Hungary

**(General Comment):** Since 1999, there is a national regulation adopted by the central administration body of the courts that regulates – among other things – how many trial days should a judge have per year. Every court has an internal regulation for judges, defining how many hearings shall they have at a trial day and how many cases shall they hear at a monthly basis. This regulation is adopted by the president of the court, taking into consideration the opinion of the judicial council. The president of the NOJ has to give his/her consent for the regulation.

## Italy

**(General Comment):** Law n.71 of 17 June 2022 has recently modified article 2 of Legislative Decree n.109, 23 February 2006, regarding disciplinary responsibility of professional magistrates. The amendment has introduced specific disciplinary offences regarding the conduct of the magistrate who does not cooperate in reaching the goals laid in the 'Program for the management of civil and criminal proceedings' (in Italian 'Programma di Gestione'), which is disciplined by art37 of Decree-Law II. 98 of 6 of July 2011 and regularly approved by each Court.

**(2020):** Quantitative performance targets are set in terms of length and timeframe of proceedings. Judges who fail to meet certain requirements may face disciplinary proceedings.

**(2018):** Quantitative performance targets are set in terms of length and timeframe of proceedings. Judges who fail to meet certain requirements may face disciplinary proceedings.

**(2016):** Quantitative performance targets are set in terms of length and timeframe of proceedings. Judges who fail to meet certain requirements may face disciplinary proceedings.

## Malta

**(General Comment):** The administration of the case load is left in the hands of the individual judge and magistrate together with the Chief Justice who assigns the particular duties to each judge and magistrate.

**(2016):** The administration of the case load is left in the hands of the individual judge/ magistrate together with the Chief Justice who assigns the particular duties to each judge and magistrate.

## Netherlands

**(2016):** There is a planning and control cycle (3 times per year) which involves financial/accounting evaluation but also visits ('bestuurlijke overleggen'), there is once per year an accountant check of the annual report (per court and for total of 19 district courts, 5 general appeal courts and 2 specialised courts (Trade and Industry Tribunal (Cbb) and Central Appeals Tribunal (CRvB)), and once every 4 years there is a round of visitations.

## Poland

**(General Comment):** In general there are not any quantitative performance targets defined for each judge but for certain cases the law imposes timeframe for performing specific action or handling specific matters. President of the court sets the performance target with using statistically calculated indicators of average performance that court and individual judge is expected to achieve.

## Portugal

**(General Comment):** Taking into account the results obtained in the previous year and the strategic objectives formulated for the following year, the president of the court and the coordinating prosecutor, after hearing the judicial administrator, articulate, for the following year, proposals for objectives of a procedural nature (management or administrative) for the district and for the courts of extended territorial jurisdiction, as well as for the Public Prosecution Offices located there, which have to be ratified respectively by the Judicial High Council and the Attorney General's Office.

The procedural objectives of the district shall refer, in particular, to the number of completed cases and the time of their duration, taking into account, among other factors, the nature of the process or the value of the case, considering the human resources and the means related to the functioning of the district and based, namely, on the established procedural reference values.

The procedural objectives of the district may not impose, limit or condition the decisions to be rendered in specific cases, either on the merits of the matter, or on the option for the procedural form understood as more appropriate.

The procedural objectives of the district must be reflected in the objectives established annually for judicial officers and be considered in the respective assessment.

The procedural objectives of the district must be considered in the evaluation criteria of the magistrates, defined by the respective Councils.

## Slovenia

**(General Comment):** Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

**(2018):** Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

**(2016):** Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

## Spain

**(General Comment):** In accordance with the Agreement of November 29, 2018, of the Plenary of the General Council of the Judiciary, which approves Regulation 2/2018, on the remuneration regime of the Judicial and Prosecution Careers, in relation to variable remuneration for objectives, it corresponds to the Plenary of the Council of the Judiciary to approve the system for the determination of the performance objectives of each destination of the Judicial Career

## Question 083-1

### Austria

**(General Comment):** No specific targets are formulated in respect of judges.

**(2016):** Answer counts only for the administrative courts.

For the other courts, no performance targets, which are seen as a conflict with the independence of courts.

### Croatia

**(General Comment):** According to the Courts Act, the Minister of Justice, upon the proposal of the General Session of the Supreme Court of the Republic of Croatia, adopts the Framework criteria for the workload of judges.

## Denmark

**(General Comment):** Judges are independent. Therefore measuring is done focusing on case-flows and economic indicators.

**(2018):** NA as per answer 083.

## Finland

**(General Comment):** The National Courts Administration negotiates annually with each court in order to set targets and objectives for the court for the next year. An allocation of permanent staff and possible additional temporary judges or other staff is decided upon these negotiations but within the state budget. Timeframe (length of proceedings) targets are also set. Possible issues and problems with developing the activities of the court are also discussed. Finally, the appropriation to cover the annual costs of the court operations is agreed. A minutes of the negotiation is written and it includes the targets, objectives and estimated workloads for the court for the next year. The chief justices of the courts can then apply this results-based management system in their respective courts as they see appropriate.

## France

**(General Comment):** For administrative jurisdictions, there are individual quantitative objectives. This is not the case for judicial jurisdictions, where the indicators target functions (non-specialised chambers, investigation, juvenile cases, public prosecution) and court clerks. Thus, a set of objectives and indicators are detailed at national level in the annual documents presented to Parliament (Annual Performance Plan and Annual Performance Report), including a number of indicators measuring the 'efficiency' of civil servants and magistrates with an average performance level to achieve (targets). These ratios are very general.

## Germany

**(2020):** There are no quantitative performance targets for each judge

## Hungary

**(General Comment):** The courts' organizational and operational rules provide for the number of hearing days a judge should have in a month and the number of cases a judge should monthly hear. These rules are issued by the president of the court after the judicial council expressed an opinion on them. The judicial council is a self-governing organ of the courts, consisting of judges who are elected by their peers. The rules are approved by the president of the National Office for the Judiciary.

## Ireland

**(2018):** NAP

**(2016):** NAP

## Latvia

**(General Comment):** According to the Law on Judicial Power, when adjudicating, judges are independent and are subject only to the law. Therefore, judges set targets by themselves. However, the President of the court monitors the workload of the judges in the court as a whole, assigning cases to another judge if necessary.

## Luxembourg

**(2018):** NAP

**Malta**

**(2018):** NA

**Netherlands**

**(2018):** NAP

**(2016):** The planning and control cycle is done by The Council for the Judiciary, on a court level (not at individual judge level). Targets for each individual judge are not imposed by The Council for the Judiciary.

**Poland**

**(General Comment):** .

**(2016):** For certain cases the law imposes timeframe for performing specific action or handling specific matters. President of court sets the performance target with using statistically calculated indicators of average performance that court and individual judge is expected to achieve.

**Romania**

**(2016):** There are no formal standards for quality established for the whole Judiciary. However, informal standards are being used (such as training, quality of the reasoning, assessment of the activity of the judges, assessment of the good reputation of the judges etc.)

**Slovenia**

**(General Comment):** See Q114.

**Question 083-1-1****Croatia**

**(2022):** According to the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) the president of the court in which the judge performs judicial duty determines by decision for the previous calendar year whether the judge has fulfilled his duties as a judge according to the prescribed criteria. If the president of the court determines that the judge, without justifiable reason, did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period or that he performed his judicial duties improperly, he is obliged to initiate disciplinary proceedings against such a judge, in accordance with the State Judicial Council Act. Disciplinary proceedings against the president of the court are initiated by the president of the immediately higher court. According to the State Judicial Council Act (Official Gazette No. 116/10, 57/11, 130/11, 13/13, 28/13, 82/15, 67/18, 126/19, 80/22) disciplinary penalties may be imposed for committed disciplinary offences: rebuke, a fine of up to one third of the salary earned in the previous month in a period of one to three months, a fine of up to one third of the salary earned in the previous month in a period of four to six months, a fine of up to one third of the salary earned in the previous month in a period of seven to twelve months or dismissal from duty. If the president of the court determines that, due to justified reasons, the judge did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period, he is obliged to state in the explanation of the decision what justified reasons are in question and submit the decision immediately to the president of the higher court. Against the decision of the president of the court, which determines whether the judge has fulfilled his duties as a judge, the judge can submit an objection to the president of the court within three days of receiving the decision. The president of the court is obliged to decide on the objection within eight days. The president of the court can reject the complaint or accept it and make a new decision. If the objection is rejected, the judge has the right to appeal to the president of the immediately higher court within eight days from the delivery of the decision on the objection. The president of the immediately higher court can make a decision confirming the decision of the president of the court or accept the appeal and make a new decision. Against this decision, the judge has no right to declare legal remedies.

## Finland

**(General Comment):** See general comments to Q 83-1

## Italy

**(2022):** Disciplinary sanction as provided by the Legislative Decree no 109 of 23rd February 2006, regarding disciplinary responsibility of professional magistrates.

## Question 083-2

## Denmark

**(General Comment):** There is a productivity target for the prosecution as a whole, but not for each public prosecutor.

## France

**(2021):** source DSJ

## Germany

**(2022):** Out of 15 respondent federal states, 14 reported that there are no quantitative performance targets for public prosecutors. One federal state has not yet replied.

**(2021):** The vast majority of the Länder selected "no", 2 of the Länder answered "yes".

## Greece

**(2022):** There is, however, as far as possible an equal distribution of cases between them by the Head of the Service (Prosecution Service) and the obligation of the public prosecutor to process the cases assigned to him in the time frames provided for each case.

### **Hungary**

**(2022):** Quantitative performance targets have not yet been set. The public prosecution services were in the process of installing a new specialized IT system (IIDR), which was originally planned to affect internal prosecution statistics too. However, it has not been introduced. The planned system is currently under revision, so it is not possible to provide information on how and when it will be introduced and whether quantitative performance targets will be set.

**(2021):** For the time being, no performance targets are in place, but the development of such targets is in progress.

### **Ireland**

**(2022):** Allocation of files happens in some divisions but not all, and not all prosecutors are assigned a specific number of files per week. Additionally, targets can be influenced by external factors such as: the number of investigation files received, or the availability of court dates in order to process cases. The main reason why prosecutors are not assigned a set number of files is because the size and complexity of files can vary significantly.

**(2021):** Prosecutors in our directing division are allocated a specific number of files per week. Decisions must be issued within a designated time frame and this is monitored by our case management system

**(2018):** Work is demand led by number of files submitted by external investigating agencies

### **Italy**

**(General Comment):** Law n.71 of 17 June 2022 has recently modified article 2 of Legislative Decree n.109, 23 February 2006, regarding disciplinary responsibility of professional magistrates. The amendment has introduced specific disciplinary offences regarding the conduct of the magistrate who does not cooperate in reaching the goals laid in the 'Program for the management of civil and criminal proceedings' (in Italian 'Programma di Gestione'), which is disciplined by art37 of Decree-Law II. 98 of 6 of July 2011 and regularly approved by each Court.

### **Latvia**

**(General Comment):** The prosecutor provides a monthly report on the statistical indicators of his or her work. In addition, the statistical indicators of the individual work of the public prosecutor (statistical indicators for the monitoring of the investigation, prosecution, maintenance of the State prosecution and other functions of the public prosecutor) are also analysed during the process of assessing the professional activities of prosecutors (not less than once every five years).

### **Lithuania**

**(2018):** The quantitative performance targets are defined for the Prosecutor General's Office and 5 regional Prosecutor's Offices, but not for individual public prosecutors.

### **Luxembourg**

**(2018):** NAP

### **Netherlands**

**(General Comment):** There is no national policy on targets for every prosecutor. An office could choose to set targets for their prosecutors (see next question), but these may vary across offices.

**(2020):** There is no national policy on targets for every prosecutor. An office (parket) could choose to set targets for their prosecutors (see next question), but this may vary across offices.

#### Portugal

**(General Comment):** Yes for some District Prosecution's Office and No at a national level. At national level, only reference values are fixed for the purpose of placing prosecutors. Also at a national level, the fact that a prosecutor has finished more proceedings than those that he/she started is a general criterion of evaluation and compliance with general objectives, in the qualitative individual assessment of the public prosecutors' work.

#### Slovenia

**(General Comment):** .

#### Question 083-3

#### Austria

**(2018):** There are no specific targets given to public prosecutors.

#### Belgium

**(2021):** To underline the consistency between Q 83-2 and Q 83-3: these are not quantitative targets.

#### Croatia

**(2022):** According to the State Attorney Office Act (Official Gazette No. 67/18, 21/22) , the Minister in charge for Justice, with the prior opinion of Prosecutor General, adopts the Framework criteria for the work of public prosecutors (Deputy State Attorneys).

**(2020):** According to the State Attorney Office Act (Official Gazette No. 67/18) , the Minister in charge for Justice, upon the proposal of Prosecutor General, adopts the Framework criteria for the work of public prosecutors (Deputy State Attorneys).

**(2018):** According to the State Attorney's Act, the Minister of Justice, upon the proposal of Prosecutor General, adopts the Framework criteria for the work of public prosecutors.

#### Germany

**(2021):** There are no quantitative performance targets for each public prosecutor. The 2 Länder that have quantitative performance targets answered, that the prosecutor General is responsible for setting these targets.

**(2020):** There are no quantitative performance targets for each public prosecutor

#### Greece

**(2022):** The answer chosen is in accordance with the answers of the majority of the prosecutors' offices.

#### Ireland

**(2022):** Unit Heads assign a number of files to each Prosecutor depending on ability or grade. This might not mean that “targets” are set. The targets for the Office are ultimately greatly impacted by external factors like the amount of investigation files that are submitted to the office, the availability of court dates to process cases and the fact that the size and complexity of files varies. A Prosecutor’s ability to progress their caseload is very much impacted by these factors so within this Office we don’t usually reference “targets”.

#### **Lithuania**

**(2018):** The quantitative performance targets are defined for the Prosecutor’s Offices, but not for individual public prosecutors.

#### **Luxembourg**

**(2018):** NAP

#### **Malta**

**(2018):** NA

#### **Netherlands**

**(General Comment):** There is no national policy on targets for every prosecutor. An office could choose to set targets for their prosecutors (see next question), but these may vary across offices.

#### **Poland**

**(2022):** If one were to consider that this question, is linked to question 83-2 on quantitative objectives, then the answer is NAP. Which is not to say that the efficiency of a prosecutor is not subject to any assessment by superiors. Indeed, it is the task of prosecutors exercising a managerial function to ensure the proper and efficient performance of official tasks in the units and organisational units entrusted to them, in particular to ensure the efficiency of the proceedings conducted by the prosecutors subordinate to them. Executives are therefore obliged to have knowledge of, inter alia, the number of proceedings conducted by their subordinate prosecutors, the number of proceedings completed by them, the number of protracted proceedings and to react to cases of, for example, protracted proceedings.

**(2020):** Individual goals are set by prosecutors themselves in a way that enables them to carry out their duties effectively

#### **Portugal**

**(2020):** The local hierarchically superior public prosecutor can set individual targets for each public prosecutor. The High Council of the Public Prosecution Service only sets reference values for the purpose of placing prosecutors and establishing how many prosecutors are needed for a particular Public Prosecution Office.

#### **Slovak Republic**

**(2022):** Prosecutors do not have quantitative performance targets within a certain period, but at the same time they have responsibility for their work, and therefore the hierarchically superior public prosecutor is responsible for observing the duties and goals of each prosecutor.

#### **Slovenia**

**(General Comment):** .

## Spain

**(General Comment):** In accordance with Royal Decree 432/2004, of March 12, which regulates the variable complement by objectives of the members of the Prosecution service, the State Attorney General, at the proposal of the Prosecution Inspection, after hearing the Prosecutor Council and prior the report from the Ministry of Justice, will determine for each annual period the objectives whose fulfillment will lead to the perception of the variable remuneration.

## Question 083-3-1

### Bulgaria

**(2022):** But there is a quantitative evaluation of the work of a prosecutor which reflects in the individual assessment` - please see Q 120

### Croatia

**(2022):** According to the State Attorney Council Act (Official Gazette No. 67/18, 126/19, 80/22) if the number of resolved cases and actions taken in a one-year period is, without justifiable reason, less than 80% of the average of the state attorney's office in which he holds office, Deputy state attorney is disciplinary liable for disciplinary offence of irregular performance of duty.

### Greece

**(2022):** NAP:No targets are set

### Italy

**(2022):** Disciplinary sanction as provided by the Legislative Decree no 109 of 23rd February 2006, regarding disciplinary responsibility of professional magistrates.

## Question 120

### Austria

**(General Comment):** In the Austrian judicial system we have diverse and multifaceted statistic products, which are an important basis for the management of justice. The statistics are regularly compiled by the Federal Computing Center and serve to control the deployment of personnel, but also for the supervision that is necessarily linked to the parties' right to a fair trial.

The work of the public prosecutors is continuously and systematically reviewed on a quantitative level (i.e. number of completed cases, duration of proceedings). In this way, major deviations from the average can be identified. If a public prosecutor shows too many delays in proceedings or excessively long proceedings, this can lead to disciplinary proceedings or even a reduction in their job description. The assessment is carried out by the heads of the senior public prosecutors' offices. There is no systematic qualitative assessment of the work of the public prosecutors.

### Bulgaria

**(General Comment):** Supreme Judicial Council: Criteria on which the assessment is based: the criteria are general (relevant to the activity of each judge, prosecutor, and investigator); specific (relevant only to the position held – judge, prosecutor, or investigator), and additional (relevant only to administrative heads and their deputies).

Authority competent to carry out the assessment: the assessment is accepted by the Prosecutor's College of the Supreme Judicial Council.

Purposes for which the evaluation results are used: when participating in a competition for promotion or transfer in position; when participating in a procedure for the selection of an administrative head; for appointment to the position of deputy of the administrative head; on promotion to a higher rank; on secondment; for participation in the composition of a Permanent Appraisals Commission to the Appellate Prosecutor's Offices; participation in a competition committee.

Prosecutor's Office of RB: Such a system exists. According to Art. 196 of the Judicial System Act the evaluation is carried out in advance, in order to acquire irreplaceability, periodic and extraordinary attestation of the magistrates, and the criteria for the same are defined in Art. 198 of the Judicial System Act: legal knowledge and skills; ability to analyze legally relevant facts; ability to optimally organize work; expediency and discipline; compliance with the rules of ethical conduct. Attestation also takes into account the following indicators: compliance with deadlines; number of confirmed and canceled acts and the reasons for this; the results of the inspections of the Inspectorate at the Supreme Judicial Council; the overall workload of the relevant judicial authority, as well as the workload of the assessed judge, prosecutor or investigator compared to other judges, prosecutors or investigators from the same judicial authority.

### **Croatia**

**(2022):** According to the State Attorney Office Act (Official Gazette, No. 67/18, 21/22), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are adopted by the Minister in charge of judicial affairs, with the prior opinion of the Chief State Attorney of the Republic of Croatia.

### **Czech Republic**

**(2022):** The Head of Public Prosecutor's Office monitors e.g. the number of appeals, the number of returnig cases etc.

### **Denmark**

**(2020):** Public prosecutors go through intensive education for the first three years of them being recruited and this evaluation is structured centrally with HR at the Attorney Generals office. During that period they are individually being assessed through exams and through working with mentors. Thus they are continuously being assessed both centrally through exams as well as locally through the daily work that the mentor sees. Later in the career the assessment is not structured in such a way but all through their career the prosecutors are evaluated through their daily work and how they perform in court.

### **France**

**(2022):** The assessment of the public prosecutor's magistrate provided for by statutory order No. 58-1270 of 22 December 1958 aims to determine the professional value of the magistrate. It must reflect his legal and technical professional skills, his level of commitment, assess his abilities to exercise a specific function and identify training needs within his career path. The assessment is established by the Attorney General near the Court of Appeal or Prosecutor near the Superior Court of Appeal for magistrates from their jurisdiction. Considered as a moment for exchange, this evaluation should highlight both the skills that were mobilized by the magistrate and areas where improvement could be made. It contributes to better situate his activity within service organization and operation while specifying missions related to its functions highlighting its professional potential.

For magistrates, evaluation offers a privileged opportunity to take stock of their activities, consider developments in their professional practice and regularly position themselves relative to their career goals.

For evaluators it should enable them detect each individual's potential so as contribute towards efficient human resource management.

**(2021):** source DSJ

### **Germany**

**(2022):** Out of 15 respondent federal states, 12 reported that there is a quantitative evaluation of the public prosecutors' work and 12 reported that there is a qualitative evaluation (one federal state has not yet replied).

The assessment is generally carried out by the direct superior and is based on different criteria such as specialised knowledge, expression, cooperation, leadership skills, negotiating skills, etc. The results are mostly used for decisions about promotions.

**(2021):** The vast majority of the Länder answered "yes", 3 answered "no".

### **Greece**

**(2022):** The question was answered by the prosecutor's office of the Supreme Court.

### **Hungary**

**(2022):** The person exercising the employer's rights assesses a prosecutor's work every eight years. The purpose of assessment based on the examination of case files is to assess the quality of the prosecutor's professional activities, to evaluate his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. In accordance with Section 50 (1) of the Prosecution Employment Status Act, prosecutors, with the exception of the Prosecutor General and the Deputy Prosecutor General, shall be assessed before the expiry of the fixed term of the first prosecution appointment, while in the case of a first appointment for an indefinite term, before the expiry of a period of three years following the appointment, and thereafter every eight years, provided that they worked under the supervision of the assessor or his/her deputy for minimum one year during the assessment period. Prosecutors do not need to be assessed during the six years preceding the completion of the applicable old-age pension age. In addition to cases mentioned above, a prosecutor shall also be assessed if requested by the prosecutor, provided that two years have elapsed since the previous assessment, circumstances have emerged that indicate the prosecutor's professional ineligibility or the necessity to alter the evaluation of the previous assessment. The purpose of assessment is to assess the quality of the prosecutor's professional activities, to evaluate his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. The assessment may only feature duly supported, factual findings.

In the event of an ineligible grade, upon the disclosure of the result of the assessment, the prosecutor shall be called upon to resign his/her office within thirty days. If despite the call the prosecutor does not resign his/her office, his/her prosecution service employment shall be terminated by exempting him/her from office. In accordance with Sections 13/A-13/F of Instruction 4/2012. (I. 6.) of the Prosecutor General on specific questions regarding the status of employees of the Prosecution Service, a case file examination shall be carried out as a basis for the assessment which is due to follow with regard to the prosecutor appointed to a prosecution office subordinated to the Office of the Prosecutor General prior to the time when the assessment is due. Such a case file examination shall not be carried out for senior head prosecutors. Case file examinations shall discover the examined prosecutor's practice regarding the application of substantive and procedural law during at least a one-year period prior to the case file examination, or since the prosecutor's latest assessment – or in absence of an assessment – since the time of his/her appointment at the most. The case file examination and its evaluation shall be done by a prosecutor (hereinafter: examiner prosecutor) who works at the prosecution office directly superior to the prosecution office where the examined prosecutor is appointed to and who works in the same field of prosecutorial activity or expertise as the examined prosecutor. The examiner prosecutor shall be designated by the directly superior prosecution office or at the Office of the Prosecutor General by the head of the organizational unit in the prosecution service that is competent in view of the examined prosecutor's duties.

## Ireland

**(2022):** A Prosecutor's performance is individually assessed through PMDS (Performance Management and Development System). PMDS assesses how a jobholder's work performance, career and development needs are managed. It links the management of individual performance to the objectives of the Office, as set out in the Strategy of Statement and Business Plan. PMDS seeks to strike a balance between the needs of the organisation and the development needs of those who work in it. It recognises the need for continual change and improvement and for the involvement of staff in bringing this about. Individual prosecutors are responsible for carrying out their own goal setting and assessment. The PMDS form is then reviewed and assessed by the prosecutor's manager.

## Italy

**(General Comment):** The assessment procedure applies to both judges and public prosecutors. Every four years, the High Council for the Judiciary (CSM) conducts a professional appraisal based on the professional skills of judges/prosecutors. The professional status of both judges and prosecutors is organized into 7 different levels. Several criteria are taken into consideration: independence, impartiality, balance, professional capacity, work capacity, diligence and commitment. The assessment is based on a number of acts and documents that describe all the professional aspects of the magistrate to be evaluated. The most significant are:

- "self report" where the magistrate illustrates all the elements that he/she believes are necessary or useful to be considered for the purpose of his/her appraisal;
- a random sample of acts and documents produced by the magistrate during the evaluation period;
- an "informative report" prepared by a superior of the magistrate;
- the statistics concerning activity of the magistrate: the number of provisions drafted, the processing times of the proceedings, the time for filing the documents (even in comparison with the other magistrates of the office);
- work related publications, if any;
- reports from the lawyers' council, if any.

## Latvia

**(General Comment):** Evaluation is carried out by the Attestation Commission of Prosecutors. During the evaluation of a public prosecutor the following indicators of the quality of performance of the functions are assessed: supervision, criminal prosecution, maintenance of state prosecution in court, as well as the protection of state and individual rights. An assessment of professional competences is also carried out. The results are generally used to evaluate professional performance and suitability for the position. In the case of a negative opinion, the Commission can determine specific tasks that must be performed to eliminate the deficiencies found in prosecutor's professional activity or to improve his/her professional activity.

## Lithuania

**(2022):** The service, qualifications of the prosecutors and their suitability for the position are assessed by the Prosecutors' Assessment Commission.

The Commission is composed of seven members (four prosecutors and three persons (non-prosecutors) of impeccable reputation, nominated by the President of the Republic, the Speaker of the Seimas, and the Prime Minister) for a period of three years.

The Commission assesses data on the procedural and non-procedural performance and professional qualities of the prosecutor, and, in the case of the evaluation of the chief prosecutor (or deputy), also on the administrative performance.

## Netherlands

**(General Comment):** The public prosecution has a team Judicial Quality at the General Office that studies the quality of the criminal proceedings of the public prosecution. As part of these studies and assessments, a pool of prosecutors has been compiled, and they study the work of other public prosecutors. This is an assessment of an office, not of individual prosecutors. The results of these studies are used for quality enhancement trajectories. The studies are repeated periodically.

**(2020):** The public prosecution has a team Judicial Quality at the General Office (Parket Generaal) that studies the quality of the criminal proceedings of the public prosecution. As part of these studies and assessments, a pool of prosecutors has been compiled, and they study the work of other public prosecutors. The results of these studies are used for quality enhancement trajectories. The studies are repeated periodically.

## Portugal

**(General Comment):** The prosecutors are evaluated periodically in time lapses between 3 to 5 years. The evaluation is held by the Prosecutors Superior High Council and it evaluates the quality of the work held by all prosecutors. A higher ranked prosecutor does the evaluation and produces a report that is sanctioned by the Prosecutors Superior High Council.

## Romania

**(2022):** According to Article 87 of Law No 303/2022 -The individual professional evaluation of judges and prosecutors involves analysing and noting of the criteria and indicators for assessing the professional performance of judges and prosecutors, indicators which concern, in particular, the quality of the activity, the efficiency, the integrity and the obligation to continue vocational training, and in the case of judges and prosecutors appointed to senior positions, the manner of carrying out the managerial duties. (2) Professional evaluation of judges and prosecutors aims to establish the level of their professional competence and also to improve professional performance, increase the efficiency of the activity of courts and prosecutor's offices and public trust in judicial authority, maintain and consolidate the of the quality of the judicial system

## Slovenia

**(General Comment):** On the proposal of the State Prosecutor General, State Prosecutorial Council adopts Criteria for the assessment of state prosecutors' performance. They define quality and quantity indicators. The quantitative criteria define expected time for the resolution of cases and for typical procedural acts. The performance of the evaluated prosecutor is compared to other prosecutors at his/her office concerning the number of assigned, resolved and unresolved cases, number of attendances at the court hearings, conviction rate, pronounced sanctions and number of logged appeals. Head of state prosecutor's office as competent authority for the matters of state prosecution administration can alert the public prosecutor to his duty to meet the targets.

Regular individual assessment of the public prosecutors' work is carried out every three years. The assessment can also be carried out on demand of the State Prosecutorial Council, head of prosecutor's office, Minister or the prosecutor himself. In first three years after the appointment for the state prosecutor the assessment is carried out every single year.

## Spain

**(2021): SOURCES:** Royal Decree 432/2004, of March 12, which regulates the variable complement by objectives of the members of the Prosecution service.

Agreement of November 29, 2018, of the Plenary of the General Council of the Judiciary, by which Regulation 2/2018 is approved, regulating the remuneration regime Judicial career

## Question 120-1

## Bulgaria

**(General Comment):** Quantitative evaluation of the work of the prosecutors is carried out by applying the Rules for measuring the workload of the prosecutor's offices and the individual workload of each prosecutor and investigator, adopted by the Prosecution College/collegium of the SJC. It is possible to display the data according to the indicators provided for in the Rules in real time, both for the prosecutor's office as a whole, as well as for individual prosecutor's offices and for each specific prosecutor.

Quantitative data on the workload are taken into account in the appraisal procedure of a specific prosecutor, in the course of which an assessment of his work is carried out, both in terms of quantitative indicators and also regarding the quality of the performed activity according to the results achieved.

Prosecutors are assessed in accordance with Ordinance No. 3 of February 23, 2017 of the Supreme Judicial Council on the indicators and Methodology for Assessment and the Criteria for Reporting the Workload Degree of Prosecutors and Investigators and of Administrative Heads and Their Deputies (promulgated SG No. 21 /10.03.2017).

Attestation is carried out:

1. in advance - for a three-year period from the appointment to the position of prosecutor or investigator - when participating in a competition or when being offered a promotion;
2. to acquire irreplaceability - upon completion of 5 years of experience as a prosecutor or investigator;
3. periodically - for a 5-year period from the attestation of irreplaceability of a prosecutor and investigator, of an administrative head and of a deputy administrative head;
4. extraordinary - in the cases under Art. 197, para. 5 of the Judicial System Act.

Junior prosecutors and junior investigators are not assessed in advance, and a report on their work is prepared by the mentor in the second year of their appointment.

## Cyprus

**(2021):** the assessment is carried out by the AG the Deputy AG and the head of Department as part of their annual evaluation

## Czech Republic

**(2018):** The individual assessment of the public prosecutors' work take place at least once every two years.

## Denmark

**(2021):** More frequent during the first three years of their career. Less frequent after that.

**(2020):** See response to 120: More frequent during the first three years of their career. Less frequent after that.

## France

**(General Comment):** Article 12-1 of the Decree of 22 December 1958 establishes the principle of evaluating the professional activity of each magistrate every two years. An assessment must also be conducted when applying for promotion.

**(2022):** Article 12-1 of the ordinance of December 22, 1958 establishes the principle of evaluating the professional activity of each magistrate every two years. An evaluation must also be conducted when applying for advancement on the promotion list.

**(2021):** source DSJ

## Greece

**(2022):** The question was answered by the prosecutor's office of the Supreme Court.

## Hungary

**(2021):** Under Section 50 (1) of Act on Prosecutors, prosecutors shall be assessed on a regular basis, with the exception of the Prosecutor General and the Deputy Prosecutors General.

In case of the first appointment, which is for a definite term, the prosecutor shall be assessed by the end of that term. In case of appointment to prosecutor for an indefinite term, the prosecutor shall be assessed within 3 years following the appointment; then the assessment shall be carried out every 8 years.

Prosecutors do not need to be assessed within the period of six years before reaching retirement age.

Besides the above, prosecutors shall be assessed if they request so, provided that at least 2 years have elapsed since the last assessment, or in the occurrence of any circumstance which suggests professional inadequacy, or which necessitates the amendment of the results of the last assessment. The assessment procedure involves examination of case files, as set out in Sections 13A to 13F of the Prosecutor General's Order No. 4/2012.

**(2018):** The evaluation system is defined by Articles 50-52 of the Act on the Legal Status of Prosecutors. The purpose is to assess the quality of the prosecutor's activities, his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. Prosecutors, with the exception of the Prosecutor General and the Deputy Prosecutor General, are assessed before the expiry of the fixed term of the first appointment, while in the case of a first appointment for an indefinite term, before the expiry of a period of 3 years following the appointment, and thereafter every 8 years. Prosecutors need not be assessed during the 6 years preceding the completion of the applicable old-age pension age. A prosecutor shall also be assessed if: requested by the prosecutor; circumstances have emerged that indicate the prosecutor's professional ineligibility or the necessity to alter the evaluation of the previous assessment; in the extraordinary proceeding to be completed without delay, s/he fails to meet the deadline extended by the superior prosecutor. The assessment is the duty of the person exercising the employer's rights. The official work of prosecutors assigned to the Ministry is evaluated by the Minister responsible for justice in accordance with the rules applicable to government officials. As a result, prosecutors may be awarded the following grades: excellent, suitable for promotion; excellent and fully eligible; eligible; eligible, subsequent assessment required; ineligible. In the event of an ineligible grade, the prosecutor shall be called upon to resign his/her office within thirty days. If the prosecutor is awarded a grade "eligible, subsequent assessment required", the person exercising the employer's rights identifies the deficiencies and irregularities and states the main criteria of the desired changes which shall be reviewed prior to the next assessment (within 2 years). A prosecutor shall be awarded an ineligible grade upon the next assessment if he/she fails to obtain an eligible grade. S/he may request a court of law to quash any erroneous or untrue finding.

## Ireland

**(2021):** Performance Management System

**(2018):** Prosecutors working in-house are required to participate in Public service wide Performance Management and Development System (PMDS).

## Italy

**(2022):** Every four years

## Latvia

**(General Comment):** The assessment of the professional activities of prosecutors have been commenced and is operational from 1 January 2014, within which the professional activities of prosecutors are assessed on a regular basis (not less than once every five years).

**(2020):** Not less than once every five years

## Lithuania

**(General Comment):** According to Article 33 of the Law on Prosecution Service, evaluation of prosecutor's individual performance, qualification and suitability is carried out by the Attestation Commission. Performance of a prosecutor who has received a positive evaluation after his/her internship, is thereafter evaluated every five years during the regular evaluation of the service. The extraordinary evaluation can be carried out by decision of the Prosecutor General: at the request of the public prosecutor him/herself, if at least half a year has passed since his/her last evaluation; in the case the prosecutor is applying for a higher position, or to the same or an equivalent post after the expiry of the term of appointment; if three years have passed since the last evaluation of his/her service; if the prosecutor's performance has repeatedly been deficient, giving rise to reasonable doubts as to his/her suitability for the position in question.

**(2022):** The Commission carries out regular and extraordinary assessments of the service.

Regular service assessments are carried out:

1. at the end of the prosecutor's traineeship;
2. every five years.

An extraordinary service assessment may be carried out:

1. at the reasoned request of the prosecutor, if at least half a year has elapsed since the last assessment;
2. when, at the end of his/her term of office, the prosecutor seeks appointment to a higher, the same or an equivalent post, provided that three years have elapsed since the last service assessment;
3. in cases where it is established that the prosecutor's performance has repeatedly been deficient, giving rise to reasonable doubts as to his suitability for the post in question.

## Malta

**(2022):** It is up to the discretion of the Attorney General to carry out such evaluation but it has be carried out at least once annually.

**(2021):** The work of public prosecutors is constantly monitored by the Deputy AG and the AG herself. The monitoring is not scheduled at specific annual intervals but it is ingrained in the daily work processes in the Office.

**(2020):** The work of public prosecutors is constantly monitored by the Deputy AG and the AG herself. The monitoring is not scheduled at specific annual intervals but it is ingrained in the daily work processes in the Office.

**(2018):** Thework of public prosecutors is constantly monitored by the Deputy Attorney General (in charge of the criminal field) and the Attorney General. The monitoring is not scheduled at specific annual intervals, but is ongoing and ingrained in the daily work processes of the Office.

## Netherlands

**(General Comment):** A regular cycle of individual assessments exists, based on certain competencies a public prosecutor should possess. The extent to which the public prosecutor possesses these competencies is assessed in performance and assessment reviews. Furthermore, each prosecutor has to obtain a certificate implying they are 'fit for trial', that they have the necessary skills to represent the public prosecution at trial.

## Romania

**(2022):** Legislation on the statute of judges and prosecutors was replaced by Law no. 303/2022

**(2020):** According to the provisions of art. 39 of the Law no. 303/2004, amended and republished in 2018, judges and prosecutors are being periodically evaluated under the observance of the professional and performance criteria. The evaluation shall envisage the quality of their activity, efficiency, integrity as well as the fulfillment of the obligation to take part in in-service professional training and on managerial activity for those judges and prosecutors in leadership positions. The periodical evaluation shall be first carried out by the end of the first 2 years of activity after the entering in profession and shall be continued every 3/4/5 years depending on the seniority in profession (5-10 years, 10-15 years, over 15 years of seniority).

**(2018):** similar to judges, see Q114, 114.1 and the additional comments

## Slovenia

**(General Comment):** Regular individual assessment of the public prosecutors' work is carried out every three years. The assessment can also be carried out on demand of the State Prosecutorial Council, head of prosecutor's office, Minister or the prosecutor himself. In first three years after the appointment for the state prosecutor the assessment is carried out every single year.

**(2018):** Every three years

# Indicator 1: Systems for measuring and evaluating the performance of courts and prosecution services

## Comments provided by the national correspondents

### organised by question no.

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

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

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

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

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

*Question 072. Do you monitor waiting time during judicial proceedings?*

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

*Question 083-1. Who is responsible for setting these targets for each judge?*

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

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

*Question 083-3. Who is responsible for setting these targets for each public prosecutor?*

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

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

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

### Question 066

#### Belgium

##### (2021):

The College of Courts and Tribunals and its support service are working on the implementation of a quality system at the national level; there is no declination at the local level yet, but this project is in full evolution. Within the framework of the law of 14 February 2014 and the College's action plans (2018 and 2020), a quality system will be implemented in respect of judges. The intention is therefore to introduce an integrated framework of quality, internal control and (internal) audit models to replace the executive's existing ex ante control and monitoring systems.

#### Bulgaria

**(General Comment):** Supreme Judicial Council: According to the answers of SJC the competent bodies in these matters are:

The Inspectorate to the SJC:

- checks the organization of the initiation and movement of judicial, prosecutorial and investigative cases, as well as the closing of cases within the established terms and in case of violations, signals the administrative head of the relevant body of the judiciary and the relevant College of the Supreme Judicial Council
- sends signals, proposals and reports to other state bodies, including the competent bodies of the judiciary;
- examines applications against violation of the right to examine and resolve cases within reasonable time.

The Judges' College of the SJC:

- annually analyses and reports the degree of workload of the bodies of the judiciary;
- requests and summarizes every 6 months information from the courts about their activity;
- resolves questions about the organization of the activity of the relevant system of judicial authorities;
- adopts rules for the allocation of cases between the judges who consider cases allocated according to Art. 9, para. 3, in order to equalize their total workload;
- determines the number of judicial officers according to the degree of workload on the proposal of or after agreement with the administrative heads of the bodies of the judiciary, and may open new and lays off positions.

The Plenary of the SJC:

- on the proposal of one of the Colleges, after coordination with the administrative heads of the bodies of the judiciary, determines the number of judges, prosecutors and investigators in all courts, prosecutor's offices and investigative departments according to the degree of workload;
- hears and accepts the annual reports of the bodies of the judiciary under Art. 84, item 16 of the Constitution.

.....

According to the answers of The Prosecutor's office of the Republic of Bulgaria:

The legal regulation is in Art. 84, item 16 of the Constitution of the Republic of Bulgaria, according to which the Parliament hears and accepts the annual report of the Prosecutor General submitted by the SJC and Art. 30, para. 2, item 4 of the Judicial System Act, according to which the Plenum of the SJC hears and accepts this annual report.

Approved by the Prosecutor General/ chief prosecutor is the Directive on the control activity of the Prosecutor's Office, aimed at ensuring the exact and uniform application of the laws in the performance of the functional duties of the prosecutors and investigators. The Directive regulates the conditions, order and procedures for carrying out control activities through audits, checks and analyzes of the work of the prosecutor's offices, the National Investigation Service, as well as individual prosecutors and investigators, outside of the institutional and official verification of the legality of their acts.

**(2021):** Please see the General Comments

**(2020): Judiciary system Act:**

Article. 198 (1) The criteria for the appraisal of a judge, prosecutor or an investigating magistrate shall be:

1. legal knowledge and skills of applying it;
2. skill of analysing legally relevant facts;
3. skill of making optimum working arrangements;
4. efficiency and discipline;
5. compliance with the rules of ethical behaviour.

(2) In the course of the appraisal under Paragraph (1) the following indicators shall be taken into account:

1. keeping deadlines;
2. number of instruments upheld and reversed and the grounds for this;
3. the results of inspections carried out by the Inspectorate with the Supreme Judicial Council,
4. the overall caseload of the respective judicial district and judicial authority, as well as the workload of the appraised judge, prosecutor or investigating magistrate compared to other judges, prosecutors or investigating magistrates in the same judicial authority.

(4) The time served by the judge, prosecutor or investigating magistrate as a permanent trainer at the National Institute of Justice shall also be included in the appraisal period. The evaluation of the work performance as a trainer shall be given by the Managing Board.

(5) The time served by the judge, prosecutor or investigating magistrate as an European Delegated Prosecutor shall also be included in the appraisal period. The evaluation of the results of their work under Regulation (EU) 2017/1939 shall become part of their appraisal.

Article. 199. (1) A judge shall be appraised under the following specific criteria:

1. complying with the schedule for conduct of court hearings;
2. skill of conducting a court hearing and drawing up a record of proceedings;
3. administrating cases and appeals, preparing for a court hearing;
4. number of appealed judicial instruments from among the appealable judicial instruments, appealed judicial instruments upheld, judicial instruments reversed or invalidated, in whole or in part, and the grounds for it; the ability to reason and justify judicial instruments and to analyse evidence shall be subject to evaluation.

(2) A prosecutor shall be appraised under the following specific criteria:

1. skills of planning and structuring steps in pre-trial and trial proceedings;
2. complying with the written instructions and orders of the superior prosecutor;
3. ability to make working arrangements and direct the investigating authorities and the teams participating in pre-trial proceedings;
4. number of unappealed prosecutorial instruments, including warrants to terminate and suspend criminal proceedings, number of final judicial instruments rendered on instruments submitted by the prosecutor appraised, as well as the final judicial instruments returning cases for the rectification of procedural breaches, and the reasons for this, number of appeals granted, the prosecutorial instruments upheld, modified and reversed upon an instance and on official review. (2) An investigating

## Croatia

**(General Comment):** According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15, 67/18), the president of the court evaluates the work of every judge according to Framework Criteria for the work of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework Criteria for the work of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

According to the State Attorney Office Act (Official Gazette, No. 67/18), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are adopted by the Minister in charge of judicial affairs, with the prior opinion of the Chief State Attorney of the Republic of Croatia.

**(2022):** According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22), the president of the court evaluates the work of every judge according to Framework Criteria for the work of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework Criteria for the work of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice with the prior opinion of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

According to the State Attorney Office Act (Official Gazette, No. 67/18, 21/22), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are

**(2018):** According to the Courts Act (Official Gazette, number 28/13, 33/15, 82/15), the president of the court evaluates the work of every single judge according to Framework for the workload of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework for the workload of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

**(2017):** According to the Courts Act (Official Gazette, No. 28/13, 33/15, 82/15), the president of the court evaluates the work of every single judge in his/her court for the previous year on the basis of the following standards: the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework for the workload of judges, result of work in different kinds of cases in absolute numbers and percentages, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

## **Cyprus**

**(General Comment):** Quality standards are applied in practice

**(2017):** Quality standards are applied in practice

**(2016):** There are no written standards but in practice there are quality standards.

**(2015):** In practice there are quality standards

**(2014):** In practice there are quality standards

## **Denmark**

**(2019):** No, we use quantitative measures. Quality is usually measured as length of time to finalize a case.

**(2016):** No, we use quantitative measures. Quality is measured as length of time to finalize a case.

**(2015):** The only standards are objective standards for example acceptable timeframes to finalize a case.

## Estonia

**(General Comment):** Estonia has developed a quality system consisting of 3 parts. The first part contains the quality standards (good practice) for the management of the court that describe activities related to the chairman of the court. The second part contains the quality standards for the administration of courts and is focused on the different roles of the parties involved in the administration of courts: directors, Ministry of Justice, Council for the Administration of Courts. The third part contains quality standards for the court proceedings and is addressed to all the judges. All of the three parts of the quality standards have been discussed and approved by the Council for Administration of Courts, respectively in 2012, 2013 and 2015.

## Finland

**(General Comment):** There are no quality standards covering the whole judiciary in Finland. Instead there are several quality projects going on, for example the Quality Project of the Administrative Courts, which started in 2020 and concerns all administrative courts in Finland. The Rovaniemi Court of Appeal Quality Projects have produced quality benchmarks, which evaluate the quality of the adjudication in courts of law. Last assessment was conducted in 2020.

**(2021):** Prosecution Services' system quality improvement project is underway.

**(2020):** Prosecution Services' system quality improvement project is underway.

**(2015):** There is a Quality Project of the courts in the jurisdiction of the Court of Appeal of Rovaniemi. (The jurisdiction of the Court of Appeal of Rovaniemi is the northernmost of the six appellate jurisdictions in Finland.) In 1999, the courts in the jurisdiction of the Court of Appeal of Rovaniemi launched a project for improvement of quality in adjudication. The quality project covers both civil cases and criminal cases. The objective of the quality project is to develop the functioning of the courts further and further so that the proceedings meet the criteria of a fair trial, that the decisions are well reasoned and justified, and that the services of the courts are affordable to the individual customers. The main working method consists of systematic discussions among the judges and also between the judges and stakeholders. The development work is steered by the development committee of the quality project. Normally four working groups for quality are set up for each year. The membership consists of judges from each of the District Courts in the appellate jurisdiction, members of the Court of Appeal, and referendaries of the Court of Appeal. Also prosecutors, private attorneys, public legal aid attorneys and heads of pre-trial investigation may serve as members in the working groups for quality. Each working group for quality is tasked to deal with one of the development themes which have been selected. The reports of the working groups are presented at the Quality Conference, they are discussed, and quality objectives based on the reports are set for the following year. The Report of Quality, containing the final reports, is published every year.

There is also a quality project of the courts in the jurisdiction of the Court of Appeal of Helsinki. Quality Project consists of working methods of two kind: cooperation with the University of Helsinki and working groups. Working groups for quality are set up for each year. The membership consists of judges from District Courts, members of the Court of Appeal, referendaries of the Court of Appeal, prosecutors and lawyers. Each working group for quality is tasked to address to one of the development themes which have been selected. The reports of the working groups are presented at the conference called 'Day of Jurisdiction'.

In addition there is a cooperation project between administrative courts. Some topics of the project have related to the quality standards. The reports of the project have discussed the matters like the factors of quality at administrative courts and the collection of information on quality.

It is also worth mentioning that on 15 October 2009, the presidents of Finnish Courts of Appeal proposed that the Finnish Association of Judges should begin work on drafting ethical guidelines for judges. A working group was set and the draft on ethical principles was discussed widely. The principles were formally released at the Judge Day event held in Helsinki on 12 October 2012.

## France

**(General Comment):** Standards of quality developed for the public administration are utilised within the judicial system. The charter of administrations thus establishes the rules for welcoming litigants in all courts and may lead to certification. There are also local initiatives aimed at implementing a 'quality system' based on certification by an external body, which consist of establishing procedures describing the process of reception, organisation of work, and management of a case. As regards administrative justice: the rate of annulment and reformulation of jurisdictional decisions must be kept below 15% and the backlog of cases older than two years below 7.5% of the total caseload.

**(2022):** It is challenging to distinguish between patterns in automatically generated texts, with France preferring the use of the concept of framework. The OARM, a tool to assist magistrates in drafting, provides a library of pre-written paragraphs and standard decisions that allow magistrates to start from these elements and then adapt them to each case they handle. The JAF bible includes frameworks and paragraphs related to disputes handled by family court judges.

**(2021):** Quality standards developed for public administration are used in the judicial system. The charter of the administrations thus sets the rules for the reception of litigants in all courts and can lead to certification. There are also local initiatives aimed at setting up a "quality system" based on certification by an external body, which consists in establishing procedures describing the reception process, the organisation of work and the management of a case.  
Source DSJ

**(2020):** "If yes, please specify: Quality standards developed for public administration are used in the judicial system. The charter of the administrations thus sets the rules for the reception of litigants in all the courts and can lead to certification. There are also local initiatives aimed at setting up a "quality system" based on certification by an external body, which consist in establishing procedures describing the reception process, the organization of work and the management of a case. With regard to administrative justice: the rate of annulment and reversal of jurisdictional decisions must be kept below 15% and the stock of cases older than two years below 7.5% of the total stock."

### **(2019):**

Quality standards developed for public administration are used in the judicial system. The charter of administrations thus sets out the rules for the reception of litigants in all courts and may give rise to certification. There are also local initiatives to set up a "quality system" based on certification by an external body, which consists of establishing procedures describing the process of reception, work organisation and management of a case.  
Administrative justice: the rate of annulment of court decisions must be kept below 15% and the number of cases pending for more than two years.

**(2016):** Quality standards developed for public administration are used in the judicial system. The charter of the administrations determines the rules for the reception of litigants in all courts and may give rise to certification. There are also local initiatives aimed at setting up a "quality system" based on certification by an external body, which consists in establishing procedures describing the process of reception, organisation of work and management of a case.

## Germany

**(General Comment):** Due to judicial independence, there are no national level quality standards.

**(2022):** Due to judicial independence, there are no national level quality standards.

**(2013):** For 2010, 2012 and 2013, no information was provided from Mecklenburg-Western Pomerania and Thuringia. Four Landers replied “Yes”, while the remaining Landers answered “No”.

In Baden-Württemberg, the performance of each court is compared against the others in regard to number and duration of proceedings. Key performance indicators on performance ability of the courts are ascertained and compared at the Lander level.

A comprehensive quality management system has been introduced in Schleswig-Holstein at all courts and public prosecution offices. All of the accessible areas of the court administration are subject to quality management. Judicial independence and the professional independence of Rechtspfleger present natural constitutional and statutory boundaries that must always be considered.

In Brandenburg, a quality management system seeks to guarantee that quality demands that are statutorily prescribed, self-imposed, or demanded by users of the system are fulfilled with an optimal use of resources. These last years, a number of strategies have been implemented for ensuring quality in the justice system by means of cost and performance accounting, a controlling system, budgeting of personnel costs, benchmark procedures, balanced scorecard, the EFQM Model, various instruments for personnel and organisation development, calculation of personnel requirements, optimisation of business processes, surveys of attorneys, citizens, and employees, and evaluation instruments both for individual judicial and public prosecution work as well as for the courts and public prosecution offices as organisational units. The increased use of modern technology (e.g. Internet) has opened up the possibility for the justice system to reach a large number of citizens and, thus, to offer court users the best possible service. Likewise, the continuous expansion of electronic legal transactions offers new opportunities for improvement in the quality of the justice system with regard to the performance characteristics public accessibility and public service. However, the developments and models named are not uniformly established in the Lander. In Lower Saxony, a quality strategy was developed through the surveys AgiL (performance comparison of local courts) and LiVE (performance comparison of regional courts). This is based on the assumption that it is possible to compare courts by the collection of data. Following the comparison, an analysis is conducted to determine the reasons for which better numbers are achieved at one court location over another. These are then discussed in expert groups and measures are developed to promote those tools that seem likely to succeed for the duties at all court locations. The surveys do not serve to evaluate individual employees but rather to uncover structures that promote performance, which can then be transposed. This quality management concept takes place together with judicial councils and personnel representatives.

## Greece

**(General Comment):** Quality standards are set by the Code of Organization of Courts and Status of Judicial Officers (Law 1756/1988).

**(2022):** According to Law 4938/2022 (art.104) of the organization of court and tribunals code.

**(2021):** Most of the measures taken recently in Greece aim at speeding up administrative justice. However, the law provides a set of quality criteria that must be taken into account when inspectors check the performance of each judge.

**(2017):** Most of the measures taken recently in Greece aim at speeding up Justice. However the Law provides a set of quality criteria that must be taken into account when inspectors check the performance of each judge.

## Hungary

**(General Comment):** Second instance courts have to prepare a note on the decision and the trial procedure of the first instance court, based on professional criteria in every case. In this note, the court of appeal has to examine: the application of substantive, procedural and administrative regulations; the preparation of the hearings; the quality of the judges trial leading practice; if the coercive measures were well founded; if the hearings were set timely; if the ruling was transcribed in time; if the decision was edited correctly. The conclusions are summarized and judges of first instance courts are informed about them at least once a year.

Furthermore, the departments of the Supreme Court (Kúria) responsible for examining the judicial practice evaluates the practice of the courts and regularly inform judges about their experience.

## Ireland

**(2021):** With effect from October 1 2022, a statutory system providing for investigation and adjudication of complaints in relation to judicial conduct has been commenced pursuant to Judicial Council Act 2019.

## Italy

**(General Comment):** In Italy there is not a strict quality system as such. However, there is a regular monitoring system in place which tracks the performance of court activities.

## Latvia

**(General Comment):** In January 15, 2020 the "Visitors service standards of the district (city) courts and regional courts" were approved. This document summarizes the general principles related to functions such as judicial reception and providing with information. The standards help court staff to raise their professionalism and understand the court visitors servicing values.

**(2022):** The reply is partly "yes" because according to the Law on Judicial Power Section 27.1., a Chief Judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (standard of time periods for adjudication of matters) prior to the beginning of each calendar year, in co-operation with court judges. This standard shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and other basic principles related to the guarantee of fair trial. A Chief Judge of a court shall approve the standard and supervise the actual time periods of examining matters in a court. He/she shall submit information to the Board of Justice regarding the approved standard until 1 February of each year. In January 15, 2020 the "Visitors service standards of the district (city) courts and regional courts" were approved. This document summarizes the general principles related to functions such as judicial reception and providing with information. The standards help court staff to raise their professionalism and understand the court visitors servicing values.

**(2021):** Partly yes, according to the Law on Judicial Power Section 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year.

**(2020):** Partly yes, according to the Law on Judicial Power Section 27.1. the Court President before the beginning of each calendar year, shall plan and determine the objectives of the court work in relation to average time periods for the examination of cases in a court (the standard of time periods for the examination of cases) in cooperation with court judges. The standard of time periods for the examination of cases shall be determined by taking into account the court resources and the necessity to ensure the right of a person to the examination of a case in a reasonable time period and in conformity with other basic principles for the examination of cases. The Court President shall submit the standard case examination time limits for approval to the Judicial Council until 1 February of each year.

**(2019):** In January 15, 2020 the "Visitors service standards of the district (city) and regional court" is adopted. This document defines the procedure by which the employee of the district (city) and regional court shall ensure the servicing of the court visitor, the participant in the proceedings, its representative (hereinafter - customer) (the acceptance of the client, the provision of information and communication in person, by telephone and by electronic means) and basic customer service values, general principles and basic rules for customer service.

**(2017):** According to the Law on Judicial Power Art 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year. First standards of time periods for adjudication of matters were submitted to the Board of Justice in 2014.

**(2016):** Partly yes, according to the Law on Judicial Power Section 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year.

First standards of time periods for adjudication of matters were submitted to the Board of Justice in 2014.

**(2015):** Since 2008 courts apply 'The visitors service standards of the district (city) courts and regional courts'. This courts visitor's service standard summarizes the general principles of judicial reception and providing with information. Standard helps court staff to raise their professionalism and understand the court visitors servicing values.

On 2015 May 18 Council of Justice approved guidelines on communication of the court system. The aim of the guidelines is to promote the effective functioning of the judiciary and promote the public confidence in the judiciary, creating a positive Court's image and enhance its' authority in society.

**(2014):** In 2014, for the first time, standards of time periods for adjudication of matters were submitted to the Board of Justice.

## Malta

**(General Comment):** There exists a Code of Ethics for the members of the Judiciary which, though not providing for the organisation and quality of the judicial work, does lay upon the members of the Judiciary certain obligations which are important in ensuring the transparency and independence of the judicial process.

**(2017):** There exists a Code of Ethics for the members of the Judiciary which, though not providing for the organisation and quality of the judicial work, does lay upon the members of the Judiciary certain obligations which are important in ensuring the transparency and independence of the judicial process.

**(2016):** There exists a Code of Ethics for the Judiciary which, though not providing for the organisation and quality of judicial work, does lay upon the members of the Judiciary, certain obligations which are important in ensuring the transparency and independence of the judicial process.

## Netherlands

**(General Comment):** There are quality standards that are measured by annual statistical figures per individual court. Examples are the scores of customer satisfaction surveys, the percentage of cases judged by three instead of one judge, and case processing times (the so-called 'Kengetallen gerechten'). The Team Judicial Quality (TJK, Team Juridische Kwaliteit) studies topics in a thematic manner, on a structural basis. A team of public prosecutors participates in TJQ and assesses the judicial work of colleagues in a structured and systemic way. There is often a baseline assessment, as well as a follow-up, sometimes a second follow-up. The assessment framework is adjusted if necessary. See also [www.tweedekamer.nl/kamerstukken/detail?id=2018D52900&did=2018D52900](http://www.tweedekamer.nl/kamerstukken/detail?id=2018D52900&did=2018D52900). There are professional standards too, developed to show what 'good justice' entails. These standards are publically available on the website of the Judiciary. See <https://www.rechtspraak.nl/Organisatie-en-contact/Rechtspraak-in-Nederland/Rechters/Paginas/De-professionele-standaarden-van-de-rechters.aspx>.

**(2019):** There is a so-called Team Judicial Quality (Team Juridische Kwaliteit), which studies topics in a theme-wise manner. This is part of the program 'Programma OM Strafvordering 2020'. A team of public prosecutors participates in TKJ and assesses the judicial work of colleagues in a structured and systematic way. There is often a first assessment (baseline) and a first follow-up assessment, and sometimes even a second follow-up. If necessary, the assessment framework is adjusted.

## Poland

**(General Comment):** The Ministry of Justice collects statistical data sent by common courts concerning their current activity, and also evaluates annual information on the activity of courts, prepared by presidents of courts of appeal about the activity of courts within the area of appeals, within the scope of tasks entrusted to them. In addition, the Minister of Justice convenes a meeting with presidents of courts of appeal at least once a year to discuss issues related to exercising supervision. Within the framework of that evaluation, a multifaceted analysis of collected statistical data is conducted, inter alia, an indicator of stability of jurisprudence, an indicator of control over the inflow of court cases or time of adjudication in incoming cases. However, no legal provision defines specific quality standards for individual indicators, concerning organisational quality and/or justice quality policy, to be formulated for the justice system as a whole.

**(2016):** The most important indicator comes from evaluation of judgements through second instance procedure. In this purpose "judgement stability" ratio are in use as a ratio of judgements reversed or annulled in procedure of appeal.

## Portugal

**(General Comment):** Law on the organisation of the judicial system (Law 62/2013 of 26 August) sets out that the High Council for the Judiciary and the Prosecutor-General, in liaison with the member of Government responsible for the justice, establish, within their respective competences, the strategic objectives for first instance courts for a three year period. These entities are also responsible for setting, every year, the strategic objectives of first instance courts for the following judicial year. Taking into account the results obtained in the previous year and the strategic objectives formulated for the subsequently year, the president of the court and the public prosecutor coordinator, after hearing the judiciary administrator, articulate proposals for the procedural objectives for each court. For instance, the Prosecutor General's Directives and Instructions define good practices of functional performance at national level and their compliance may be viewed an indicator of the quality of the work developed (example, Directive 5/2019, on acting in cases of domestic violence (<https://dre.pt/home/-/dre/126870404/details/maximized> - text in Portuguese).

In addition to Directives and Instructions, the performance assessment system for prosecutors is based on quality criteria/performance parameters, as a rule, uniformly applied at national level.

**(2021):** For instance, the Prosecutor General's Directives and Instructions define good practices of functional performance at national level and their compliance may be viewed an indicator of the quality of the work developed (example, Directive 5/2019, on acting in cases of domestic violence (<https://dre.pt/home/-/dre/126870404/details/maximized> - text in Portuguese)). In addition to Directives and Instructions, the performance assessment system for prosecutors is based on quality criteria/performance parameters, as a rule, uniformly applied at national level.

**(2020):** For instance, the Prosecutor General's Directives and Instructions define good practices of functional performance at national level and their compliance may be viewed an indicator of the quality of the work developed (example, Directive 5/2019, on acting in cases of domestic violence (<https://dre.pt/home/-/dre/126870404/details/maximized> - text in Portuguese). In addition to Directives and Instructions, the performance assessment system for prosecutors is based on quality criteria/performance parameters, as a rule, uniformly applied at national level.

## Romania

**(General Comment):** There are no formal standards for quality established for the whole judiciary. However, informal standards are being used (such as training, quality of the reasoning, assessment of the activity of the judges, assessment of the good reputation of the judges etc.).

More precisely, the activity of courts is evaluated and monitored periodically, on the basis of certain statistical data/performance indicators, such as those presented at question 70. The evaluation is achieved by verifications carried out by inspectors of the Judicial Inspection of the SCM, by elaborating periodical reports. The schedule and thematic of those verifications are approved every year by the SCM.

At organizational level, there are no quality standards established for courts. It may be considered that such standards exist at individual level, for each judge, by the indicators for the evaluation of professional activity.

**(2012):** In the frame of the 2012 exercise, a reference was made to the "Court Optimisation Project" financed by the World Bank, implemented from October 2011 to March 2013. The final recommendation included the introduction of Key Performance Indicators (KPIs), such as the clearance rate, the number of cases older than one year, the number of cases solved within 1 year, and the comparative measurement system.

## Slovak Republic

**(General Comment):** Internal revision of the court is a type of control of the court and judges, which aims to check the current state of the judiciary, to identify the causes of shortcomings in the performance of the judiciary and to propose measures to eliminate them.

**(2020):** Internal revision of the court is a type of control of the court and judges, which aims to check the current state of the judiciary, to identify the causes of shortcomings in the performance of the judiciary and to propose measures to eliminate them.

**(2014):** There is a system to evaluate the overall functioning of courts with respect to the Manifesto of the Government of the Slovak Republic for the period of 2010-2014:

[http://www.vlada.gov.sk/data/files/855\\_the-manifesto-of-the-governmentof-the-slovak-republic-for-the-period-of-2010-2014.pdf](http://www.vlada.gov.sk/data/files/855_the-manifesto-of-the-governmentof-the-slovak-republic-for-the-period-of-2010-2014.pdf)

## Slovenia

**(General Comment):** The Supreme Court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). A special office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies on the level of entire judiciary and individual courts. Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports.

The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

The 2013 amendment to the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. Since 2015, the Supreme Court has been adopting the timeframes for different types of procedures as well as for different procedural phases for next year (as a part of the Criteria for quality of work).

As for public prosecution, the criteria for quality of work are defined in the Prosecution Policy (adopted by the Prosecutor General), while the quantitative aspects of work are defined in the Criteria for evaluating the performance of the state prosecutor's offices adopted by the State Prosecutorial Council.

**(2015):** The Supreme Court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as "Inspiring example" in the EC document Quality of Public Administration - A Toolbox for Practitioners - <http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

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The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

The 2013 amendment to the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. In 2015 the Supreme Court adopted the timeframes for different types of procedures as well as for different procedural phases for 2016 (as a part of the Criteria for quality of work).

**(2014):** 2014 A dedicated office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies at the level of entire judiciary and individual courts level. Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports. The recent amendment of the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. Since the amendment was adopted in the middle of 2013, the first Annual report of Supreme Court will be for 2014 (to be published in 2015). Consequently, only 2015 will be the (first) year to formally adopt the aforementioned Criteria. The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

**(2013):** 2013 According to the priorities for the whole judiciary, set by the Supreme Court in the „Opening of the judicial year“ document for judicial year 2013, specific areas were monitored and the standards determined for the following areas:

1. Management of courts
2. Solving of oldest unresolved cases
3. Business process – Time management of judicial procedures and the reform of civil enforcement procedure
4. Disburdening the judges
5. Levelling of human resources

**(2012):** 2012: The Supreme court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as Inspiring example in the EC document Quality of Public Administration - A Toolbox for Practitioners – <http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

## Spain

**(2015):** Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

## Question 067

## Belgium

**(2021):** The College of Courts and Tribunals is working on the implementation of a quality system. This system is based on international scientific references and will be broken down into ten or so themes that constitute the management modules of an organisation. These management modules cover all aspects of an organisation, including organisational management, process management, human resources management, organisational culture, information and communication, financial management, facility management and information and communication technologies. The College of Courts and Tribunals and the steering committees work together to develop their maturity in these different areas.

## **Bulgaria**

**(2020):** The Supreme Judicial Council, through its Commission for Attestation/Appraisal and Competitions at the Judges College/Chamber of the Supreme Judicial Council and the Commission for Attestation/Appraisal and Competitions at the Prosecutorial College/Chamber, are the bodies that perform an objective assessment of the professional, business and moral qualities of magistrates.

## **Denmark**

**(2019):** As above

**(2018):** The public prosecution is not part of Danish Court Administration.

**(2017):** Because judges are independent, we do not interfere with a judge decision. However, there is always the possibility to appeal a court decision if either of the parties disagree with the verdict.

**(2016):** As above.

## **France**

**(2021):** Source DSJ

**(2020):** The answer is no for the administrative justice.

**(2014):** 2010: State prosecutors draw an annual report on the activity, management of their public prosecution office and on the enforcement of the law, as well as an annual report concerning the measures of custody and the condition of the custody facilities.

**(2012):** 2012: in French law on the judicial organisation, there is no statutory or regulatory requirement providing specialised staff in courts responsible for quality norms. However, as part of the maintenance dialog to have operational resources, each court fills a document for the Ministry of Justice, comprising informations such as the number of handled cases, pending cases, the number of judges and administrative staff, as well as the performance objectives to reach. This document is not available on the intranet to all of the staff. Only agents of the Ministry in charge of the maintenance dialog have access to these figures thanks to appropriate softwares.

## **Germany**

**(2022):** Due to judicial independence, there are no national level quality standards.

**(2021):** Due to judicial independence, there are no national level quality standards.

**(2020):** Due to judicial independence, there are no national level quality standards.

## **Greece**

**(2021):** It depends on the court, the answer was changed from yes to no although there are judicial services that have answered positively the majority have answered no.

**(2017):** The Law provides a set of quality criteria that must be taken into account when inspectors check the performance of each judge.

### **Ireland**

**(2021):** Secretary of Judicial Council and Judicial Conduct Committee of that Committee investigate and adjudicate complaints.

### **Malta**

**(2018):** There are general quality standards that apply to the public sector, but not specific quality standards that monitor the implementation of quality standards within the judiciary or the prosecution services.

### **Netherlands**

**(General Comment):** Courts: there are staff members (policy officers) within the offices that coordinate the quality in that office.

Public prosecution: At the head office of the public prosecution (Parket-General), there is personnel responsible for producing, implementing, evaluating and auditing quality measures. These are the TJQ (as mentioned in Q66), Team Processes and Information (standard processes and procedures) and the Scientific Bureau OM (national guidelines and policy regulations).

**(2017):** yes

### **Poland**

**(General Comment):** Inspection departments operate in the appellate and regional courts. The task of the judges working in these departments is to perform on behalf of the president of the court activities in the scope of supervision over the administrative activity of the courts in the area of the operation of a given appellate or district court. Supervision consists in taking actions to improve the office of the courts or increase the efficiency and level of work organization culture in the courts. For this purpose, visits of departments in courts or surveys of recognized cases of a given category are carried out, the secretariats of departments in the courts are controlled.

Activities in the scope of administrative supervision can not enter the field in which judges and assessors are independent.

### **Portugal**

**(General Comment):** The High Council of the Public Prosecution Service has “inspectors” (“inspectores”) who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**(2022):** The High Council of the Public Prosecution Service has “inspectors” (“inspectores”) who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**(2021):** The High Council of the Public Prosecution Service has “inspectors” (“inspectores”) who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

**(2020):** The High Council of the Public Prosecution Service has “inspectors” (“inspectores”) who assess the quality of the work carried out by the prosecutors, applying national quality criteria or standards.

### **Slovak Republic**

**(General Comment):** Judicial Council, Council of Prosecutors and disciplinary commissions.

**(2020):** Judicial Council, Council of Prosecutors and disciplinary commissions.

**(2019):** Judicial Council, Council of Prosecutors and disciplinary commissions

## **Slovenia**

**(General Comment):** The Office for Court Management Development at the Supreme Court promotes the improvement in leadership and management of courts and the increase in effectiveness and efficiency. It is responsible for the preparation of different reports and analysis regarding work of courts and the promotion of best practices. The Department for the Organization and Development of Management of the Supreme State Prosecutor's Office of the Republic of Slovenia is responsible for monitoring the implementation of the Prosecution Policy and the Criteria for the Success of Prosecution of State Prosecutor's Offices.

## **Spain**

**(2015):** Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

## **Question 070**

## **Austria**

**(General Comment):** .

**(2022):** satisfaction of court staff: only supreme administrative court

**(2017):** "other": e.g. certain kinds of decisions, clearance rate (annually)

## **Belgium**

**(2021):** In 2021, the College of Courts and Tribunals has started a project to make a central inventory of the backlog in the courts and tribunals using indicators such as length of proceedings, number of pending cases, Disposition time, backlogs.

**(2017):** There are ad hoc systems for monitoring activities within the courts. There is a central service responsible for the collection of statistics which ensures the annual publication of statistics. The Central Statistical Service is developing a uniform and coordinated policy, but there is (as yet) no central system for regular monitoring of activities.

**(2016):** There are ad hoc systems for monitoring activities within the courts. There is a central service responsible for the collection of statistics which ensures the annual publication of statistics. But there is no (yet) central system for regular monitoring of activities.

## **Croatia**

**(2019):** As regards "number of appeals", from 2019 we are able to get this data from our case management system.

## **Denmark**

**(2021):** Danish Court Administration is typically not doing this. A responsible court follow their cases though.

**(2020):** We value independence high. Therefore Danish Court Administration does not evaluate the performance or productivity of individual judges. We follow overall productivity and case flow though as that is used to allocate resources and to find the court most in need of vacant judge positions.

**(2019):** Courts are followed yearly in a yearly report. District courts receives monthly a report about case flow, pending cases, backlogs, weighted cases and the time it takes to finalize cases.

**(2017):** In Denmark we have a management system which information is updated monthly for the district courts where the points above are shown. For the High Courts and the Supreme Court, the case flow is not followed so often and in a so detailed way, but there are also much fewer cases. "Other": activity in terms of weighted cases and also pending cases

**(2016):** The so called "weighted cases" are measured in order to have a measure for the activity.

## **Estonia**

**(General Comment):** The scope of the monitoring system is extended to the results of proceedings; the categories of cases; the number of decisions appealed and revoked, fully or partially. The waiting time and the 'age' of pending (not solved) cases are also monitored. It is worthy of mention that every year all the courts and the Ministry of Justice enter into an agreement according to which courts should aim to carry out structural changes and to make changes in case-flow management that will ultimately ensure efficient proceedings. The content of the agreement has changed since 2017. The goals are more general and the same for all the courts (except The Supreme Court).

**(2017):** See previous general comments.

**(2016):** see general comments

## **Finland**

**(General Comment):** All courts keep statistics of the mentioned court activities in the operational case management systems. The National Courts Administration can access these figures through a reporting system.

**(2019):** satisfaction of court staff is monitored with job satisfaction surveys which are taken every second year

## **France**

**(2021):** Source DSJ and Council of State

**(2020):** Judicial and administrative jurisdictions combined.

**(2019):** Civil and criminal justice: After the deployment of innovative applications, satisfaction questionnaires are sent to users in the courts (heads of courts, directors of registries, judges and registry officials) in order to improve change support actions and the implementation.

In addition, with regard to victims, the Ministry of Justice will conduct a satisfaction survey in the second half of 2019 among victims of criminal offences who resort to victim support associations. The results of this survey, similar to a previous survey conducted in 2011, could be published in 2020. Likewise, the Ministry of Justice is attentive to citizens' views on the way they are received in the courts. For several years now, surveys have been conducted on the reception in the courts by a service provider pretending being a litigant. In 2018, an online survey, coupled with a face-to-face survey, was conducted in seven 1st instance courts "tribunaux de grande instance" among litigants appearing in these courts. In 2019, the satisfaction survey will be carried out in all "tribunaux de grande instance" via an online survey accessible by internet address or QR code. Finally, a national survey is also under way on the reception of litigants in the courts in the specific context of the implementation of social centres within the "tribunaux de grande instance" and the integration within these courts of the three separate courts that previously dealt with these types of litigation. The survey, carried out among court staff, aims to assess the difficulties encountered by persons presenting themselves at the reception desk and to identify any corrections that could be included in the texts.

The reply to the question encompasses replies from administrative justice and civil and criminal justice.

**(2018):** The coverage rate of cases as well as the structure of civil or criminal litigation are used by the courts.

In addition, other indicators usefully complete the analysis: .

Share of decisions on the merits in completed cases (civil activity).

Share of referrals in completed cases (civil activity).

Theoretical time to sell off the stock.

Average age of the stock.

Percentage of cases over 12 months in stock (civil activity).

**(2017):** The number of cases referred is an indicator used only by administrative courts.

The courts have business applications to monitor their civil and criminal activities. At national level, data from these applications is

from these applications are collected automatically via infocentres, reprocessed and cross-referenced, then in the form of tables or graphs. These reports can be generated on a monthly basis, except for certain activity data (court of appeal).

These reports can be generated on a monthly basis, except for certain activity data (criminal courts, juvenile court judges, enforcement of sentences), for which reports are generated annually.

These infocentres enable the courts to monitor statistics and manage their activity. They enable the central administration to They enable the central administration to prepare management dialogues from a performance perspective.

**(2016):** The number of cases subject to referral is an indicator used only by administrative courts.

Courts have business applications to monitor their civil and criminal activities. At national level, data from these applications are collected automatically via info-centres, processed and cross-referenced, and then presented in the form of tables or graphs. These refunds can be generated monthly, except for certain activity data (assize court, juvenile judges, enforcement of sentences), for which the refunds are annual.

These info-centres enable courts to carry out a statistical follow-up and to monitor their activities. They allow the central administration to prepare management dialogues from a performance perspective.

**(2015):** The number of cases being referred is used only by administrative courts.

The rate of coverage of cases is used by judicial courts.

The state of stocks by age group is used by administrative courts.

**(2014):** 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)

- the state of the stocks per age group (used by administrative courts)

It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts.

**(2013):** 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)
- the state of the stocks per age group (used by administrative courts)

It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts.

**(2012):** 2010, 2012: the category "others" includes the state of the stocks per age group. It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts

## Germany

**(General Comment):** The Federal Statistical Office collects key figures on court performance (incoming cases, resolved cases, pending cases on the beginning and the end of a year) from the federal states. The Federal Statistical Office processes and publishes the data once per year for the civil, criminal, family, administrative, labour, social and financial courts.

**(2022):** The monitoring activities no. 1-4 were selected by all respondent federal states and the activities no. 5 and 9-13 were selected by the majority of the federal states.

A minority of the federal states (as in previous years) reported the following "other" monitoring activities: statistics on the nature of resolution (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.), number of main-trial days, participation of interpreters and experts. (While the situation has not changed since the last cycle, the option "other" was not selected this time for the purpose of methodological consistency with the answers to other questions in this section). One federal state has not yet replied.

**(2021):** The monitoring activities no. 1-4 were selected by all Länder, the activities no. 5 and 9-13 were selected by most Länder and the activities under "other" were only mentioned by a some Länder (5).

**(2020):** The monitoring activities mentioned under "other" were reported only by some of the Länder.

**(2019):** Some of the Länder did mention a monitoring system concerning other court activities such as statistics on the nature of resolution are kept (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**(2018):** Some of the Länder did mention a monitoring system concerning other court activities such as statistics on the nature of resolution are kept (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**(2016):** other: Some of the Länder did mention a monitoring system concerning other court activities such as statistics on the nature of resolution are kept (e.g. in civil cases: dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**(2014):** In 2014, some of the Landers did mention a monitoring system concerning other court activities, namely statistics on the nature of resolution (e.g. in civil matters cases are dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

**(2013):** In 2013, seven Landers communicated information on their regular monitoring system. For example, Baden-Württemberg referred to calculation of the specific personnel requirements on a mathematical-analytical basis. Bavaria mentioned the type of proceedings, form of decision, etc. for courts of labour and social jurisdiction and workload, ratio of part-time employees; average age of employees, training and sick days, duration of proceedings in months, ratio of appeals for courts of general jurisdiction. In Brandenburg, the number of pending cases and the ratio of terminated proceedings as against incoming cases are monitored.

**(2012):** For 2010 and 2012, five Landers did not provide any reply. Seven Landers communicated detailed information on their regular monitoring system of courts' activity. Among the main other monitored parameters are the deadlines for the drafting of judgments (Bavaria), the number of pending cases and the ratio of terminated proceedings as against incoming cases (Brandenburg), the nature of resolution – cases dealt with by contentious judgment, by acknowledgment, by settlement etc. (Hamburg), cases allocated among staff, i.e. caseload quota (Hesse); finance benchmarks, item costs, standardized deployment of person hours related to product (Saxony-Anhalt).

## Greece

**(General Comment):** According to Law 4938/2022 (art. 99-104), supreme judges appointed as inspectors for two year's term, redact every year general reports on the operation of each court and prosecutor's office in their district and recommend the necessary measures for the proper functioning of the service.

**(2022):** Many courts have chosen the option number of Appeals but not all. The Council of State has additionally selected the options number of Appeals and ratio of Appeals. The General Commission of the State for ordinary administrative courts has additionally selected the options number of Appeals and clearance rate.

According to Law 4938/2022 (art. 99-104), supreme judges appointed as inspectors for two year's term, redact every year general reports on the operation of each court and prosecutor's office in their district and recommend the necessary measures for the proper functioning of the service.

Regarding administrative courts, this task is fulfilled by the General Commission of the State for ordinary administrative courts. In the near future we hope to be able to use a business intelligence program, in order to extract composite statistical data without contacting any court.

[E-mail: g-epitropia-d-d@otenet.gr]

**(2019):** The Greek government has introduced a new system for organizing and evaluating the planning and implementation of public sector actions and projects, which introduces among others, monitoring court activities. (L. 4622/2019 art. 49 foll.)

**(2017):** Regarding Administrative Courts, this task is fulfilled by the General Commission of the State for ordinary administrative courts. In the near future there will be a possibility for the General Commission of the state to use a business intelligence program, in order to extract composite statistical data without contacting any court [E-mail: g-epitropia-d-d@otenet.gr]

## Hungary

**(General Comment):** Among others:

- individual judge's statistics, - statistics on the reasons of the postpone of the trials,
- number of trial days in cases, - number of tried cases per day,
- pending cases of an individual judge / court,
- the time frame of pending cases
- number of appealed cases,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2022):** - statistics on the reasons of the postpone of the trials,  
- number of trial days in cases, - number of tried cases per day,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2021):** - statistics on the reasons of the postpone of the trials,  
- number of trial days in cases, - number of tried cases per day,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2020):** - statistics on the reasons of the postpone of the trials,  
- number of trial days in cases, - number of tried cases per day,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2019): Other:**  
- statistics on the reasons of the postpone of the trials,  
- number of trial days in cases, - number of tried cases per day,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2018): Other:**  
- statistics on the reasons of the postpone of the trials,  
- number of trial days in cases, - number of tried cases per day,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2015): Among others:**  
- individual judge's statistics,  
- statistics on the reasons of the postpone of the trials,  
- number of trial days in cases,  
- number of tried cases per day,  
- pending cases of an individual judge / court,  
- the time frame of pending cases  
- number of appealed cases,  
- the subject of incoming / finished / pending cases,  
- the ratio of litigious and non-litigious cases,  
- cases that are pending over 2 or 5 years have a separated statistical report every month  
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

**(2014):** In 2013 and 2014, among other are quoted individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of tried cases per day, the number of pending cases of an individual judge/court, the time frame of pending cases, the number of appealed cases, the subject of incoming/resolved/pending cases, the ratio of litigious and non-litigious cases. Cases that are pending over 2 or 5 years have a separated statistical report every month, as well as cases in which there were no actions taken in the last 30 days by the court.

**(2013):** In 2013 and 2014, among other are quoted individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of tried cases per day, the number of pending cases of an individual judge/court, the time frame of pending cases, the number of appealed cases, the subject of incoming/resolved/pending cases, the ratio of litigious and non-litigious cases. Cases that are pending over 2 or 5 years have a separated statistical report every month, as well as cases in which there were no actions taken in the last 30 days by the court.

**(2012):** In 2010 and 2012, a reference is made to individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of resolved cases, the number of cases scheduled within one day, the number of pending cases of an individual judge.

## **Ireland**

**(2022):** These are not new or recently introduced monitoring options.

**(2014):** 2014: Since 2014 Ireland introduced a monitoring system for the length of proceedings and it is now capable of calculating average length of proceedings in first instance jurisdictions.

## **Italy**

**(General Comment):** Within the framework of the National Recovery and Resilience Plan (PNRR), the Ministry of Justice has introduced an additional monitoring system specifically designed for PNRR purposes, in order to keep track of a series of KPIs related to the efficiency of the Italian courts.

## **Latvia**

**(General Comment):** Implemented business intelligence solution allows monitor all the mentioned court activities very closely.

Satisfaction of court staff and users is being evaluated by regular questionnaires in courts.

**(2022):** The indicators "productivity of judges and court staff" and "number of appeals" are taken into account when assessing the professional activity of a judge, because the objective of the assessment of the professional activities of a judge is to promote the continuous professional growth of a judge throughout his or her career, thereby improving the quality of the work of the judge and the court. An Annual evaluation of court staff is also carried out, which is essential for high-quality work of courts.

**(2017):** Decision stability (proportion of decisions appealed in higher instance)

**(2016):** Decision stability (proportion of decisions appealed in higher instance)

## **Lithuania**

**(General Comment):** All of these data are recorded in the Lithuanian Court Information System (LITEKO), as well as other data, related to the case, it's process and the parties to the proceedings.

## **Luxembourg**

**(General Comment):** No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request of the competent authorities.

**(2017):** ??? (see comments to parent campaign)

**(2016):** No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request by the competent authorities.

**(2015):** By using the newly implemented statistical tools, the information ticked in addition to last year's questionnaire can now be retrieved by the statistical service on an as needed basis at least for criminal cases. Identical markers are being implemented for civil and commercial cases and will available in a foreseeable future.

**(2014):** 2014: There is no regular monitoring system. However, new statistical tools are implemented and can provide monitoring elements when necessary without daily measurement current affairs.

#### **Malta**

**(2022):** Other: Age of the pending caseload.

**(2019):** Other: age of pending caseload

**(2017):** other: clearance rate

**(2015):** The monitoring of court activities also takes place through the ongoing analysis of the Clearance Rate and Disposition Time of the various courts. This data is also being published online on a monthly basis.

The category "other" refers to the monitoring of the Clearance Rate and Disposition Time of all civil courts, boards and tribunals. This exercise was started in 2015.

**(2014):** In 2014, the court administration was monitoring length of proceedings through the number of incoming and resolved cases, as well as through the pending caseload. The age of civil cases was another parameter that was being assessed. On the occasion of the 2014 exercise, it has been indicated that since 2015, Malta started computing the Disposition Time and Clearance Rate of all the civil and criminal courts. By the end of 2015, for the civil courts, this information will be made available online.

#### **Netherlands**

**(2020):** There is an annual publication that includes the appeal ratio for some case types. To call it 'monitoring' would be a bit too much, but it is annually checked and reported on.

Incoming cases and length of proceedings have not previously been mentioned, but these are monitored.

#### **Poland**

**(2017):** Supervision covers only the administrative activities of the courts. There are the internal supervision exercised by the presidents of the courts and the external supervision exercised by the Minister of Justice within the narrow scope specified in the law.

**(2016):** Supervision covers only the administrative activities of the courts. There are the internal supervision exercised by the presidents of the courts and the external supervision exercised by the Minister of Justice within the narrow scope specified in the law.

#### **Portugal**

**(2022):** Users satisfaction is monitored through surveys and indirectly by the consulting body of each court that includes members of the community. The appeal ratio is only monitored in the context of judges evaluation.

**(2020):** we included "satisfaction of users" because one of the tasks of the president judge of the court is to monitor and evaluate the activity of the court, in particular the quality of the justice service provided to citizens, taking into account particular complaints or responses to satisfaction questionnaires. "Article 94 of Law 62/2013, 26th August, on the judicial organization"

**(2019):** In this evaluation cycle we included "satisfaction of users" because one of the tasks of the president judge of the court is to monitor and evaluate the activity of the court, in particular the quality of the justice service provided to citizens, taking into account particular complaints or responses to satisfaction questionnaires. "Article 94 of Law 62/2013, 26th August, on the judicial organization"

**(2017):** Scheduling; delays of judges and sections.

**(2016):** Scheduling; delays of judges and sections.

**(2015):** Scheduling: time delays of judges and sections of the court.

## Romania

**(General Comment):** Since 2012, the category "other" subsumes the length of administrative procedures, the number of final convictions, legal aid, suspended cases etc.

**(2022):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**(2021):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**(2020):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**(2019):** ECRIS - case management and STATIS - statistics monitoring application including for court's efficiency assessment

**(2017):** - e.g. suspended cases

**(2016):** - suspended cases etc.

## Slovak Republic

**(General Comment):** The category "other" encompasses: the number of cases according to types of disputes, the results of the cases (reconciliation, dismissals, full satisfaction, partial satisfaction, etc.). Statistical data of the Ministry of Justice of the Slovak Republic are detailed and regularly collected and published in a yearbook which is publicly accessible at the website of the Analytical centre of MoJ <https://www.justice.gov.sk/Stranky/Informacie/Analyticke-centrum.aspx> <http://web.ac-mssr.sk/statisticka-rocenka-2018/>. Data on the activity of the courts are published every month in interactive Dashboard on the <http://web.ac-mssr.sk/dashboard/>.

## Slovenia

**(General Comment):** In Slovenia there is a regular monitoring system in a form of collecting data on court statistics. Court statistics are collected and published four times a year by the Ministry of Justice. They include the data on the number of judges and court staff, number of incoming, resolved and pending cases, age of unresolved cases, length of proceedings, average time to resolve a case, type of decision, court backlogs, legal remedies and time to issue a court decision. Besides that, the data on court activities are automatically on national level, thus statistical analysis are made possible. All courts have access to a wide range of special reports, generated in the Court management information system. Reports include detailed information on court activities (for example length of specific phases of a court proceeding, top 20 oldest cases in certain area of law, etc.), human resources, court performance indicators (the critical indicators are marked red for unsatisfactory performance and green when meeting the standards) that provide guidance to presidents and directors of courts. The business intelligence system that creates priority reports derives the data from the Data warehouse of the Supreme Court. The same source is used for Court statistics publications by the Ministry of Justice. Each court is able to access the above mentioned reports at any moment, while some data are quarterly collected and published on national level (as prescribed by the Court rules).  
The satisfaction surveys are performed and results published bi-annually.

**(2015):** The data on court activities are automatically collected on national level, thus statistical analysis is made possible.

All courts have access to a wide range of special reports, generated in the Court management information system. Reports include detailed information on court activities (e.g. length of specific phases of a court proceeding, top 20 oldest cases per legal area etc.), human resources, court performance indicators (the critical indicators are marked red for unsatisfactory performance and green when meeting the standards) that provide guidance to presidents and directors of courts. These additional data available to court management officials are the reason, why we put check before "other elements".

The business intelligence system that creates priority reports derives the data from the Data warehouse of the Supreme Court. The same source is used for Court statistics publications by the Ministry of Justice.

Each court is able to access the above mentioned reports at any moment, while some data are quarterly collected and published on national level (as prescribed by the Court rules).

## Spain

**(General Comment):** The category "other" encompasses: number of enforcement procedures, number of decisions appealed, number of rogatory letters issued, received and resolved, aid between courts, pending writings, form of termination of trials, etc.

**(2017):** The category "other" includes many other data such appeals, aid between courts, pending writings, etc.

**(2016):** The category "other" includes many other data such appeals, aid between courts, pending writings, enforcement proceedings, form of termination of trials, etc.

## Question 070-1

### Bulgaria

**(General Comment):** .

**(2018):** "Other": percentage of returned cases

### Denmark

**(2022):** - The prosecution makes monthly reports to the Ministry of Justice on data regarding number of cases, clearance rate, etc.

- Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment. There

is no direct measure of disposition time, but it can be read from this report.

- The prosecution makes an biannual survey on the satisfaction of the prosecution staff.

**(2021):** The prosecution makes quarterly reports to the Ministry of Justice on data regarding number of cases, percentage of conviction etc.

Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment. There is no direct measure of disposition time, but it can be read from this report. The prosecution makes a biannual survey on

the satisfaction of the prosecution staff.

**(2020):** The methodology of replying changed in this question.

The prosecution makes quarterly reports to the Ministry of Justice on data regarding number of cases, clearance rate, etc.

Disposition time is measured indirectly through a report that measures all steps in a criminal case from arrest to imprisonment.

There is no direct measure of disposition time, but it can be read from this report. Therefore we find it more correct to check

this option. Satisfaction of the prosecution staff has always been measured but not by the ministry of justice. Therefore it was

not checked last time. However, it is measured, and we therefore find it correct to check this option. The prosecution makes an

annual survey on the satisfaction of the prosecution staff.

## **Finland**

**(2021):** "Backlogs": cases that have been pending for longer than a year are monitored

**(2020):** "Backlogs": cases that have been pending for longer than a year are monitored.

## **France**

**(2021):** Source DSJ

**(2020):** Judicial jurisdiction.

## **Germany**

**(General Comment):** The Federal Statistical Office collects key figures on the public prosecution offices' performance (incoming cases, resolved cases, pending cases on the beginning and the end of a year) from the federal states and publishes the data once per year.

**(2022):** The monitoring activities no. 1-4 were selected by all respondent federal states and the activities 5 and 10 to 12 were selected by the majority of the federal states. A minority of the federal states also monitors the costs of the judicial proceedings.

One federal state has not yet replied.

**(2021):** The monitoring activities no. 1-5 and 1-12 were selected by most Länder, the activity no. 9 (monitoring of costs) was selected by some (5) Länder.

**(2020):** A few Länder answered that they have also been monitoring productivity and costs.

## **Greece**

**(2022):** It is noted that the clearance rate was not selected by all prosecutors' offices, in addition several prosecutors' offices but not all have chosen the option of percentage of convictions and acquittals.

## Hungary

**(2022):** The public prosecution services are led in a hierarchical structure. Leaders perform their duties at a national and regional level, as well as at the level of each organizational unit. It is up to the decision of the leader who exercises the employer's rights to determine how the activities (performance, quality) of the prosecution office should be evaluated and on the basis of what indicators in order to manage the organizational unit effectively. The set of indicators may vary from year to year, depending on the circumstances. Therefore, more than one answer could be given to the given question.

For example, the performance of individual prosecutors or officers may be assessed at the level of an organizational unit; a staff satisfaction survey may be conducted; or a target analysis based on client satisfaction may be carried out.

The clearance rate could also be considered as a reference point and is actually monitored by the public prosecution services. However, statistics are produced at the level of the prosecution services and at the regional level on a calendar year basis.

Therefore, those decisions on the termination of prosecution proceedings which are made at the end of a year, but become final only in the following year, can only be taken into account in the next year. The number of indictments and the number of finally closed cases that are closed because of finally closed court cases in the years after the indictment may also differ from the number of indictments on an annual basis. Therefore, the "clearance rate" – as a reference point – is a difficult criterion to follow.

At the national level, the Prosecutor General is required to present a report to Parliament. This report does not focus on the performance of individual public prosecutors; instead, it assesses the performance of the public prosecution service as a whole and according to a breakdown of organizational units. In our 2023 response, we tried to take this into account and, in this respect, we have indicated that primarily the indicators indicated were taken into account. Compared to our previous response in 2020, there was no change in terms of the fact that the clearance rate had been taken into account, even if it was not the primary evaluation criterion.

**(2021):** The BTM system (Criminal Justice Activity Indicator System) is available for the Prosecution Service of Hungary. This system regularly monitors prosecution activities (performance and quality), however, it does not contain any information about the number of incoming cases, length of proceedings, number of resolved cases, backlogs etc.

## Ireland

**(2022):** Information is published in Part 2 and Part 4 of ODPP Annual Report 2021 (<https://www.dppireland.ie/app/uploads/2023/02/AR2021eng.pdf>).

**(2020):** information is published in Annual Report available at: <https://www.dppireland.ie/app/uploads/2020/10/AR-2019-eng.pdf>

**(2018):** Information is published in Annual Report available at [https://www.dppireland.ie/filestore/documents/AR2017\\_\[eng\].pdf](https://www.dppireland.ie/filestore/documents/AR2017_[eng].pdf)

## Malta

**(2022):** The Office of the Attorney General has embarked on a data management process that is seeing more information being collected in respect of the efficiency parameters of the Office. This explains why in this evaluation cycle, the categories of 'Backlog' and 'Productivity of Prosecutors and prosecutors staff' have been marked.

**(2021):** The Attorney General is collecting data on length of proceedings and using it to monitor efficiency. This exercise will be refined in the coming months within the scope of an ongoing project addressing the re-engineering of processes within the Office of the AG.

**(2018):** The Office of the AG does hold a record of the number of incoming cases and terminated cases, but these are not as yet organised into official performance indicators.

## Poland

**(2021):** In 2021, following the implementation of the new central ICT system PROK-SYS, which provides for a modern reporting system, the possibility of obtaining data on a wide range of activities of all organisational units of the prosecution offices was created. The system provides a solution for generating types of reports on the costs of proceedings. This allows for daily supervision of the activities of the prosecution offices from every level, including the central level. Prior to 2021, data on the costs of proceedings were only collected locally.

## Portugal

**(2020):** We included "clearance rate" and "disposition time" because one of the tasks of the public prosecutor coordinator is to monitor and evaluate the activity of the public prosecutors services, including the efficiency of procedures. Article 101 of Law 62/2013, 26th August on judicial organization.

## Slovenia

**(General Comment):** The BI tools that use data gathered in information system of the State Prosecutor's Office provide the heads of prosecution offices with up-to-date overview of the performance of state prosecutors and the functioning of the office. Heads can customize the level and content of information presented to them for the purpose of making quantitative data supported decisions on allocation of work among prosecutors, control of the case-flow.

**(2022):** "other": percentage of different types of decisions, value of proceeds of crime under freezing order, pronounced criminal sanctions...

**(2020):** "Other": percentage of different types of decisions, value of proceeds of crime under freezing order, pronounced criminal sanctions...

## Question 071

### Belgium

**(2016):** There are ad hoc evaluation systems within the courts. But there is no central or coordinated system.

### Bulgaria

**(General Comment):** The duration of the court proceedings initiated by the Prosecutor's Office of the Republic of Bulgaria is monitored, as in case of excessive delay there is a possibility to request acceleration of these proceedings through the procedure under Chapter 26 of the PPC.

### Denmark

**(2021):** Danish Court Administration is typically not doing this. A responsible court follow their cases though.

**(2020):** Danish Court Administration is not doing it as a general thing. If a specific court needs help, Danish Court Administration can work out list of pending cases and list them according to age to give the court a tool to locate cases that need attention.

### France

**(2021):** Source DSJ and Council of State

**(2020):** No further indication.

**(2016):** In civil matters, courts of first instance (TGI), labour courts (conseils de prud'hommes) and courts of appeal can measure their stock on the basis of business applications or data returns carried out by info-centers.

The identification of cases not processed within a reasonable time is easier through business applications that offer dashboards breaking down cases in stock by age group.

In criminal matters, first instance courts (TGI) can use the Cassiopée business application to record cases in stock at the registry and the number of unedited judgments. The situation of cases in stock at the registry office cannot be measured via the info-centre, which only allows establishing the number of cases registered with the Public Prosecutor's Office and the Correctional Service.

## **Germany**

**(2022):** The majority of the respondent federal states monitor pending cases and backlogs. Two federal states could not provide an answer, one federal state has not yet replied.

**(2021):** Four of the Länder could not provide an answer. The remaining Länder monitor pending cases and backlogs for all of the case categories mentioned above.

**(2020):** The majority, but not all of the Länder have reported to monitor pending cases and backlogs.

**(2018):** In 2018, Länder have monitored the number of pending cases and the backlogs.

## **Hungary**

**(General Comment):** Judges have to report those cases on a monthly basis that are pending for more than 2 years. The president of the court can order a fast-track procedure for a case based on the report.

**(2018):** Judges have to report those cases on a monthly basis that are pending for more than 2 years. The president of the court can order a fast-track procedure for a case based on the report.

## **Ireland**

**(2022):** N/A

**(2020):** NAP

**(2018):** NAP

**(2016):** NAP

## **Latvia**

**(2018):** We have created a specific tool for this purpose that is available also in public from <https://dati.gov.lv/>

## **Luxembourg**

**(2018):** New systems of monitoring have been implemented since 2016 (JUCIV for the civil law cases and JANGA for administrative law cases)

**(2016):** No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request by the competent authorities.

## Netherlands

**(General Comment):** The public prosecution logically only monitors criminal law cases, the courts monitor all types of cases.

**(2021):** Public prosecution only monitors criminal law cases, the courts monitor all.

## Romania

**(2022):** STATIS - statistics monitoring application including for court's efficiency assessment

**(2021):** STATIS - statistics monitoring application including for court's efficiency assessment

**(2020):** STATIS - statistics monitoring application including for court's efficiency assessment

## Question 072

### Austria

**(2016):** Supreme administrative Court: Statistic of incoming cases, number of decisions delivered, number of postponed cases, length of proceedings (timeframes) and age of cases

### Belgium

**(2021):** Public Prosecutor's Office: Monitoring mechanism via dashboards for the public prosecution services.

**(2020):** Monitoring mechanism via dashboards for prosecution services.

### Denmark

**(2021):** Danish Court Administration is typically not doing this. A responsible court follow their cases though. The individual courts may work out list of pending cases or warning lists when to act on a case.

**(2020):** Danish Court Administration is typically not doing this. A responsible court follow their cases though.

**(2018):** We monitor the overall time from the courts receive a case until it is finalized, but not what happen in between. The same goes for the prosecution

### Estonia

**(General Comment):** There are reminders in the CMS after certain period.

### Finland

**(2021):** Within the courts, the time the case is pending in a court is monitored.

Prosecution services: The time between police investigation and prosecutor's decision (the time the case is pending in the prosecution service) is monitored.

**(2020):** Within the courts, the time the case is pending in a court is monitored.

**(2018):** Within the courts, the time the case is pending in a court is monitored.

### France

**(2021):** Source DSJ, the reply concerns the civil and criminal justice.

**(2020):** Answer for the court.

## **Germany**

**(2022):** One federal state monitors waiting time with respect to the ordinary courts. A minority of 3 federal states monitor waiting time with regard to the public prosecution services. The vast majority of the federal states does not monitor waiting time.

**(2021):** Courts: One of the Länder reported that waiting times are monitored with respect to ordinary courts.  
Public Prosecution: While the majority of the Länder answered "no", a small minority of 3 Länder answered "yes".

## **Greece**

**(General Comment):** The waiting time during court procedures is monitored annually through the inspection process. The interval between the adjudication of the case and the issuance of the decision is watched, so that the judge does not have much pending and there is a quick delivery of justice.

**(2018):** There is a monitoring system regarding the length of the judicial procedure, but it does not include such kind of information.

**(2016):** There is a monitoring system regarding the length of the judicial procedure, but it does not include such kind of information.

## **Hungary**

**(General Comment):** The administrative office of the court reports those cases to the president in which there was no judicial activity in the last 30 days.

**(2022):** It was not possible to give an unambiguous answer to this question because of the reasons given in point 70-1. There are several possible "waiting times" in court proceedings which can be monitored. The length of proceedings can be and is monitored by the public prosecution services at the organizational, regional and local levels to different extents. As there was no substantive change in this respect, our reply is modified as follows, in line with the previous answer.

If the question refers to the judicial recess, the answer is "yes"; it is monitored by those who exercise the employer's rights, mainly for the purpose of granting a leave of absence.

**(2018):** The administrative office of the court reports those cases to the president in which there was no judicial activity in the last 30 days.

## **Italy**

**(2018):** Waiting time is monitored only for Administrative Justice.

## **Latvia**

**(2022):** "Within the courts": On an irregular basis, the Ministry of Justice and the Council of Justice analyze the number of days (period) from the initiation or receipt of the case in court to the moment when the case review is started.

## **Lithuania**

**(2022):** Within the courts: through an administrative supervision mechanism.

**(2020):** courts: through administrative supervision mechanism

### **Luxembourg**

**(2014):** According to 2014 data, the newly set up statistical tools, as well as the courts' CMS, allow an "as needed" check of the waiting time.

### **Malta**

**(2016):** In Malta, there is no formal monitoring system. However, an "informal" monitoring used to take place. It falls mostly within the remit of the Chief Justice and the respective members of the judiciary.

### **Netherlands**

**(General Comment):** Waiting time can be monitored through registration in the court system.

Agreements are made across the justice chain on timeframes in which particular caseloads (sexual offences, youth cases, and specific traffic violations) should be handled. These agreements are monitored.

Government (the Second Chamber) is annually informed on the agreements via factsheet. Additionally, timeframe agreements were reached within the public prosecution on the speed with which penal orders are to be issued, the terms in which an objection is to be judged and the speed with which the first decision with attachment is to be taken.

**(2020):** Within the courts: Registration in the court system gives the opportunity to monitor waiting time.

Within the public prosecution services: Across the justice chain, agreements have been made on the timeframes in which particular caseloads (sexual offences, youth cases and specific traffic violations) should be handled. These agreements are monitored. Annually, the government (Second Chamber) is informed on this via the factsheet 'Strafrechtketen'. Besides this, timeframe-agreements have been reached within the public prosecution on speed with which penal orders are to be issued, terms in which an objection is to be judged and the speed with which the first decision with attachment is to be taken (eerste beslissing bij beslag).

**(2013):** All steps and dates are recorded in information systems of the court. But this registration does not show 'waiting times' as such.

### **Poland**

**(General Comment):** Public Prosecution services

The issue of the duration of pre-trial proceedings is defined in the Code of Criminal Procedure, in Article 310 § 1 and § 2 and Article 325i § 1. Article 310 § 1 and § 2 states that the investigation shall be completed within 3 months. In justified cases the investigation period may be extended by a specified period of time by the public prosecutor supervising the investigation or the public prosecutor directly superior to the public prosecutor leading the investigation, but not longer than one year. In particularly justified cases a competent public prosecutor superior to the prosecutor supervising or leading the investigation may extend the investigation by a specified period of time.

Article 325i § 1 states that an investigation should be completed within 2 months. The prosecutor may extend this period to 3 months, and in particularly justified cases – to a longer specified period of time.

The authority empowered to order the extension of an investigation or an inquiry by a specified period of time shall monitor such proceedings with respect to their proper conduct in view of their possible length and shall assess the validity of the procedural steps taken or to be taken.

The request for the extension of an investigation or an inquiry must include the steps that need to be taken in the further course of the proceedings and indicate the reasons why they have not yet been taken.

Courts:

The presidents of the courts, in exercising internal administrative supervision over the administrative activity of the courts, control the taking of actions by judges within appropriate time limits; direct control is also exercised by the presidents of the divisions. Monitored also within the framework of management control and analysis of annual information on activities of courts operating within the area of appellate courts prepared by presidents of courts of appeal

**(2021):** \* courts -The presidents of the courts, exercising internal administrative supervision over the administrative activity of the courts, control the taking of actions by the judges in due time; direct control is also exercised by the presidents of the divisions. Monitoring also takes place within the framework of the external administrative supervision of the Minister of Justice over the administrative activity of common courts within the framework of management control and analysis of annual information on the activity of courts operating on the territory of courts of appeal prepared by presidents of courts of appeal.

\*prosecutors - In the course of pre-trial proceedings, the public prosecutor commissioning other bodies to carry out procedural actions or appointing experts to prepare an opinion shall each time set a deadline for their implementation. If the entrusted activities are not carried out in time, the prosecutor makes an enquiry as to the reasons for the delay and the deadline for carrying out the activities. The course of pre-trial proceedings is monitored both in terms of internal service supervision and external service supervision, in order to ensure their proper dynamics.

At the trial stage, if a hearing is postponed without a date being set, the prosecutor's office makes timely enquiries as to whether the reasons preventing it from being scheduled have ceased.

**(2018):** In the mode of external and internal administrative supervision over the administrative activity of courts by analyzing the results of the courts or departments and monitoring the efficiency of individual cases in the case of detected lengthiness.

## Portugal

**(General Comment):** Through SITAF and CITIUS (case management systems for administrative and tax courts and judicial courts, respectively) it is possible to check waiting times during judicial proceedings.

The Portuguese Code of Criminal Procedure establishes no binding timeframes for criminal investigations. At a national level, within the public prosecution services, there is only monitoring of the judicial proceedings time during on criminal investigations, with reference to this timeframe.

At a local level, some other proceedings (such as the initial intervention of public prosecutors on protection of adults with some incapacity, requesting accompanying measures – under the legal framework of the accompanied adult [Regime Jurídico do Maior Acompanhado]) are also monitored on time duration.

**(2022):** The waiting period is monitored in the quarterly monitoring of all judicial courts. The Court President reports to the council the number of cases that are waiting procedural movement for more than 1, 2, 3 or 4 months.

**(2021):** Because of the Covid-19 pandemic, the courts were asked for specific elements on the steps taken in the Courts. Also, the procedural laws (e.g. civil and criminal) provides that the registry shall send to the President of the Court, on a monthly base, information detailing the cases in which three months have elapsed since the expiration of the deadline set for the performance of the judge's own act.

**(2018):** Through SITAF and CITIUS (case management systems) it is possible to check waiting times during judicial proceedings.

## Romania

**(2022):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2021):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2020):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2018):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2016):** There are statistical reports developed by an IT application called Stasis that monitor the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc.

**(2014):** According to 2014 data, there are statistical reports developed by Stasis IT application monitoring the duration of a court trial on different levels - total time, preliminary proceedings, delays between the sessions, time for drafting the decision etc. More precisely, in 2014, the Superior Council of Magistracy has established a working group that has analyzed several national and international documents on the efficiency of the courts and has developed a set of indicators that are used to make an overall assessment of the efficiency of courts, sections and, if needed panels of judges. These indicators were implemented and used in the Stasis application.

## Slovenia

**(General Comment):** In accordance with the Prosecution Policy adopted in 2017, cases in which a final court decision at first instance has not been adopted within 3 years of filing a written charge with the court, are monitored in particular.

## Question 083

### Austria

**(2018):** There are no specific targets given to the Judges, which are seen as a conflict with the Independence of Courts.

**(2016):** Provincial Administrative Courts: Maximum 150 cases a year per judge (average value).  
Federal Finance Court:

No performance targets, which are seen in conflict with the independence. However based on a continuous transparent controlling the possibility of benchmarking exists. In addition regular dialogues with the judges regarding their performance are held.

### Croatia

**(2020):** According to the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18) , the Minister in charge for Justice, upon the proposal of the General Assembly of the Supreme Court of the Republic of Croatia, adopts the Framework criteria for the work of judges.

#### **Czech Republic**

**(General Comment):** Quantitative performance targets exist but they are not strictly binding.

**(2018):** Quantitative performance targets exist but they are not strictly binding.

#### **Denmark**

**(General Comment):** Judges are independent. Therefore measuring is done focusing on case-flows and economic indicators without identifying the individual judge.

**(2022):** The judges are independent. Therefore measuring is done focusing on case-flows and economic indicators.

**(2018):** There are no such targets from the side of Danish Court administration, but quantitative performances are used to re-allocate resources so the court in most need of resources in case of a vacant judge position also gets the vacant position.

#### **Finland**

**(General Comment):** A court can decide whether it sets quantitative performance targets for each judge. There are targets set for each judge in some courts.

**(2016):** It is up to each court to decide. In some courts there are targets set for each judge.

#### **France**

**(2022):** A valid response for administrative jurisdictions.

**(2016):** Individual quantitative objectives are established only with regard to administrative judges by the respective court president.

#### **Germany**

**(General Comment):** There are no quantitative performance targets because this might interfere with judicial independence as defined by article 97 of the Basic Law for the Federal Republic of Germany ("Judges shall be independent and subject only to the law.").

**(2022):** Of the respondent 15 federal states, 14 reported that there are no quantitative performance targets for judges. One federal state has not yet replied.

#### **Greece**

**(General Comment):** The Head of each court is responsible for the assignment of the cases between judges of his/her competence. In this sense, he/she is aware of the quantitative performance of judges.

**(2022):** Every administrative judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation, according to a model adopted by the General Commission of the State.

**(2020):** Every administrative judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation.

**(2018):** Every judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation.

**(2016):** Every judge is charged each year with a specific number of cases to carry out, stipulated by an internal Regulation.

## Hungary

**(General Comment):** Since 1999, there is a national regulation adopted by the central administration body of the courts that regulates – among other things – how many trial days should a judge have per year.

Every court has an internal regulation for judges, defining how many hearings shall they have at a trial day and how many cases shall they hear at a monthly basis. This regulation is adopted by the president of the court, taking into consideration the opinion of the judicial council. The president of the NOJ has to give his/her consent for the regulation.

## Italy

**(General Comment):** Law n.71 of 17 June 2022 has recently modified article 2 of Legislative Decree n.109, 23 February 2006, regarding disciplinary responsibility of professional magistrates. The amendment has introduced specific disciplinary offences regarding the conduct of the magistrate who does not cooperate in reaching the goals laid in the 'Program for the management of civil and criminal proceedings' (in Italian 'Programma di Gestione'), which is disciplined by art37 of Decree-Law II. 98 of 6 of July 2011 and regularly approved by each Court.

**(2020):** Quantitative performance targets are set in terms of length and timeframe of proceedings. Judges who fail to meet certain requirements may face disciplinary proceedings.

**(2018):** Quantitative performance targets are set in terms of length and timeframe of proceedings. Judges who fail to meet certain requirements may face disciplinary proceedings.

**(2016):** Quantitative performance targets are set in terms of length and timeframe of proceedings. Judges who fail to meet certain requirements may face disciplinary proceedings.

## Malta

**(General Comment):** The administration of the case load is left in the hands of the individual judge and magistrate together with the Chief Justice who assigns the particular duties to each judge and magistrate.

**(2016):** The administration of the case load is left in the hands of the individual judge/ magistrate together with the Chief Justice who assigns the particular duties to each judge and magistrate.

## Netherlands

**(2016):** There is a planning and control cycle (3 times per year) which involves financial/accounting evaluation but also visits ('bestuurlijke overleggen'), there is once per year an accountant check of the annual report (per court and for total of 19 district courts, 5 general appeal courts and 2 specialised courts (Trade and Industry Tribunal (Cbb) and Central Appeals Tribunal (CRvB)), and once every 4 years there is a round of visitations.

## Poland

**(General Comment):** In general there are not any quantitative performance targets defined for each judge but for certain cases the law imposes timeframe for performing specific action or handling specific matters. President of the court sets the performance target with using statistically calculated indicators of average performance that court and individual judge is expected to achieve.

## Portugal

**(General Comment):** Taking into account the results obtained in the previous year and the strategic objectives formulated for the following year, the president of the court and the coordinating prosecutor, after hearing the judicial administrator, articulate, for the following year, proposals for objectives of a procedural nature (management or administrative) for the district and for the courts of extended territorial jurisdiction, as well as for the Public Prosecution Offices located there, which have to be ratified respectively by the Judicial High Council and the Attorney General's Office.

The procedural objectives of the district shall refer, in particular, to the number of completed cases and the time of their duration, taking into account, among other factors, the nature of the process or the value of the case, considering the human resources and the means related to the functioning of the district and based, namely, on the established procedural reference values.

The procedural objectives of the district may not impose, limit or condition the decisions to be rendered in specific cases, either on the merits of the matter, or on the option for the procedural form understood as more appropriate.

The procedural objectives of the district must be reflected in the objectives established annually for judicial officers and be considered in the respective assessment.

The procedural objectives of the district must be considered in the evaluation criteria of the magistrates, defined by the respective Councils.

## Slovenia

**(General Comment):** Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

**(2018):** Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

**(2016):** Since 2016, the Criteria on the work abilities does not include standards for the minimal expected number of solved cases (however the number of resolved cases is still monitored).

## Spain

**(General Comment):** In accordance with the Agreement of November 29, 2018, of the Plenary of the General Council of the Judiciary, which approves Regulation 2/2018, on the remuneration regime of the Judicial and Prosecution Careers, in relation to variable remuneration for objectives, it corresponds to the Plenary of the Council of the Judiciary to approve the system for the determination of the performance objectives of each destination of the Judicial Career

## Question 083-1

### Austria

**(General Comment):** No specific targets are formulated in respect of judges.

**(2016):** Answer counts only for the administrative courts.

For the other courts, no performance targets, which are seen as a conflict with the independence of courts.

### Croatia

**(General Comment):** According to the Courts Act, the Minister of Justice, upon the proposal of the General Session of the Supreme Court of the Republic of Croatia, adopts the Framework criteria for the workload of judges.

## Denmark

**(General Comment):** Judges are independent. Therefore measuring is done focusing on case-flows and economic indicators.

**(2018):** NA as per answer 083.

## Finland

**(General Comment):** The National Courts Administration negotiates annually with each court in order to set targets and objectives for the court for the next year. An allocation of permanent staff and possible additional temporary judges or other staff is decided upon these negotiations but within the state budget. Timeframe (length of proceedings) targets are also set. Possible issues and problems with developing the activities of the court are also discussed. Finally, the appropriation to cover the annual costs of the court operations is agreed. A minutes of the negotiation is written and it includes the targets, objectives and estimated workloads for the court for the next year. The chief justices of the courts can then apply this results-based management system in their respective courts as they see appropriate.

## France

**(General Comment):** For administrative jurisdictions, there are individual quantitative objectives. This is not the case for judicial jurisdictions, where the indicators target functions (non-specialised chambers, investigation, juvenile cases, public prosecution) and court clerks. Thus, a set of objectives and indicators are detailed at national level in the annual documents presented to Parliament (Annual Performance Plan and Annual Performance Report), including a number of indicators measuring the 'efficiency' of civil servants and magistrates with an average performance level to achieve (targets). These ratios are very general.

## Germany

**(2020):** There are no quantitative performance targets for each judge

## Hungary

**(General Comment):** The courts' organizational and operational rules provide for the number of hearing days a judge should have in a month and the number of cases a judge should monthly hear. These rules are issued by the president of the court after the judicial council expressed an opinion on them. The judicial council is a self-governing organ of the courts, consisting of judges who are elected by their peers. The rules are approved by the president of the National Office for the Judiciary.

## Ireland

**(2018):** NAP

**(2016):** NAP

## Latvia

**(General Comment):** According to the Law on Judicial Power, when adjudicating, judges are independent and are subject only to the law. Therefore, judges set targets by themselves. However, the President of the court monitors the workload of the judges in the court as a whole, assigning cases to another judge if necessary.

## Luxembourg

**(2018):** NAP

**Malta**

**(2018):** NA

**Netherlands**

**(2018):** NAP

**(2016):** The planning and control cycle is done by The Council for the Judiciary, on a court level (not at individual judge level). Targets for each individual judge are not imposed by The Council for the Judiciary.

**Poland**

**(General Comment):** .

**(2016):** For certain cases the law imposes timeframe for performing specific action or handling specific matters. President of court sets the performance target with using statistically calculated indicators of average performance that court and individual judge is expected to achieve.

**Romania**

**(2016):** There are no formal standards for quality established for the whole Judiciary. However, informal standards are being used (such as training, quality of the reasoning, assessment of the activity of the judges, assessment of the good reputation of the judges etc.)

**Slovenia**

**(General Comment):** See Q114.

**Question 083-1-1****Croatia**

**(2022):** According to the Courts Act (Official Gazette No. 28/13, 33/15, 82/15, 67/18, 126/19, 130/20, 21/22, 60/22) the president of the court in which the judge performs judicial duty determines by decision for the previous calendar year whether the judge has fulfilled his duties as a judge according to the prescribed criteria. If the president of the court determines that the judge, without justifiable reason, did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period or that he performed his judicial duties improperly, he is obliged to initiate disciplinary proceedings against such a judge, in accordance with the State Judicial Council Act. Disciplinary proceedings against the president of the court are initiated by the president of the immediately higher court. According to the State Judicial Council Act (Official Gazette No. 116/10, 57/11, 130/11, 13/13, 28/13, 82/15, 67/18, 126/19, 80/22) disciplinary penalties may be imposed for committed disciplinary offences: rebuke, a fine of up to one third of the salary earned in the previous month in a period of one to three months, a fine of up to one third of the salary earned in the previous month in a period of four to six months, a fine of up to one third of the salary earned in the previous month in a period of seven to twelve months or dismissal from duty. If the president of the court determines that, due to justified reasons, the judge did not make the number of decisions determined by the Framework Criteria for the work of judges in a one-year period, he is obliged to state in the explanation of the decision what justified reasons are in question and submit the decision immediately to the president of the higher court. Against the decision of the president of the court, which determines whether the judge has fulfilled his duties as a judge, the judge can submit an objection to the president of the court within three days of receiving the decision. The president of the court is obliged to decide on the objection within eight days. The president of the court can reject the complaint or accept it and make a new decision. If the objection is rejected, the judge has the right to appeal to the president of the immediately higher court within eight days from the delivery of the decision on the objection. The president of the immediately higher court can make a decision confirming the decision of the president of the court or accept the appeal and make a new decision. Against this decision, the judge has no right to declare legal remedies.

## Finland

**(General Comment):** See general comments to Q 83-1

## Italy

**(2022):** Disciplinary sanction as provided by the Legislative Decree no 109 of 23rd February 2006, regarding disciplinary responsibility of professional magistrates.

## Question 083-2

## Denmark

**(General Comment):** There is a productivity target for the prosecution as a whole, but not for each public prosecutor.

## France

**(2021):** source DSJ

## Germany

**(2022):** Out of 15 respondent federal states, 14 reported that there are no quantitative performance targets for public prosecutors. One federal state has not yet replied.

**(2021):** The vast majority of the Länder selected "no", 2 of the Länder answered "yes".

## Greece

**(2022):** There is, however, as far as possible an equal distribution of cases between them by the Head of the Service (Prosecution Service) and the obligation of the public prosecutor to process the cases assigned to him in the time frames provided for each case.

### **Hungary**

**(2022):** Quantitative performance targets have not yet been set. The public prosecution services were in the process of installing a new specialized IT system (IIDR), which was originally planned to affect internal prosecution statistics too. However, it has not been introduced. The planned system is currently under revision, so it is not possible to provide information on how and when it will be introduced and whether quantitative performance targets will be set.

**(2021):** For the time being, no performance targets are in place, but the development of such targets is in progress.

### **Ireland**

**(2022):** Allocation of files happens in some divisions but not all, and not all prosecutors are assigned a specific number of files per week. Additionally, targets can be influenced by external factors such as: the number of investigation files received, or the availability of court dates in order to process cases. The main reason why prosecutors are not assigned a set number of files is because the size and complexity of files can vary significantly.

**(2021):** Prosecutors in our directing division are allocated a specific number of files per week. Decisions must be issued within a designated time frame and this is monitored by our case management system

**(2018):** Work is demand led by number of files submitted by external investigating agencies

### **Italy**

**(General Comment):** Law n.71 of 17 June 2022 has recently modified article 2 of Legislative Decree n.109, 23 February 2006, regarding disciplinary responsibility of professional magistrates. The amendment has introduced specific disciplinary offences regarding the conduct of the magistrate who does not cooperate in reaching the goals laid in the 'Program for the management of civil and criminal proceedings' (in Italian 'Programma di Gestione'), which is disciplined by art37 of Decree-Law II. 98 of 6 of July 2011 and regularly approved by each Court.

### **Latvia**

**(General Comment):** The prosecutor provides a monthly report on the statistical indicators of his or her work. In addition, the statistical indicators of the individual work of the public prosecutor (statistical indicators for the monitoring of the investigation, prosecution, maintenance of the State prosecution and other functions of the public prosecutor) are also analysed during the process of assessing the professional activities of prosecutors (not less than once every five years).

### **Lithuania**

**(2018):** The quantitative performance targets are defined for the Prosecutor General's Office and 5 regional Prosecutor's Offices, but not for individual public prosecutors.

### **Luxembourg**

**(2018):** NAP

### **Netherlands**

**(General Comment):** There is no national policy on targets for every prosecutor. An office could choose to set targets for their prosecutors (see next question), but these may vary across offices.

**(2020):** There is no national policy on targets for every prosecutor. An office (parket) could choose to set targets for their prosecutors (see next question), but this may vary across offices.

## Portugal

**(General Comment):** Yes for some District Prosecution's Office and No at a national level. At national level, only reference values are fixed for the purpose of placing prosecutors. Also at a national level, the fact that a prosecutor has finished more proceedings than those that he/she started is a general criterion of evaluation and compliance with general objectives, in the qualitative individual assessment of the public prosecutors' work.

## Slovenia

**(General Comment):** .

## Question 083-3

## Austria

**(2018):** There are no specific targets given to public prosecutors.

## Belgium

**(2021):** To underline the consistency between Q 83-2 and Q 83-3: these are not quantitative targets.

## Croatia

**(2022):** According to the State Attorney Office Act (Official Gazette No. 67/18, 21/22) , the Minister in charge for Justice, with the prior opinion of Prosecutor General, adopts the Framework criteria for the work of public prosecutors (Deputy State Attorneys).

**(2020):** According to the State Attorney Office Act (Official Gazette No. 67/18) , the Minister in charge for Justice, upon the proposal of Prosecutor General, adopts the Framework criteria for the work of public prosecutors (Deputy State Attorneys).

**(2018):** According to the State Attorney's Act, the Minister of Justice, upon the proposal of Prosecutor General, adopts the Framework criteria for the work of public prosecutors.

## Germany

**(2021):** There are no quantitative performance targets for each public prosecutor. The 2 Länder that have quantitative performance targets answered, that the prosecutor General is responsible for setting these targets.

**(2020):** There are no quantitative performance targets for each public prosecutor

## Greece

**(2022):** The answer chosen is in accordance with the answers of the majority of the prosecutors' offices.

## Ireland

**(2022):** Unit Heads assign a number of files to each Prosecutor depending on ability or grade. This might not mean that “targets” are set. The targets for the Office are ultimately greatly impacted by external factors like the amount of investigation files that are submitted to the office, the availability of court dates to process cases and the fact that the size and complexity of files varies. A Prosecutor’s ability to progress their caseload is very much impacted by these factors so within this Office we don’t usually reference “targets”.

#### **Lithuania**

**(2018):** The quantitative performance targets are defined for the Prosecutor’s Offices, but not for individual public prosecutors.

#### **Luxembourg**

**(2018):** NAP

#### **Malta**

**(2018):** NA

#### **Netherlands**

**(General Comment):** There is no national policy on targets for every prosecutor. An office could choose to set targets for their prosecutors (see next question), but these may vary across offices.

#### **Poland**

**(2022):** If one were to consider that this question, is linked to question 83-2 on quantitative objectives, then the answer is NAP. Which is not to say that the efficiency of a prosecutor is not subject to any assessment by superiors. Indeed, it is the task of prosecutors exercising a managerial function to ensure the proper and efficient performance of official tasks in the units and organisational units entrusted to them, in particular to ensure the efficiency of the proceedings conducted by the prosecutors subordinate to them. Executives are therefore obliged to have knowledge of, inter alia, the number of proceedings conducted by their subordinate prosecutors, the number of proceedings completed by them, the number of protracted proceedings and to react to cases of, for example, protracted proceedings.

**(2020):** Individual goals are set by prosecutors themselves in a way that enables them to carry out their duties effectively

#### **Portugal**

**(2020):** The local hierarchically superior public prosecutor can set individual targets for each public prosecutor. The High Council of the Public Prosecution Service only sets reference values for the purpose of placing prosecutors and establishing how many prosecutors are needed for a particular Public Prosecution Office.

#### **Slovak Republic**

**(2022):** Prosecutors do not have quantitative performance targets within a certain period, but at the same time they have responsibility for their work, and therefore the hierarchically superior public prosecutor is responsible for observing the duties and goals of each prosecutor.

#### **Slovenia**

**(General Comment):** .

## Spain

**(General Comment):** In accordance with Royal Decree 432/2004, of March 12, which regulates the variable complement by objectives of the members of the Prosecution service, the State Attorney General, at the proposal of the Prosecution Inspection, after hearing the Prosecutor Council and prior the report from the Ministry of Justice, will determine for each annual period the objectives whose fulfillment will lead to the perception of the variable remuneration.

## Question 083-3-1

### Bulgaria

**(2022):** But there is a quantitative evaluation of the work of a prosecutor which reflects in the individual assessment` - please see Q 120

### Croatia

**(2022):** According to the State Attorney Council Act (Official Gazette No. 67/18, 126/19, 80/22) if the number of resolved cases and actions taken in a one-year period is, without justifiable reason, less than 80% of the average of the state attorney's office in which he holds office, Deputy state attorney is disciplinary liable for disciplinary offence of irregular performance of duty.

### Greece

**(2022):** NAP:No targets are set

### Italy

**(2022):** Disciplinary sanction as provided by the Legislative Decree no 109 of 23rd February 2006, regarding disciplinary responsibility of professional magistrates.

## Question 120

### Austria

**(General Comment):** In the Austrian judicial system we have diverse and multifaceted statistic products, which are an important basis for the management of justice. The statistics are regularly compiled by the Federal Computing Center and serve to control the deployment of personnel, but also for the supervision that is necessarily linked to the parties' right to a fair trial.

The work of the public prosecutors is continuously and systematically reviewed on a quantitative level (i.e. number of completed cases, duration of proceedings). In this way, major deviations from the average can be identified. If a public prosecutor shows too many delays in proceedings or excessively long proceedings, this can lead to disciplinary proceedings or even a reduction in their job description. The assessment is carried out by the heads of the senior public prosecutors' offices. There is no systematic qualitative assessment of the work of the public prosecutors.

### Bulgaria

**(General Comment):** Supreme Judicial Council: Criteria on which the assessment is based: the criteria are general (relevant to the activity of each judge, prosecutor, and investigator); specific (relevant only to the position held – judge, prosecutor, or investigator), and additional (relevant only to administrative heads and their deputies).

Authority competent to carry out the assessment: the assessment is accepted by the Prosecutor's College of the Supreme Judicial Council.

Purposes for which the evaluation results are used: when participating in a competition for promotion or transfer in position; when participating in a procedure for the selection of an administrative head; for appointment to the position of deputy of the administrative head; on promotion to a higher rank; on secondment; for participation in the composition of a Permanent Appraisals Commission to the Appellate Prosecutor's Offices; participation in a competition committee.

Prosecutor's Office of RB: Such a system exists. According to Art. 196 of the Judicial System Act the evaluation is carried out in advance, in order to acquire irreplaceability, periodic and extraordinary attestation of the magistrates, and the criteria for the same are defined in Art. 198 of the Judicial System Act: legal knowledge and skills; ability to analyze legally relevant facts; ability to optimally organize work; expediency and discipline; compliance with the rules of ethical conduct. Attestation also takes into account the following indicators: compliance with deadlines; number of confirmed and canceled acts and the reasons for this; the results of the inspections of the Inspectorate at the Supreme Judicial Council; the overall workload of the relevant judicial authority, as well as the workload of the assessed judge, prosecutor or investigator compared to other judges, prosecutors or investigators from the same judicial authority.

## **Croatia**

**(2022):** According to the State Attorney Office Act (Official Gazette, No. 67/18, 21/22), State Attorneys' and Deputy State Attorneys' performance is evaluated every three years according to the following criteria: achieved results in resolving cases (based on the number of cases assigned to work on the basis of the Framework Criteria for the Work of Deputy State Attorneys and the average work results of county or municipal state attorney's offices for the previous three-year period), the quality of decisions and the justified use of legal remedies, proper performance of the state attorney's duty - observance of deadlines during the procedure, other activities of the State Attorney and the Deputy State Attorney, experience in performing the duty of state attorney and compliance of conduct with the Code of Ethics of State Attorneys and Deputy State Attorneys. The Framework criteria are adopted by the Minister in charge of judicial affairs, with the prior opinion of the Chief State Attorney of the Republic of Croatia.

## **Czech Republic**

**(2022):** The Head of Public Prosecutor's Office monitors e.g. the number of appeals, the number of returnig cases etc.

## **Denmark**

**(2020):** Public prosecutors go through intensive education for the first three years of them being recruited and this evaluation is structured centrally with HR at the Attorney Generals office. During that period they are individually being assessed through exams and through working with mentors. Thus they are continuously being assessed both centrally through exams as well as locally through the daily work that the mentor sees. Later in the career the assessment is not structured in such a way but all through their career the prosecutors are evaluated through their daily work and how they perform in court.

## **France**

**(2022):** The assessment of the public prosecutor's magistrate provided for by statutory order No. 58-1270 of 22 December 1958 aims to determine the professional value of the magistrate. It must reflect his legal and technical professional skills, his level of commitment, assess his abilities to exercise a specific function and identify training needs within his career path. The assessment is established by the Attorney General near the Court of Appeal or Prosecutor near the Superior Court of Appeal for magistrates from their jurisdiction. Considered as a moment for exchange, this evaluation should highlight both the skills that were mobilized by the magistrate and areas where improvement could be made. It contributes to better situate his activity within service organization and operation while specifying missions related to its functions highlighting its professional potential.

For magistrates, evaluation offers a privileged opportunity to take stock of their activities, consider developments in their professional practice and regularly position themselves relative to their career goals.

For evaluators it should enable them detect each individual's potential so as contribute towards efficient human resource management.

**(2021):** source DSJ

### **Germany**

**(2022):** Out of 15 respondent federal states, 12 reported that there is a quantitative evaluation of the public prosecutors' work and 12 reported that there is a qualitative evaluation (one federal state has not yet replied).

The assessment is generally carried out by the direct superior and is based on different criteria such as specialised knowledge, expression, cooperation, leadership skills, negotiating skills, etc. The results are mostly used for decisions about promotions.

**(2021):** The vast majority of the Länder answered "yes", 3 answered "no".

### **Greece**

**(2022):** The question was answered by the prosecutor's office of the Supreme Court.

### **Hungary**

**(2022):** The person exercising the employer's rights assesses a prosecutor's work every eight years. The purpose of assessment based on the examination of case files is to assess the quality of the prosecutor's professional activities, to evaluate his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. In accordance with Section 50 (1) of the Prosecution Employment Status Act, prosecutors, with the exception of the Prosecutor General and the Deputy Prosecutor General, shall be assessed before the expiry of the fixed term of the first prosecution appointment, while in the case of a first appointment for an indefinite term, before the expiry of a period of three years following the appointment, and thereafter every eight years, provided that they worked under the supervision of the assessor or his/her deputy for minimum one year during the assessment period. Prosecutors do not need to be assessed during the six years preceding the completion of the applicable old-age pension age. In addition to cases mentioned above, a prosecutor shall also be assessed if requested by the prosecutor, provided that two years have elapsed since the previous assessment, circumstances have emerged that indicate the prosecutor's professional ineligibility or the necessity to alter the evaluation of the previous assessment. The purpose of assessment is to assess the quality of the prosecutor's professional activities, to evaluate his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. The assessment may only feature duly supported, factual findings.

In the event of an ineligible grade, upon the disclosure of the result of the assessment, the prosecutor shall be called upon to resign his/her office within thirty days. If despite the call the prosecutor does not resign his/her office, his/her prosecution service employment shall be terminated by exempting him/her from office. In accordance with Sections 13/A-13/F of Instruction 4/2012. (I. 6.) of the Prosecutor General on specific questions regarding the status of employees of the Prosecution Service, a case file examination shall be carried out as a basis for the assessment which is due to follow with regard to the prosecutor appointed to a prosecution office subordinated to the Office of the Prosecutor General prior to the time when the assessment is due. Such a case file examination shall not be carried out for senior head prosecutors. Case file examinations shall discover the examined prosecutor's practice regarding the application of substantive and procedural law during at least a one-year period prior to the case file examination, or since the prosecutor's latest assessment – or in absence of an assessment – since the time of his/her appointment at the most. The case file examination and its evaluation shall be done by a prosecutor (hereinafter: examiner prosecutor) who works at the prosecution office directly superior to the prosecution office where the examined prosecutor is appointed to and who works in the same field of prosecutorial activity or expertise as the examined prosecutor. The examiner prosecutor shall be designated by the directly superior prosecution office or at the Office of the Prosecutor General by the head of the organizational unit in the prosecution service that is competent in view of the examined prosecutor's duties.

## Ireland

**(2022):** A Prosecutor's performance is individually assessed through PMDS (Performance Management and Development System). PMDS assesses how a jobholder's work performance, career and development needs are managed. It links the management of individual performance to the objectives of the Office, as set out in the Strategy of Statement and Business Plan. PMDS seeks to strike a balance between the needs of the organisation and the development needs of those who work in it. It recognises the need for continual change and improvement and for the involvement of staff in bringing this about. Individual prosecutors are responsible for carrying out their own goal setting and assessment. The PMDS form is then reviewed and assessed by the prosecutor's manager.

## Italy

**(General Comment):** The assessment procedure applies to both judges and public prosecutors. Every four years, the High Council for the Judiciary (CSM) conducts a professional appraisal based on the professional skills of judges/prosecutors. The professional status of both judges and prosecutors is organized into 7 different levels. Several criteria are taken into consideration: independence, impartiality, balance, professional capacity, work capacity, diligence and commitment. The assessment is based on a number of acts and documents that describe all the professional aspects of the magistrate to be evaluated. The most significant are:

- "self report" where the magistrate illustrates all the elements that he/she believes are necessary or useful to be considered for the purpose of his/her appraisal;
- a random sample of acts and documents produced by the magistrate during the evaluation period;
- an "informative report" prepared by a superior of the magistrate;
- the statistics concerning activity of the magistrate: the number of provisions drafted, the processing times of the proceedings, the time for filing the documents (even in comparison with the other magistrates of the office);
- work related publications, if any;
- reports from the lawyers' council, if any.

## Latvia

**(General Comment):** Evaluation is carried out by the Attestation Commission of Prosecutors. During the evaluation of a public prosecutor the following indicators of the quality of performance of the functions are assessed: supervision, criminal prosecution, maintenance of state prosecution in court, as well as the protection of state and individual rights. An assessment of professional competences is also carried out. The results are generally used to evaluate professional performance and suitability for the position. In the case of a negative opinion, the Commission can determine specific tasks that must be performed to eliminate the deficiencies found in prosecutor's professional activity or to improve his/her professional activity.

## Lithuania

**(2022):** The service, qualifications of the prosecutors and their suitability for the position are assessed by the Prosecutors' Assessment Commission.

The Commission is composed of seven members (four prosecutors and three persons (non-prosecutors) of impeccable reputation, nominated by the President of the Republic, the Speaker of the Seimas, and the Prime Minister) for a period of three years.

The Commission assesses data on the procedural and non-procedural performance and professional qualities of the prosecutor, and, in the case of the evaluation of the chief prosecutor (or deputy), also on the administrative performance.

## Netherlands

**(General Comment):** The public prosecution has a team Judicial Quality at the General Office that studies the quality of the criminal proceedings of the public prosecution. As part of these studies and assessments, a pool of prosecutors has been compiled, and they study the work of other public prosecutors. This is an assessment of an office, not of individual prosecutors. The results of these studies are used for quality enhancement trajectories. The studies are repeated periodically.

**(2020):** The public prosecution has a team Judicial Quality at the General Office (Parket Generaal) that studies the quality of the criminal proceedings of the public prosecution. As part of these studies and assessments, a pool of prosecutors has been compiled, and they study the work of other public prosecutors. The results of these studies are used for quality enhancement trajectories. The studies are repeated periodically.

## Portugal

**(General Comment):** The prosecutors are evaluated periodically in time lapses between 3 to 5 years. The evaluation is held by the Prosecutors Superior High Council and it evaluates the quality of the work held by all prosecutors. A higher ranked prosecutor does the evaluation and produces a report that is sanctioned by the Prosecutors Superior High Council.

## Romania

**(2022):** According to Article 87 of Law No 303/2022 -The individual professional evaluation of judges and prosecutors involves analysing and noting of the criteria and indicators for assessing the professional performance of judges and prosecutors, indicators which concern, in particular, the quality of the activity, the efficiency, the integrity and the obligation to continue vocational training, and in the case of judges and prosecutors appointed to senior positions, the manner of carrying out the managerial duties. (2) Professional evaluation of judges and prosecutors aims to establish the level of their professional competence and also to improve professional performance, increase the efficiency of the activity of courts and prosecutor's offices and public trust in judicial authority, maintain and consolidate the of the quality of the judicial system

## Slovenia

**(General Comment):** On the proposal of the State Prosecutor General, State Prosecutorial Council adopts Criteria for the assessment of state prosecutors' performance. They define quality and quantity indicators. The quantitative criteria define expected time for the resolution of cases and for typical procedural acts. The performance of the evaluated prosecutor is compared to other prosecutors at his/her office concerning the number of assigned, resolved and unresolved cases, number of attendances at the court hearings, conviction rate, pronounced sanctions and number of logged appeals. Head of state prosecutor's office as competent authority for the matters of state prosecution administration can alert the public prosecutor to his duty to meet the targets.

Regular individual assessment of the public prosecutors' work is carried out every three years. The assessment can also be carried out on demand of the State Prosecutorial Council, head of prosecutor's office, Minister or the prosecutor himself. In first three years after the appointment for the state prosecutor the assessment is carried out every single year.

## Spain

**(2021): SOURCES:** Royal Decree 432/2004, of March 12, which regulates the variable complement by objectives of the members of the Prosecution service.

Agreement of November 29, 2018, of the Plenary of the General Council of the Judiciary, by which Regulation 2/2018 is approved, regulating the remuneration regime Judicial career

## Question 120-1

## Bulgaria

**(General Comment):** Quantitative evaluation of the work of the prosecutors is carried out by applying the Rules for measuring the workload of the prosecutor's offices and the individual workload of each prosecutor and investigator, adopted by the Prosecution College/collegium of the SJC. It is possible to display the data according to the indicators provided for in the Rules in real time, both for the prosecutor's office as a whole, as well as for individual prosecutor's offices and for each specific prosecutor.

Quantitative data on the workload are taken into account in the appraisal procedure of a specific prosecutor, in the course of which an assessment of his work is carried out, both in terms of quantitative indicators and also regarding the quality of the performed activity according to the results achieved.

Prosecutors are assessed in accordance with Ordinance No. 3 of February 23, 2017 of the Supreme Judicial Council on the indicators and Methodology for Assessment and the Criteria for Reporting the Workload Degree of Prosecutors and Investigators and of Administrative Heads and Their Deputies (promulgated SG No. 21 /10.03.2017).

Attestation is carried out:

1. in advance - for a three-year period from the appointment to the position of prosecutor or investigator - when participating in a competition or when being offered a promotion;
2. to acquire irreplaceability - upon completion of 5 years of experience as a prosecutor or investigator;
3. periodically - for a 5-year period from the attestation of irreplaceability of a prosecutor and investigator, of an administrative head and of a deputy administrative head;
4. extraordinary - in the cases under Art. 197, para. 5 of the Judicial System Act.

Junior prosecutors and junior investigators are not assessed in advance, and a report on their work is prepared by the mentor in the second year of their appointment.

## Cyprus

**(2021):** the assessment is carried out by the AG the Deputy AG and the head of Department as part of their annual evaluation

## Czech Republic

**(2018):** The individual assessment of the public prosecutors' work take place at least once every two years.

## Denmark

**(2021):** More frequent during the first three years of their career. Less frequent after that.

**(2020):** See response to 120: More frequent during the first three years of their career. Less frequent after that.

## France

**(General Comment):** Article 12-1 of the Decree of 22 December 1958 establishes the principle of evaluating the professional activity of each magistrate every two years. An assessment must also be conducted when applying for promotion.

**(2022):** Article 12-1 of the ordinance of December 22, 1958 establishes the principle of evaluating the professional activity of each magistrate every two years. An evaluation must also be conducted when applying for advancement on the promotion list.

**(2021):** source DSJ

## Greece

**(2022):** The question was answered by the prosecutor's office of the Supreme Court.

## Hungary

**(2021):** Under Section 50 (1) of Act on Prosecutors, prosecutors shall be assessed on a regular basis, with the exception of the Prosecutor General and the Deputy Prosecutors General.

In case of the first appointment, which is for a definite term, the prosecutor shall be assessed by the end of that term. In case of appointment to prosecutor for an indefinite term, the prosecutor shall be assessed within 3 years following the appointment; then the assessment shall be carried out every 8 years.

Prosecutors do not need to be assessed within the period of six years before reaching retirement age.

Besides the above, prosecutors shall be assessed if they request so, provided that at least 2 years have elapsed since the last assessment, or in the occurrence of any circumstance which suggests professional inadequacy, or which necessitates the amendment of the results of the last assessment. The assessment procedure involves examination of case files, as set out in Sections 13A to 13F of the Prosecutor General's Order No. 4/2012.

**(2018):** The evaluation system is defined by Articles 50-52 of the Act on the Legal Status of Prosecutors. The purpose is to assess the quality of the prosecutor's activities, his/her skills, abilities and character traits with an impact thereon and to facilitate professional development. Prosecutors, with the exception of the Prosecutor General and the Deputy Prosecutor General, are assessed before the expiry of the fixed term of the first appointment, while in the case of a first appointment for an indefinite term, before the expiry of a period of 3 years following the appointment, and thereafter every 8 years. Prosecutors need not be assessed during the 6 years preceding the completion of the applicable old-age pension age. A prosecutor shall also be assessed if: requested by the prosecutor; circumstances have emerged that indicate the prosecutor's professional ineligibility or the necessity to alter the evaluation of the previous assessment; in the extraordinary proceeding to be completed without delay, s/he fails to meet the deadline extended by the superior prosecutor. The assessment is the duty of the person exercising the employer's rights. The official work of prosecutors assigned to the Ministry is evaluated by the Minister responsible for justice in accordance with the rules applicable to government officials. As a result, prosecutors may be awarded the following grades: excellent, suitable for promotion; excellent and fully eligible; eligible; eligible, subsequent assessment required; ineligible. In the event of an ineligible grade, the prosecutor shall be called upon to resign his/her office within thirty days. If the prosecutor is awarded a grade "eligible, subsequent assessment required", the person exercising the employer's rights identifies the deficiencies and irregularities and states the main criteria of the desired changes which shall be reviewed prior to the next assessment (within 2 years). A prosecutor shall be awarded an ineligible grade upon the next assessment if he/she fails to obtain an eligible grade. S/he may request a court of law to quash any erroneous or untrue finding.

## Ireland

**(2021):** Performance Management System

**(2018):** Prosecutors working in-house are required to participate in Public service wide Performance Management and Development System (PMDS).

## Italy

**(2022):** Every four years

## Latvia

**(General Comment):** The assessment of the professional activities of prosecutors have been commenced and is operational from 1 January 2014, within which the professional activities of prosecutors are assessed on a regular basis (not less than once every five years).

**(2020):** Not less than once every five years

## Lithuania

**(General Comment):** According to Article 33 of the Law on Prosecution Service, evaluation of prosecutor's individual performance, qualification and suitability is carried out by the Attestation Commission. Performance of a prosecutor who has received a positive evaluation after his/her internship, is thereafter evaluated every five years during the regular evaluation of the service. The extraordinary evaluation can be carried out by decision of the Prosecutor General: at the request of the public prosecutor him/herself, if at least half a year has passed since his/her last evaluation; in the case the prosecutor is applying for a higher position, or to the same or an equivalent post after the expiry of the term of appointment; if three years have passed since the last evaluation of his/her service; if the prosecutor's performance has repeatedly been deficient, giving rise to reasonable doubts as to his/her suitability for the position in question.

**(2022):** The Commission carries out regular and extraordinary assessments of the service.

Regular service assessments are carried out:

1. at the end of the prosecutor's traineeship;
2. every five years.

An extraordinary service assessment may be carried out:

1. at the reasoned request of the prosecutor, if at least half a year has elapsed since the last assessment;
2. when, at the end of his/her term of office, the prosecutor seeks appointment to a higher, the same or an equivalent post, provided that three years have elapsed since the last service assessment;
3. in cases where it is established that the prosecutor's performance has repeatedly been deficient, giving rise to reasonable doubts as to his suitability for the post in question.

## Malta

**(2022):** It is up to the discretion of the Attorney General to carry out such evaluation but it has be carried out at least once annually.

**(2021):** The work of public prosecutors is constantly monitored by the Deputy AG and the AG herself. The monitoring is not scheduled at specific annual intervals but it is ingrained in the daily work processes in the Office.

**(2020):** The work of public prosecutors is constantly monitored by the Deputy AG and the AG herself. The monitoring is not scheduled at specific annual intervals but it is ingrained in the daily work processes in the Office.

**(2018):** Thework of public prosecutors is constantly monitored by the Deputy Attorney General (in charge of the criminal field) and the Attorney General. The monitoring is not scheduled at specific annual intervals, but is ongoing and ingrained in the daily work processes of the Office.

## Netherlands

**(General Comment):** A regular cycle of individual assessments exists, based on certain competencies a public prosecutor should possess. The extent to which the public prosecutor possesses these competencies is assessed in performance and assessment reviews. Furthermore, each prosecutor has to obtain a certificate implying they are 'fit for trial', that they have the necessary skills to represent the public prosecution at trial.

## Romania

**(2022):** Legislation on the statute of judges and prosecutors was replaced by Law no. 303/2022

**(2020):** According to the provisions of art. 39 of the Law no. 303/2004, amended and republished in 2018, judges and prosecutors are being periodically evaluated under the observance of the professional and performance criteria. The evaluation shall envisage the quality of their activity, efficiency, integrity as well as the fulfillment of the obligation to take part in in-service professional training and on managerial activity for those judges and prosecutors in leadership positions. The periodical evaluation shall be first carried out by the end of the first 2 years of activity after the entering in profession and shall be continued every 3/4/5 years depending on the seniority in profession (5-10 years, 10-15 years, over 15 years of seniority).

**(2018):** similar to judges, see Q114, 114.1 and the additional comments

## Slovenia

**(General Comment):** Regular individual assessment of the public prosecutors' work is carried out every three years. The assessment can also be carried out on demand of the State Prosecutorial Council, head of prosecutor's office, Minister or the prosecutor himself. In first three years after the appointment for the state prosecutor the assessment is carried out every single year.

**(2018):** Every three years

# **Indicator 2: The judicial organisation**

Table 2.1a Number of courts in 2022 (general jurisdiction and specialised courts as legal entities and number of all courts as geographic locations) (Q42, Q43 and Q44)

States	Number of courts - Legal entities								Number of courts - Geographic locations	
	Total (1+2)	General jurisdiction				Specialised courts			All courts	1st instance
		Total (1)	1st instance	2nd instance	3rd instance	Total (2)	1st instance	Higher instance		
Austria	152	133	128	4	1	19	18	1	164	158
Belgium	230	207	201	5	1	23	23	1	225	218
Bulgaria	180	147	113	33	1	33	31	2	181	145
Croatia	67	51	33	17	1	16	14	2	143	120
Cyprus	31	12	11	NAP	1	19	19	NAP	31	30
Czech Republic	98	97	86	10	1	1	NAP	1	107	89
Denmark	29	27	24	2	1	2	2	NAP	29	26
Estonia	9	7	4	2	1	2	2	NAP	20	17
Finland	36	26	20	5	1	10	9	1	52	45
France	1 063	206	168	37	1	857	847	10	781	737
Germany	1 075	778	753	24	1	297	245	52	1 075	998
Greece	NA	279	259	19	1	NA	NA	NA	320	289
Hungary	140	140	114	25	1	0	NAP	NAP	140	114
Ireland	8	6	3	2	1	2	2	NAP	156	153
Italy	811	552	525	26	1	259	236	23	844	773
Latvia	16	13	7	5	1	3	2	1	52	42
Lithuania	22	19	12	6	1	3	2	1	62	59
Luxembourg	13	7	5	1	1	6	3	3	8	3
Malta	16	8	4	4	NAP	8	7	1	4	2
Netherlands	19	16	11	4	1	3	2	1	43	34
Poland	403	377	365	11	1	26	23	3	496	434
Portugal	591	151	145	5	1	440	437	3	327	318
Romania	242	233	175	57	1	9	8	1	242	182
Slovak Republic	65	63	54	8	1	2	1	1	65	55
Slovenia	66	60	55	4	1	6	5	1	76	70
Spain	4 222	2 585	2 342	240	3	1 637	1 578	58	715	695
Sweden	94	55	48	6	1	39	31	8	99	84
Average	373	232	210	22	1	143	148	8	239	218
Median	81	63	55	6	1	10	12	1	140	114
Minimum	8	6	3	1	1	0	1	1	4	2
Maximum	4 222	2 585	2 342	240	3	1 637	1 578	58	1 075	998
% of NA	4%	0%	0%	0%	0%	4%	4%	4%	0%	0%
% of NAP	0%	0%	0%	4%	4%	0%	7%	19%	0%	0%

Due to clarifications in the methodology, in 2020 the number of courts of different instances that operate in the same site are separately counted.

**Belgium:** Starting from 2020, a new methodology of presentation of data is used as to the distinction between 1st instance courts of general jurisdiction and 1st instance specialised courts

**Cyprus:** The Supreme Court is the 2nd instance and highest instance court in the country.

**Luxembourg:** The methodology of presentation of data concerning 1st instance specialised courts was improved in 2020

**Malta:** The Supreme Court is the 2nd instance and highest instance court in the country.

**Spain:** As general rule, the first instance courts - legal entities are unipersonal courts - one judge is considered one court.

Table 2.1b Number of courts per 100 000 inhabitants in 2022 (general jurisdiction and specialised courts as legal entities and number of all courts as geographic locations) (Q1, Q42, Q43 and Q44)

States	Number of courts - Legal entities								Number of courts - Geographic locations	
	Total (1+2)	General jurisdiction				Specialised courts			All courts	1st instance
		Total (1)	1st instance	2nd instance	3rd instance	Total (2)	1st instance	Higher instance		
Austria	1,67	1,46	1,41	0,04	0,01	0,21	0,20	0,01	1,80	1,74
Belgium	1,97	1,77	1,72	0,04	0,01	0,20	0,20	0,01	1,92	1,86
Bulgaria	2,79	2,28	1,75	0,51	0,02	0,51	0,48	0,03	2,81	2,25
Croatia	1,74	1,32	0,86	0,44	0,03	0,42	0,36	0,05	3,71	3,12
Cyprus	3,37	1,30	1,19	NAP	0,11	2,06	2,06	NAP	3,37	3,26
Czech Republic	0,90	0,89	0,79	0,09	0,01	0,01	NAP	0,01	0,99	0,82
Denmark	0,49	0,46	0,40	0,03	0,02	0,03	0,03	NAP	0,49	0,44
Estonia	0,68	0,53	0,30	0,15	0,08	0,15	0,15	NAP	1,51	1,28
Finland	0,65	0,47	0,36	0,09	0,02	0,18	0,16	0,02	0,93	0,81
France	1,56	0,30	0,25	0,05	0,00	1,26	1,24	0,01	1,15	1,08
Germany	1,27	0,92	0,89	0,03	0,00	0,35	0,29	0,06	1,27	1,18
Greece	NA	2,61	2,43	0,18	0,01	NA	NA	NA	3,00	2,71
Hungary	1,46	1,46	1,19	0,26	0,01	0,00	NAP	NAP	1,46	1,19
Ireland	0,16	0,12	0,06	0,04	0,02	0,04	0,04	NAP	3,03	2,97
Italy	1,38	0,94	0,89	0,04	0,00	0,44	0,40	0,04	1,43	1,31
Latvia	0,85	0,69	0,37	0,27	0,05	0,16	0,11	0,05	2,76	2,23
Lithuania	0,77	0,66	0,42	0,21	0,03	0,10	0,07	0,03	2,17	2,06
Luxembourg	1,97	1,06	0,76	0,15	0,15	0,91	0,45	0,45	1,21	0,45
Malta	3,08	1,54	0,77	0,77	NAP	1,54	1,35	0,19	0,77	0,38
Netherlands	0,11	0,09	0,06	0,02	0,01	0,02	0,01	0,01	0,24	0,19
Poland	1,07	1,00	0,97	0,03	0,00	0,07	0,06	0,01	1,31	1,15
Portugal	5,65	1,44	1,39	0,05	0,01	4,20	4,17	0,03	3,12	3,04
Romania	1,27	1,22	0,92	0,30	0,01	0,05	0,04	0,01	1,27	0,96
Slovak Republic	1,20	1,16	0,99	0,15	0,02	0,04	0,02	0,02	1,20	1,01
Slovenia	3,12	2,83	2,60	0,19	0,05	0,28	0,24	0,05	3,59	3,31
Spain	8,78	5,38	4,87	0,50	0,01	3,41	3,28	0,12	1,49	1,45
Sweden	0,89	0,52	0,46	0,06	0,01	0,37	0,29	0,08	0,94	0,80
Average	1,88	1,28	1,08	0,18	0,03	0,65	0,66	0,06	1,81	1,59
Median	1,33	1,06	0,89	0,12	0,01	0,20	0,22	0,03	1,46	1,28
Minimum	0,11	0,09	0,06	0,02	0,00	0,00	0,01	0,01	0,24	0,19
Maximum	8,78	5,38	4,87	0,77	0,15	4,20	4,17	0,45	3,71	3,31
% of NA	4%	0%	0%	0%	0%	4%	4%	4%	0%	0%
% of NAP	0%	0%	0%	4%	4%	0%	7%	19%	0%	0%

Due to clarifications in the methodology, in 2020 the number of courts of different instances that operate in the same site are separately counted.

**Belgium:** Starting from 2020, a new methodology of presentation of data is used as to the distinction between 1st instance courts of general jurisdiction and 1st instance specialised courts

**Cyprus:** The Supreme Court is the 2nd instance and highest instance court in the country

**Luxembourg:** The methodology of presentation of data concerning 1st instance specialised courts was improved in 2020

**Malta:** The Supreme Court is the 2nd instance and highest instance court in the country

**Spain:** As general rule, the first instance courts - legal entities are unipersonal courts - one judge is considered one court.

Table 2.2a Number of first instance courts from 2012 to 2022 (general jurisdiction and specialised courts as legal entities and first instance courts as geographic locations) (Q42, Q43 and Q44)

States	Number of first instance courts - Legal entities																								Number of first instance courts - Geographic locations			
	Total number in 2022 (1) + (2)	General jurisdiction											Specialised courts															
		2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022 (1)	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022 (2)	2020	2021	2022		
Austria	146	154	132	129	129	129	129	128	128	128	128	128	128	7	7	19	19	19	19	18	18	18	18	18	18	158	158	158
Belgium	224	27	27	13	13	13	13	13	13	201	201	201	201	262	262	225	225	225	200	200	200	23	23	23	23	218	218	218
Bulgaria	144	113	113	113	113	113	113	113	113	113	113	113	113	34	34	32	32	32	32	32	32	32	32	32	31	145	145	145
Croatia	47	67	65	65	22	22	22	22	30	30	33	33	33	74	74	74	36	36	36	36	17	17	14	14	120	120	120	
Cyprus	30	6	6	6	6	6	6	6	6	6	11	11	11	14	13	13	15	15	15	15	16	16	19	19	22	30	30	
Czech Republic	86	86	86	86	86	86	86	86	86	86	86	86	86	NAP	NAP	89	89	89										
Denmark	26	24	24	24	24	24	24	24	24	24	24	24	24	2	2	2	2	2	2	2	2	2	2	2	2	26	26	26
Estonia	6	4	4	4	4	4	4	4	4	4	4	4	4	2	2	2	2	2	2	2	2	2	2	2	2	17	17	17
Finland	29	27	27	27	27	27	27	27	20	20	20	20	20	11	11	9	9	9	9	9	9	9	9	9	9	45	45	45
France	1 015	778	783	786	786	786	786	168	168	168	168	168	168	1 156	1 089	1 094	1 094	1 086	1 086	1 463	1 186	851	848	847	618	661	737	
Germany	998	765	765	761	754	761	753	753	753	753	753	753	753	250	248	247	247	247	246	245	245	245	245	245	245	998	998	998
Greece	NA	402	NA	298	298	289	289	289	289	259	259	259	259	NAP	NA	NA	289	289	289									
Hungary	114	131	131	111	111	111	112	113	113	113	113	113	113	20	20	20	20	20	20	20	0	NAP	NAP	NAP	113	113	114	
Ireland	5	3	3	3	3	3	3	3	3	3	3	3	3	1	1	1	1	2	2	2	2	2	2	2	153	153	153	
Italy	761	1 231	643	510	510	510	534	531	527	525	525	525	525	116	116	245	245	245	245	237	237	236	236	236	773	773	773	
Latvia	9	34	34	34	28	28	25	9	9	9	9	9	7	1	1	1	5	1	1	1	1	1	2	2	47	46	42	
Lithuania	14	59	54	54	54	54	54	17	17	17	12	12	12	5	5	5	5	5	5	2	2	2	2	2	59	59	59	
Luxembourg	8	5	5	5	5	5	5	5	5	5	5	5	5	13	23	-	2	13	13	13	13	3	3	3	3	3	3	
Malta	11	1	1	1	1	1	1	1	1	4	4	4	4	7	7	7	7	7	8	9	9	7	7	7	2	3	2	
Netherlands	13	19	11	11	11	11	11	11	11	11	11	11	11	1	1	1	1	1	1	1	1	1	2	2	33	34	34	
Poland	388	287	287	287	363	363	363	363	364	364	365	365	365	26	26	26	26	25	25	25	23	23	23	23	433	433	434	
Portugal	582	231	231	292	292	292	150	150	145	145	145	145	145	102	102	248	248	245	411	411	435	436	437	437	319	319	318	
Romania	183	233	233	233	232	233	233	233	233	175	175	175	175	10	10	10	9	9	9	9	9	8	8	8	8	182	182	182
Slovak Republic	55	54	54	54	54	54	54	54	54	54	54	54	54	9	9	9	9	9	9	9	1	1	1	1	55	55	55	
Slovenia	60	55	55	55	55	55	55	55	55	55	55	55	55	6	5	5	5	5	5	5	5	5	5	5	70	70	70	
Spain	3 920	2 349	2 224	2 224	2 223	2 282	2 269	2 317	2 298	2 313	2 342	2 342	2 342	1 459	1 443	1 443	1 434	1 451	1 465	1 493	1 531	1 549	1 578	1 578	617	621	695	
Sweden	79	60	60	60	60	60	60	48	48	48	48	48	48	12	12	12	12	10	10	31	31	31	31	31	84	84	84	
Average	344	267	148	231	147	232	229	204	205	208	209	210	210	144	89	156	98	148	154	170	161	140	147	148	211	213	218	
Median	70	60	55	60	54	55	55	54	54	55	55	55	55	12	11	13	9	13	13	15	16	9	12	12	113	113	114	
Minimum	5	1	1	1	1	1	1	1	1	3	3	3	3	1	1	1	1	1	1	1	0	1	1	1	2	3	2	
Maximum	3 920	2 349	783	2 224	786	2 223	2 282	2 269	2 317	2 298	2 313	2 342	2 342	1 459	1 089	1 443	1 094	1 434	1 451	1 465	1 493	1 531	1 549	1 578	998	998	998	
% of NA	4%	0%	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	0%	0%	0%	
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	7%	4%	4%	4%	4%	4%	4%	4%	4%	7%	7%	0%	0%	0%	

Due to clarifications in the methodology, in 2020 the number of courts of different instances that operate in the same site are separately counted.  
**Belgium:** Starting from 2020, a new methodology of presentation of data is used as to the distinction between 1st instance courts of general jurisdiction and 1st instance specialised courts  
**Italy:** Before 2014 only courts financed by Ministry of justice were included  
**Latvia:** Different presentation of number of specialised courts in 2015. In reality there is one administrative court with 5 court houses  
**Luxembourg:** The methodology of presentation of data concerning 1st instance specialised courts was improved in 2020  
**Slovak Republic:** Starting from 2020, the number of administrative courts is excluded from the count of specialised courts, since they are part of general courts of appeal.  
**Spain:** As general rule, the first instance courts - legal entities are unipersonal courts - one judge is considered one court.

Table 2.2b Number of first instance courts per 100 000 inhabitants from 2012 to 2022 (general jurisdiction and specialised courts as legal entities and first instance courts as geographic locations) (Q1, Q42, Q43 and Q44)

States	Number of first instance courts - Legal entities																								Number of first instance courts - Geographic locations		
	Total number in 2022 (1) + (2)	General jurisdiction											Specialised courts														
		2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022 (1)	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022 (2)	2020	2021	2022	
Austria	1,60	1,82	1,56	1,50	1,48	1,48	1,47	1,45	1,44	1,43	1,43	1,41	0,08	0,08	0,22	0,22	0,22	0,22	0,20	0,20	0,20	0,20	0,20	0,20	1,76	1,76	1,74
Belgium	1,91	0,24	0,24	0,12	0,12	0,11	0,11	0,11	0,11	1,74	1,74	1,72	2,35	2,35	2,01	2,00	1,99	1,76	1,75	1,75	0,20	0,20	0,20	1,88	1,88	1,86	
Bulgaria	2,23	1,55	1,56	1,57	1,58	1,59	1,60	1,61	1,63	1,63	1,65	1,75	0,47	0,47	0,44	0,45	0,45	0,45	0,46	0,46	0,46	0,47	0,48	2,12	2,12	2,25	
Croatia	1,22	1,57	1,53	1,54	0,52	0,53	0,54	0,54	0,74	0,74	0,85	0,86	1,74	1,74	1,75	0,86	0,87	0,88	0,88	0,42	0,42	0,36	0,36	3,10	3,10	3,12	
Cyprus	3,26	0,69	0,70	0,70	0,71	0,71	0,70	0,69	0,68	0,67	1,22	1,19	1,62	1,52	1,52	1,77	1,77	1,75	1,71	1,80	1,79	2,10	2,06	2,43	3,32	3,26	
Czech Republic	0,79	0,82	0,82	0,82	0,81	0,81	0,81	0,81	0,81	0,80	0,82	0,79	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,85	0,85	0,82	
Denmark	0,44	0,43	0,43	0,42	0,42	0,42	0,42	0,41	0,41	0,41	0,41	0,40	0,04	0,04	0,04	0,04	0,03	0,03	0,03	0,03	0,03	0,03	0,03	0,44	0,44	0,44	
Estonia	0,45	0,31	0,30	0,30	0,30	0,30	0,30	0,30	0,30	0,30	0,30	0,30	0,16	0,15	0,15	0,15	0,15	0,15	0,15	0,15	0,15	0,15	0,15	1,28	1,28	1,28	
Finland	0,52	0,50	0,50	0,49	0,49	0,49	0,49	0,49	0,36	0,36	0,36	0,36	0,20	0,20	0,16	0,16	0,16	0,16	0,16	0,16	0,16	0,16	0,16	0,81	0,81	0,81	
France	1,49	1,19	1,19	1,19	1,18	1,17	1,17	0,25	0,25	0,25	0,25	0,25	1,76	1,65	1,65	1,64	1,62	1,62	2,18	1,77	1,26	1,25	1,24	0,91	0,98	1,08	
Germany	1,18	0,95	0,95	0,94	0,92	0,93	0,91	0,91	0,91	0,91	0,90	0,89	0,31	0,31	0,31	0,30	0,30	0,30	0,30	0,29	0,29	0,29	0,29	1,20	1,20	1,18	
Greece	2,43	3,63	NA	2,75	2,74	2,68	2,68	2,69	2,69	2,42	2,43	2,43	NAP	NA	2,71	2,71	2,71										
Hungary	1,19	1,32	1,33	1,13	1,13	1,13	1,13	1,18	1,16	1,14	1,17	1,19	0,20	0,20	0,20	0,20	0,20	0,20	0,21	0,20	0,00	NAP	NAP	1,17	1,17	1,19	
Ireland	0,10	0,07	0,07	0,06	0,06	0,06	0,06	0,06	0,06	0,06	0,06	0,06	0,02	0,02	0,02	0,02	0,04	0,04	0,04	0,04	0,04	0,04	0,04	2,99	2,99	2,97	
Italy	1,29	2,06	1,08	0,84	0,84	0,84	0,88	0,88	0,87	0,89	0,89	0,89	0,19	0,19	0,40	0,40	0,40	0,41	0,39	0,39	0,40	0,40	0,40	1,31	1,31	1,31	
Latvia	0,48	1,66	1,68	1,70	1,42	1,42	1,28	0,47	0,47	0,48	0,48	0,37	0,05	0,05	0,05	0,25	0,05	0,05	0,05	0,05	0,05	0,11	0,11	2,51	2,45	2,23	
Lithuania	0,49	1,96	1,83	1,85	1,87	1,90	1,92	0,61	0,61	0,61	0,43	0,42	0,17	0,17	0,17	0,17	0,18	0,18	0,07	0,07	0,07	0,07	0,07	2,10	2,10	2,06	
Luxembourg	1,21	0,95	0,91	0,89	0,89	0,85	0,83	0,81	0,80	0,79	0,77	0,76	2,48	4,18	-	0,36	2,20	2,16	2,12	2,08	0,47	0,46	0,45	0,46	0,46	0,45	
Malta	2,11	0,24	0,23	0,23	0,22	0,22	0,21	0,21	0,20	0,78	0,78	0,77	1,66	1,63	1,59	1,55	1,52	1,68	1,89	1,82	1,36	1,36	1,35	0,39	0,58	0,38	
Netherlands	0,07	0,11	0,07	0,07	0,06	0,06	0,06	0,06	0,06	0,06	0,06	0,06	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,19	0,19	0,19	
Poland	1,03	0,74	-	0,75	-	0,94	0,94	0,95	0,95	0,95	0,96	0,97	0,07	-	0,07	-	0,07	0,07	0,07	0,07	0,06	0,06	0,06	1,14	1,14	1,15	
Portugal	5,56	2,20	2,22	2,81	2,82	2,83	1,46	1,46	1,41	1,41	1,40	1,39	0,97	0,98	2,39	2,40	2,38	3,99	4,00	4,22	4,23	4,22	4,17	3,08	3,08	3,04	
Romania	0,96	1,09	1,17	1,05	1,17	1,19	1,19	1,20	1,20	0,91	0,92	0,92	0,05	0,05	0,04	0,05	0,05	0,05	0,05	0,04	0,04	0,04	0,04	0,96	0,96	0,96	
Slovak Republic	1,01	1,00	1,00	1,00	0,99	0,99	0,99	0,99	0,99	0,99	0,99	0,99	0,17	0,17	0,17	0,17	0,17	0,17	0,17	0,16	0,02	0,02	0,02	1,01	1,01	1,01	
Slovenia	2,83	2,67	2,67	2,67	2,66	2,66	2,66	2,64	2,62	2,61	2,61	2,60	0,29	0,24	0,24	0,24	0,24	0,24	0,24	0,24	0,24	0,24	0,24	3,32	3,32	3,31	
Spain	8,16	5,11	-	4,79	-	4,78	4,89	4,83	4,88	4,85	4,88	4,87	3,17	-	3,11	-	3,08	3,11	3,12	3,15	3,23	3,27	3,28	1,30	1,31	1,45	
Sweden	0,75	0,63	0,62	0,62	0,61	0,60	0,59	0,47	0,46	0,46	0,46	0,46	0,13	0,12	0,12	0,12	0,10	0,10	0,30	0,30	0,30	0,30	0,29	0,80	0,80	0,80	
Average	1,66	1,32	1,03	1,21	1,04	1,17	1,12	1,00	1,00	1,06	1,08	1,08	0,73	0,72	0,70	0,59	0,73	0,79	0,82	0,80	0,62	0,66	0,66	1,56	1,60	1,59	
Median	1,19	1,00	0,97	0,94	0,89	0,93	0,91	0,81	0,80	0,80	0,89	0,89	0,20	0,20	0,21	0,24	0,22	0,22	0,24	0,24	0,20	0,22	0,22	1,28	1,28	1,28	
Minimum	0,07	0,07	0,07	0,06	0,06	0,06	0,06	0,06	0,06	0,06	0,06	0,06	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,00	0,01	0,01	0,19	0,19	0,19	
Maximum	8,16	5,11	2,67	4,79	2,82	4,78	4,89	4,83	4,88	4,85	4,88	4,87	3,17	4,18	3,11	2,40	3,08	3,99	4,00	4,22	4,23	4,22	4,17	3,32	3,32	3,31	
% of NA	0%	0%	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	0%	0%	0%	
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	7%	4%	4%	4%	4%	4%	4%	4%	4%	7%	7%	0%	0%	0%	

Due to clarifications in the methodology, in 2020 the number of courts of different instances that operate in the same site are separately counted.

Belgium: Starting from 2020, a new methodology of presentation of data is used as to the distinction between 1st instance courts of general jurisdiction and 1st instance specialised courts

Cyprus: The Supreme Court is the 2nd instance and highest instance court in the country

Italy: Before 2014 only courts financed by Ministry of justice were included

Latvia: Different presentation of number of specialised courts in 2015. In reality there is one administrative court with 5 court houses

Luxembourg: The methodology of presentation of data concerning 1st instance specialised courts was improved in 2020

Slovak Republic: Starting from 2020, the number of administrative courts is excluded from the count of specialised courts, since they are part of general courts of appeal

Spain: As general rule, the first instance courts - legal entities are unipersonal courts - one judge is considered one court.

Table 2.3a Number of all courts as geographic locations from 2012 to 2022 (Q44)

States	Number of all courts - Geographic locations										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	149	135	103	103	103	103	102	102	164	164	164
Belgium	288	288	288	288	267	264	253	232	225	225	225
Bulgaria	170	170	168	175	182	182	182	182	182	182	181
Croatia	158	192	203	203	203	203	205	143	143	143	143
Cyprus	21	19	21	22	22	22	21	22	23	31	31
Czech Republic	98	98	98	98	98	98	98	98	107	107	107
Denmark	29	29	29	29	29	29	29	29	29	29	29
Estonia	22	22	22	22	21	22	21	21	20	20	20
Finland	82	78	81	79	73	73	71	52	52	52	52
France	640	641	643	643	641	641	641	641	672	715	781
Germany	1 108	1 107	1 101	1 095	1 102	1 093	1 076	1 076	1 092	1 092	1 075
Greece	402	NA	329	329	319	319	319	319	320	320	320
Hungary	157	157	157	157	157	158	159	159	139	139	140
Ireland	105	100	94	94	95	95	95	95	156	156	156
Italy	1 378	790	836	836	836	831	828	828	844	844	844
Latvia	48	48	48	49	42	47	52	56	55	53	52
Lithuania	67	62	62	62	62	62	62	62	62	62	62
Luxembourg	8	8	8	8	8	8	8	8	8	8	8
Malta	2	2	2	2	2	2	3	3	3	4	4
Netherlands	60	40	40	40	40	40	40	40	42	43	43
Poland	827	-	NA	-	401	401	401	401	494	494	496
Portugal	318	319	253	253	253	312	312	316	328	328	327
Romania	244	244	244	243	243	243	243	243	242	242	242
Slovak Republic	64	64	64	64	64	64	63	64	64	65	65
Slovenia	77	77	77	77	77	77	77	77	76	76	76
Spain	763	-	763	-	763	698	701	702	695	700	715
Sweden	95	95	95	95	95	95	99	99	99	99	99
<b>Average</b>	273	199	224	203	230	229	228	225	235	237	239
<b>Median</b>	105	97	97	95	98	98	99	99	139	139	140
<b>Minimum</b>	2	2	2	2	2	2	3	3	3	4	4
<b>Maximum</b>	1 378	1 107	1 101	1 095	1 102	1 093	1 076	1 076	1 092	1 092	1 075
<b>% of NA</b>	0%	4%	4%	0%	0%	0%	0%	0%	0%	0%	0%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Due to clarifications in the methodology, in 2020 the number of courts of different instances that operate in the same site are separately counted.

**Cyprus:** The Supreme Court is the 2nd instance and highest instance court in the country

**Ireland:** As of 2020, the methodology used to count the number of courts – geographic locations changed to fully align it with the CEPEJ definitions.

**Italy:** Before 2014 only courts financed by Ministry of justice were included.

Table 2.3b Number of all courts as geographic location per 100 000 inhabitants from 2012 to 2022 (Q1, Q44)

States	Number of all courts - Geographic locations										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	1,76	1,59	1,20	1,18	1,18	1,17	1,16	1,15	1,84	1,83	1,80
Belgium	2,58	2,58	2,57	2,56	2,36	2,32	2,21	2,03	1,95	1,94	1,92
Bulgaria	2,33	2,35	2,33	2,45	2,56	2,58	2,60	2,62	2,63	2,66	2,81
Croatia	3,71	4,52	4,80	4,84	4,89	4,94	5,03	3,52	3,54	3,69	3,71
Cyprus	2,43	2,21	2,45	2,59	2,59	2,57	2,40	2,48	2,57	3,43	3,37
Czech Republic	0,93	0,93	0,93	0,93	0,93	0,93	0,92	0,92	1,00	1,02	0,99
Denmark	0,52	0,52	0,51	0,51	0,50	0,50	0,50	0,50	0,50	0,49	0,49
Estonia	1,71	1,67	1,68	1,67	1,60	1,67	1,59	1,59	1,50	1,50	1,51
Finland	1,51	1,43	1,48	1,44	1,33	1,32	1,29	0,94	0,94	0,94	0,93
France	0,98	0,97	0,97	0,97	0,96	0,95	0,96	0,96	1,00	1,06	1,15
Germany	1,38	1,37	1,36	1,34	1,34	1,32	1,30	1,29	1,31	1,31	1,27
Greece	3,63	NA	3,03	3,03	2,96	2,96	2,97	2,97	2,99	3,00	3,00
Hungary	1,58	1,59	1,59	1,60	1,60	1,60	1,66	1,63	1,41	1,43	1,46
Ireland	2,29	2,17	2,03	2,02	2,03	1,98	1,96	1,93	3,13	3,04	3,03
Italy	2,31	1,32	1,38	1,38	1,38	1,37	1,37	1,37	1,42	1,43	1,43
Latvia	2,35	2,37	2,40	2,49	2,13	2,41	2,71	2,94	2,91	2,83	2,76
Lithuania	2,23	2,11	2,12	2,15	2,18	2,21	2,22	2,22	2,22	2,21	2,17
Luxembourg	1,52	1,45	1,42	1,42	1,35	1,33	1,30	1,28	1,26	1,24	1,21
Malta	0,47	0,47	0,45	0,44	0,43	0,42	0,63	0,61	0,58	0,78	0,77
Netherlands	0,36	0,24	0,24	0,24	0,23	0,23	0,23	0,23	0,24	0,25	0,24
Poland	2,15	-	NA	-	1,04	1,04	1,04	1,04	1,29	1,30	1,31
Portugal	3,03	3,06	2,44	2,45	2,45	3,03	3,04	3,07	3,19	3,17	3,12
Romania	1,15	1,22	1,10	1,23	1,24	1,24	1,25	1,25	1,26	1,27	1,27
Slovak Republic	1,18	1,18	1,18	1,18	1,18	1,18	1,16	1,17	1,17	1,20	1,20
Slovenia	3,74	3,74	3,74	3,73	3,73	3,73	3,70	3,67	3,60	3,61	3,59
Spain	1,66	-	1,64	-	1,64	1,49	1,49	1,48	1,47	1,48	1,49
Sweden	0,99	0,98	0,97	0,96	0,95	0,94	0,97	0,96	0,95	0,95	0,94
Average	1,87	1,75	1,77	1,79	1,73	1,76	1,76	1,70	1,77	1,82	1,81
Median	1,71	1,52	1,54	1,44	1,38	1,37	1,37	1,37	1,42	1,43	1,46
Minimum	0,36	0,24	0,24	0,24	0,23	0,23	0,23	0,23	0,24	0,25	0,24
Maximum	3,74	4,52	4,80	4,84	4,89	4,94	5,03	3,67	3,60	3,69	3,71
% of NA	0%	4%	4%	0%	0%	0%	0%	0%	0%	0%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Due to clarifications in the methodology, in 2020 the number of courts of different instances that operate in the same site are separately counted.

**Cyprus:** The Supreme Court is the 2nd instance and highest instance court in the country

**Ireland:** As of 2020, the methodology used to count the number of courts – geographic locations changed to fully align it with the CEPEJ definitions.

**Italy:** Before 2014 only courts financed by Ministry of justice were included.

**Table 2.4a Number and distribution of first instance specialised courts as legal entities in 2022 (Q43)**

States	Total	Commercial courts (excluding insolvency courts)	Insolvency courts	Labour courts	Family courts	Rent and tenancies courts	Enforcement of criminal sanctions courts	Fight against terrorism, organised crime and corruption	Internet related disputes	Administrative courts	Insurance and/or social welfare courts	Military courts	Juvenile courts	Other specialised courts
Austria	18	2	NAP	1	NAP	NAP	2	NAP	NAP	11	1	NAP	NAP	2
Belgium	23	9	NAP	9	NAP	NAP	NAP	NAP	NAP	5	NAP	NAP	NAP	NAP
Bulgaria	31	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	28	NAP	3	NAP	NAP
Croatia	14	9	NAP	1	NAP	NAP	NAP	NAP	NAP	4	NAP	NAP	NAP	NAP
Cyprus	19	NAP	NAP	4	4	3	NAP	NAP	NAP	1	NAP	1	5	1
Czech Republic	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Denmark	2	1	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1
Estonia	2	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2	NAP	NAP	NAP	NAP
Finland	9	1	NAP	1	NAP	NAP	NAP	NAP	NAP	6	1	NAP	NAP	NAP
France	847	152	NAP	216	NAP	NAP	NA	NAP	NAP	42	NAP	NAP	156	282
Germany	245	NAP	NAP	108	NAP	NAP	NAP	NAP	NAP	51	68	NAP	NAP	18
Greece	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	30	NAP	NA	NAP	NAP
Hungary	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Ireland	2	NAP	NAP	NAP	NAP	NAP	NAP	2	NAP	NAP	NAP	NAP	NAP	NAP
Italy	236	22	NAP	NAP	NAP	NAP	58	NAP	NAP	20	NAP	4	29	103
Latvia	2	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NA	NAP	1
Lithuania	2	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2	NAP	NAP	NAP	NAP
Luxembourg	3	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	1	1	NAP	NAP
Malta	7	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	1	NAP	NAP	1	4
Netherlands	2	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2	NAP	NAP	NAP	NAP
Poland	23	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	16	NAP	7	NAP	NAP
Portugal	437	23	NAP	45	53	NAP	5	NAP	1	17	NAP	NAP	NAP	293
Romania	8	3	NAP	NAP	1	NAP	NAP	NAP	NAP	NAP	NAP	4	NAP	NAP
Slovak Republic	1	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	5	NAP	NAP	4	NAP	NAP	NAP	NAP	NAP	1	1	NAP	NAP	NAP
Spain	1 578	101	NAP	389	137	NAP	17	7	NAP	243	NAP	NAP	82	602
Sweden	31	NAP	NAP	1	NAP	NAP	NAP	NAP	NAP	12	NAP	NAP	NAP	18
Average	148	32	-	71	-	-	-	-	-	24	-	-	-	120
Median	12	9	-	4	-	-	-	-	-	6	-	-	-	18
Minimum	1	1	-	1	-	-	-	-	-	1	-	-	-	1
Maximum	1 578	152	-	389	-	-	-	-	-	243	-	-	-	602
% of NA	4%	0%	0%	0%	0%	0%	4%	0%	0%	0%	0%	7%	0%	0%
% of NAP	7%	63%	96%	59%	85%	93%	81%	89%	96%	22%	81%	70%	81%	59%

Spain: As general rule, the first instance courts - legal entities are unipersonal courts - one judge is considered one court.

**Table 2.4b Number and distribution of higher instance specialised courts as legal entities in 2022 (Q43)**

States	Total	Commercial courts (excluding insolvency courts)	Insolvency courts	Labour courts	Family courts	Rent and tenancies courts	Enforcement of criminal sanctions courts	Fight against terrorism, organised crime and corruption	Internet related disputes	Administrative courts	Insurance and/or social welfare courts	Military courts	Juvenile courts	Other specialised first instance courts
Austria	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP
Belgium	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP
Bulgaria	2	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	1	NAP	NAP
Croatia	2	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP
Denmark	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Finland	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP
France	10	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	10	NAP	NAP	NAP	NAP
Germany	52	NAP	NAP	19	NAP	NAP	NAP	NAP	NAP	16	15	NAP	NAP	2
Greece	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	10	NAP	NA	NAP	1
Hungary	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	23	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	1	NAP	21
Latvia	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NA	NAP	NAP
Lithuania	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP
Luxembourg	3	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	1	1	NAP	NAP
Malta	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1
Netherlands	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP
Poland	3	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	2	NAP	NAP
Portugal	3	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3	NAP	NAP	NAP	NAP
Romania	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP
Slovak Republic	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP	NAP
Slovenia	1	NAP	NAP	1	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP
Spain	58	4	NAP	23	6	NAP	NAP	2	NAP	23	NAP	NAP	NAP	NAP
Sweden	8	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	5	NAP	NAP	NAP	3
Average	8	-	-	-	-	-	-	-	-	4	-	-	-	-
Median	1	-	-	-	-	-	-	-	-	1	-	-	-	-
Minimum	1	-	-	-	-	-	-	-	-	1	-	-	-	-
Maximum	58	-	-	-	-	-	-	-	-	23	-	-	-	-
% of NA	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	7%	0%	0%
% of NAP	19%	93%	100%	89%	96%	100%	100%	96%	100%	30%	89%	74%	100%	81%

Spain: As general rule, the first instance courts - legal entities are unipersonal courts - one judge is considered one court.

**Table 2.5 (EC) Absolute number of all courts (geographic locations) from 2012 to 2022 and their variations between 2012 and 2022 and between 2021 and 2022 (Q44)**

States	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Variation 2021-2022	Variation 2012-2022
Austria	20	149	135	103	103	103	103	102	102	164	164	164	0,0%	10,1%
Belgium	1	288	288	288	288	267	264	253	232	225	225	225	0,0%	-21,9%
Bulgaria	2	170	170	168	175	182	182	182	182	182	182	181	-0,5%	6,5%
Croatia	11	158	192	203	203	203	203	205	143	143	143	143	0,0%	-9,5%
Cyprus	13	21	19	21	22	22	22	21	22	23	31	31	0,0%	47,6%
Czech Republic	3	98	98	98	98	98	98	98	98	107	107	107	0,0%	9,2%
Denmark	4	29	29	29	29	29	29	29	29	29	29	29	0,0%	0,0%
Estonia	6	22	22	22	22	21	22	21	21	20	20	20	0,0%	-9,1%
Finland	26	82	78	81	79	73	73	71	52	52	52	52	0,0%	-36,6%
France	10	640	641	643	643	641	641	641	641	672	715	781	9,2%	22,0%
Germany	5	1108	1107	1101	1095	1102	1093	1076	1076	1092	1092	1075	-1,6%	-3,0%
Greece	8	402	NA	329	329	319	319	319	319	320	320	320	0,0%	-20,4%
Hungary	17	157	157	157	157	157	158	159	159	139	139	140	0,7%	-10,8%
Ireland	7	105	100	94	94	95	95	95	95	156	156	156	0,0%	48,6%
Italy	12	1378	790	836	836	836	831	828	828	844	844	844	0,0%	-38,8%
Latvia	14	48	48	48	49	42	47	52	56	55	53	52	-1,9%	8,3%
Lithuania	15	67	62	62	62	62	62	62	62	62	62	62	0,0%	-7,5%
Luxembourg	16	8	8	8	8	8	8	8	8	8	8	8	0,0%	0,0%
Malta	18	2	2	2	2	2	2	3	3	3	4	4	0,0%	100,0%
Netherlands	19	60	40	40	40	40	40	40	40	42	43	43	0,0%	-28,3%
Poland	21	827	NA	NA	NA	401	401	401	401	494	494	496	0,4%	-40,0%
Portugal	22	318	319	253	253	253	312	312	316	328	328	327	-0,3%	2,8%
Romania	23	244	244	244	243	243	243	243	243	242	242	242	0,0%	-0,8%
Slovak Republic	25	64	64	64	64	64	64	63	64	64	65	65	0,0%	1,6%
Slovenia	24	77	77	77	77	77	77	77	77	76	76	76	0,0%	-1,3%
Spain	9	763	NA	763	NA	763	698	701	702	695	700	715	2,1%	-6,3%
Sweden	27	95	95	95	95	95	95	99	99	99	99	99	0,0%	4,2%

Due to clarifications in the methodology, in 2020 the number of courts of different instances that operate in the same site are separately counted.

Croatia: in 2019, misdemeanor courts were merged into municipal courts.

Ireland: As of 2020, the methodology used to count the number of courts – geographic locations changed to fully align it with the CEPEJ definitions.

# Indicator 2: The judicial organisation

## Comments provided by the national correspondents

### organised by country

Question 042.

Question 043.

Question 044.

#### Austria

**Q042 (2022):** In 2022 in Austria, the number of courts considered as legal entities is 152. Namely, there are 133 courts of general jurisdiction and 19 specialised courts. Among the 133 legal entities of general jurisdiction, 128 act at first instance, 4 at second instance and one at third instance. More precisely, the 115 District courts and the 13 Regional courts of general jurisdiction intervene as first instance courts. It is noteworthy that the 7 other regional courts that have specialised jurisdiction are not taken into consideration here, but are counted as specialised first instance courts (*infra*). It is to be mentioned that the peculiarity of the 20 Austrian Regional courts is that even though these are first instance courts, some of them are also competent in respect of appeals against District courts' decisions. The 4 Higher Regional Courts have appeal competence in respect of all civil and criminal cases.

The Supreme court is the highest instance court in civil and criminal matters.

**Q042 (2020):** In 2020 in Austria, the number of courts considered as legal entities is 152. Namely, there are 133 courts of general jurisdiction and 19 specialised courts. Among the 133 legal entities of general jurisdiction, 128 act at first instance, 4 at second instance and one at third instance. More precisely, the 115 District courts and the 13 Regional courts of general jurisdiction intervene as first instance courts. It is noteworthy that the 7 other regional courts that have specialised jurisdiction are not taken into consideration here, but are counted as specialised first instance courts (*infra*). It is to be mentioned that the peculiarity of the 20 Austrian Regional courts is that even though these are first instance courts, some of them are also competent in respect of appeals against District courts' decisions. The 4 Higher Regional Courts have appeal competence in respect of all civil and criminal cases.

The Supreme court is the highest instance court in civil and criminal matters.

**Q042 (2014):** From January 1st 2013 to July 1st, 2014 a number of district courts merged. In 2014, there are 129 first instance district courts which is less than 132 (number communicated for 2013) but still not complying with the aim of 115.

**Q043 (General Comment):** As a rule every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. six in Vienna (civil cases, criminal cases, commercial cases [2 x], labour and social welfare cases, administrative cases) and two in Graz (civil cases, criminal cases); Since there are special courts for civil law cases in Vienna and Graz, which cannot be selected individually here, and because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts does not correspond to the total number of specialised courts.

One commercial court in Vienna, both courts (in Vienna and Graz) specialised on civil cases and both courts (in Vienna and Graz) specialised on the enforcement of criminal sanctions also act as second instance courts.

**Q043 (2022):** As a rule every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. six in Vienna (civil cases, criminal cases, commercial cases [2 x], labour and social welfare cases, administrative cases) and two in Graz (civil cases, criminal cases); Since there are special courts for civil law cases in Vienna and Graz, which cannot be selected individually here, and because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts does not correspond to the total number of specialised courts.

One commercial court in Vienna, both courts (in Vienna and Graz) specialised on civil cases and both courts (in Vienna and Graz) specialised on the enforcement of criminal sanctions also act as second instance courts.

**Q043 (2021):** As a rule every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], labour and social welfare cases) and two in Graz (civil cases, criminal cases); Because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts does not correspond to the total number of specialised courts. One commercial court in Vienna, both courts (in Vienna and Graz) specialised on civil cases and both courts (in Vienna and Graz) specialised on the enforcement of criminal sanctions also act as second instance courts.

**Q043 (2020):** As a rule every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], labour and social welfare cases) and two in Graz (civil cases, criminal cases);

Because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts does not correspond to the total number of specialised courts.

One commercial court in Vienna, both courts (in Vienna and Graz) specialised on civil cases and both courts (in Vienna and Graz) specialised on the enforcement of criminal sanctions also act as second instance courts.

**Q043 (2019):** On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialized, i.e. eight in Vienna (civil cases, criminal cases, commercial cases [2x], employment- and social welfare cases, administrative cases) and two in Graz (criminal cases, remaining cases). There is also a regional administrative court in every federal state (9 in total). Because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts equals nineteen.

**Q043 (2018):** On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], employment- and social welfare cases) and two in Graz (criminal cases, remaining cases)

**Q043 (2017):** On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], employment- and social welfare cases) and two in Graz (criminal cases, remaining cases)

**Q043 (2016):** On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], employment- and social welfare cases) and two in Graz (criminal cases, remaining cases)

**Q044 (2020):** For this cycle, data on geographic locations is presented in respect of different locations for different instances, in compliance with the methodology developed in the Explanatory Note. The variation observed with previous cycles is only of a methodological nature.

**Q044 (2016):** It is planned to reduce the number of courts by 3 in 2018 (-1) and 2019 (-2)

## Belgium

**Q042 (General Comment):** The reform of the Justices of the peace, involving a reduction in geographical establishments, was consolidated by the law of 25th December 2017. The implementation of the reform took place between 2016 and 2019.

1.1 General jurisdiction courts of first instance : 13 first-instance courts, 162 Justices of the peace, 11 assize courts (one per province and two in Brussels), and 15 police courts.

1.2 General jurisdiction appellate courts : There are five appellate courts ; however, the 13 first-instance courts also act as appellate jurisdictions with regard to decisions made by the justices of the peace.

Vertical coherence within the table is not ensured, since the total counts for each category did not account for those instances where a single court has dual jurisdiction (first and second instance).

For this current assessment cycle (2020 data), both justices of the peace and police court figures are included under general courts. In previous cycles, they were categorized as specialized first-instance jurisdictions. As from year-end-2020, data includes all eleven assize courthouses too.

Given that Council of State acts both at first instance level and on appeal, it has been accounted for under both columns Q43 but only once within total column Q42.

**Q042 (2022):** 1.2. The courts of general jurisdiction at the second instance – legal entities : only the 5 courts of appeal have been mentioned here, but the 13 lower courts also have jurisdiction to hear appeals from decisions of the Justices of the peace.

**Q042 (2021):** 1.1 First instance courts of general jurisdiction: 13 first instance courts, 162 Justices of the peace, 11 Assize courts (one per province and two in Brussels) and 15 Police courts.

1.2 Second instance courts of general jurisdiction: 5 Courts of appeal (the 13 first instance courts that rule as appeal courts on the decisions of the Justices of the peace are taken into consideration only within line 1.1).

As for the previous evaluation round (2020 data), Justices of the peace and Police courts are counted as courts of general jurisdiction. Before 2020, they were categorized as specialized courts of first instance. As of 2020, the 11 Assize courts are also included in the data. Insofar as the Council of State (Conseil d'Etat) intervenes both in first instance and on appeal, it has been taken into account in both columns of Q43, but only once in the total of Q42.2.

It is worth mentioning that the Assize courts are not structural entities (they are not permanent); they are organised within the Courts of appeal. The Assize court is constituted whenever the Investigation Chamber of the respective Court of appeal (Chambre des mises en accusation) refers a case to that court - the Assize court.

All courts in Belgium (except the Court of cassation) are grouped into 49 legal entities (steering committees).

**Q042 (2020):** "1.1 First instance Courts of general jurisdiction: 13 first instance courts, 162 justices of the peace, 11 assize courts (one per province and two in Brussels) and 15 police courts. "Second instance Courts of general jurisdiction": 13 courts of first instance that rule as appeal courts on the decisions of the justices of the peace and 5 appeal courts.

Vertical consistency in the table is not ensured, as the 13 courts of first instance with dual jurisdiction (1 and 2 instances) have been counted only once in the totals.

For the current evaluation round (2020 data), justices of the peace and police courts are counted as general courts. In previous cycles, they were categorized as specialized courts of first instance. As of 2020, the 11 assize courts are also included in the data. Insofar as the Conseil d'Etat intervenes both in first instance and on appeal, it has been taken into account in both columns of Q43, but only once in the total of Q42.2."

**Q042 (2017):** The law of 25 December 2017 amended the number of cantons of justices of the peace from 187 to 162. The implementation of this reform will take place until 2019.

**Q042 (2016):** A reform of the justices of the peace is under way, leading to a reduction in the number of hearing locations.

**Q042 (2014):** Following a reform of the judicial map, the number of legal entities decreased: from 27 to 13 first instance courts, from 27 to 9 labour courts, from 27 to 9 commercial courts, and from 34 to 15 police courts.

**Q043 (General Comment):** In Belgium, the following courts do not exist - insolvency courts, family courts, juvenile courts, insurance and / or social welfare courts, rent and tenancies courts, enforcement of criminal sanctions courts, courts specialised in fight against terrorism or in internet related disputes. These case categories are within the competence of company courts (insolvency, insurances), first instance courts (family, juveniles, enforcement of sentences), labour courts (safety in work).

As for the previous evaluation round (2020 data), Justices of the peace and Police courts are counted as courts of general jurisdiction. Before 2020, they were categorized as specialized courts of first instance.

Administrative courts: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege and Raad voor Verkiezingsbetwistingen.

Six courts of first instance have chambers specialised in enforcement of criminal sanctions. The designation "enforcement court" is used, but in reality, it is a specialized chamber. All first instance courts (13) have a specialized family and youth section. The designation "family court" is used, but in reality, it is a specialized section.

**Q043 (2021):** In Belgium, the following courts do not exist - insolvency courts, family courts, juvenile courts, insurance and / or social welfare courts, rent and tenancies courts, enforcement of criminal sanctions courts, courts specialised in fight against terrorism or in internet related disputes. These case categories are within the competence of company courts (insolvency, insurances), first instance courts (family, juveniles, enforcement of sentences), labour courts (safety in work).

As for the previous evaluation round (2020 data), Justices of the peace and Police courts are counted as courts of general jurisdiction. Before 2020, they were categorized as specialized courts of first instance.

**Q043 (2020):**

For the current evaluation round (2020 data), justices of the peace and police courts are counted as general courts. In previous cycles, they were categorized as specialized courts of first instance.

**Q043 (2019):** Other: 162 justices of the peace and 15 police courts. Administrative courts: Council of State, Council for Aliens Litigation, de Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen (these courts are under the authority of the Minister for Home Affairs and the Flemish Regional Government, and not the Minister of Justice).

Six courts of first instance have specialized chambers for the application of sentences. The denomination 'court for the enforcement of sentences' is used, but in reality it is a specialized chamber.

All the courts of first instance (13) have a special family and youth section. The denomination 'family court' is used, but in reality it is a specialized section.

**Q043 (2017):** Others: justices of the peace and police courts. The law of 25 December 2017 amended the number of cantons of justices of the peace from 187 to 162 (162 justices of the peace and 15 police courts).

Administrative courts: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen.

Five courts of first instance have specialized chambers for the enforcement of sentences. Despite the term used in their respect - "court for the enforcement of sentences", those are specialised chambers.

All courts of first instance (13) have a specialised family and youth section. The term "family court" is used, but these are also specialised sections.

**Q043 (2016):** Other: justices of the peace and police courts

Administrative courts: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen.

Five courts of first instance have specialized chambers for the enforcement of sentences. The name "court for the enforcement of sentences" is used, but in reality it is a specialized chamber.

All courts of first instance (13) have a specialized family and youth section. The name "family court" is used, but in reality it is a specialized section.

**Q043 (2015):** Other: justices of the peace and police courts

Administrative courts: the Council of State, the Council of the Litigation of Foreigners, Milieuhandhavingscollege, de Raad voor Vergunningsbetwistingen en de Raad voor Verkiezingsbetwistingen.

**Q043 (2014):** The other specialised courts are 15 police courts and 187 justices of peace. Family courts are a section within the 13 first instance courts. The administrative courts (the Council of State, the Alien Litigation Council, "(Vlaamse)Raad voor Vergunningsbetwistingen", "het (Vlaamse) Milieuhandhavingscollege") are not part of the judicial system administered by the Ministry of Justice. Following a reform of the judicial map, the number of labour, commercial and police courts was reduced.

**Q044 (General Comment):** Having taken account the number of buildings housing the courts: 225 buildings in which all our premises are located. In Eupen, the court of first instance combines the court of first instance, the labor court and the commercial court, resulting in a total of 8 for both labor courts and commercial courts (Law of February 14th, 2014).

**Q044 (2020):** Deduction made on the basis of the number of buildings in which the courts are housed: 225 buildings in which all our premises are housed. In Eupen, the first instance courts combines the court of first instance, the labour court and the company court, which gives 8 for the labour and company courts ( Law of 14 February 2014)

**Q044 (2016):** A reform of the justices of the peace is under way: 1. a reduction in the number of geographical settlements 2. expansion of their jurisdiction by increasing the amount of claims.

The reform of the cantons (justices of the peace) was launched in 2016 and resulted in the law of 25 December 2017 which formally amended or abolished the cantons. The amendments come into force over 1.5 years.

**Q044 (2014):**

According to 2014 data, a change in the number of seats of the justices of the peace is ongoing. Similarly, from 1 April 2014, the statutory number of courts has been decreased for commercial, labour and police first instance courts while keeping the existing geographical seats.

## Bulgaria

**Q042 (General Comment):** There are the following courts in Bulgaria: District Courts- 113- The District Court is the main court of first instance. It has jurisdiction over all cases except those which are statutorily assigned to another court. It deals with civil, criminal and administrative-criminal cases. The decisions of the district courts are subject to appeal before the respective Regional court. Provincial/Regional Courts- 28- The Provincial Courts act as courts of first and second instance. As courts of first instance, they examine a precisely defined category of cases involving significant sums or substantial societal interest. When acting as a second (appellate) instance, they re-examine decisions taken by the district courts. Administrative Courts- 28, Courts of Appeals - 5, Military Courts - 3 - The Military courts consider criminal cases of crimes committed by servicemen or officials of the Interior Ministry at first instance. Military Court of Appeal - 1 Supreme Court of Cassation - 1 Supreme Administrative Court - 1

**Q042 (2022):** Regional/ Provincial courts are courts of first instance for a certain category of cases and courts of second instance for another category of cases. In this case, they are included in the number of courts of second instance with general jurisdiction, the decisive indicator used is the number of incoming cases.

**Q042 (2020):** Judiciary System Act

Article 65

All courts are legal entities funded by the budget and shall be represented by the administrative head or another designated person. In the discharge of the functions of administrative head, orders, instructions and rules shall be issued in accordance with the statutory competence. The general assembly, the plenum of the Supreme Cassation Court and the Plenum of the Supreme Administrative Court shall be bodies of the respective court, which rule only in the cases specified in the law, give opinions, adopt rules and decisions by open ballot and a majority of more than half of the judges present.

**Q042 (2019):** There are the following courts in Bulgaria: District Courts- 113- The District Court is the main court of first instance. It has jurisdiction over all cases except those which are statutorily assigned to another court. It deals with civil, criminal and administrative-criminal cases. The decisions of the district courts are subject to appeal before the respective Regional court.

Provincial/Regional Courts- 28- The Provincial Courts act as courts of first and second instance. As courts of first instance, they examine a precisely defined category of cases involving significant sums or substantial societal interest. When acting as a second (appellate) instance, they re-examine decisions taken by the district courts.

Administrative Courts- 28

Specialized Criminal Court -1

Courts of Appeals - 5

Specialized Court of Appeal - 1

Military Courts - 3 - The Military courts consider criminal cases of crimes committed by servicemen or officials of the Interior Ministry at first instance.

Military Court of Appeal - 1

Supreme Court of Cassation - 1

Supreme Administrative Court - 1

**Q042 (2018):** 42.1. District Court - 113

The District Court is the main court of first instance. It has jurisdiction over all cases except those which are statutorily assigned to another court. It deals with civil, criminal and administrative-criminal cases. The decisions of the district courts are subject to appeal before the respective Regional court.

Provincial/ regional courts- 28

The provincial courts act as courts of first and second instance. As courts of first instance, they examine a precisely defined category of cases involving significant sums or substantial societal interest. When acting as a second (appellate) instance, they re-examine decisions taken by the district courts.

Military first instance courts- 3

Military courts consider criminal cases of crimes committed by servicemen or officials of the Interior Ministry at first instance.

**Q043 (General Comment):** Administrative Courts- 28

Supreme Administrative Court - 1

Military Courts - 3

Military Court of Appeal - 1

**Q043 (2022):** •Previous cycles the category “other specialised courts” encompasses the Specialized Criminal Court of Republic of Bulgaria and Specialized Criminal Court of Appeal. In the State Gazette, no. 32 of 26.04.2022, the Law on Amendments and Supplements to the Law on the Judiciary/ Judiciary System Act was promulgated, which closed the specialized court and prosecutor's office.

**Q043 (2021):** The category “other specialised courts” encompasses the Specialized Criminal Court of Republic of Bulgaria, established in 2011, situated in Sofia and treated as a Provincial/Regional Court. Its jurisdiction covers criminal cases of a general nature for crimes carried out throughout the Republic of Bulgaria. Its competence is determined on the basis of the subject of the case and not the quality of the perpetrator. The Criminal Procedure Code exhaustively enumerates cases within the competence of this Court, namely crimes committed by organized criminal groups, or on behalf of them and following their decision.

**Q043 (2020):** The category “other specialised courts” encompasses the Specialized Criminal Court of Republic of Bulgaria, established in 2011, situated in Sofia and treated as a Provincial/Regional Court. Its jurisdiction covers criminal cases of a general nature for crimes carried out throughout the Republic of Bulgaria. Its competence is determined on the basis of the subject of the case and not the quality of the perpetrator. The Criminal Procedure Code exhaustively enumerates cases within the competence of this Court, namely crimes committed by organized criminal groups, or on behalf of them and following their decision.

**Q043 (2019):** The cases under the jurisdiction of Specialized Criminal Court are specified in Art. 411a of the Penal Procedure Code

**Q043 (2018):** The category “other” encompasses the Specialized Criminal Court of Republic of Bulgaria (see the general comment).

**Q043 (2017):** Specialized Criminal Court

**Q043 (2016):** 'Other specialised 1st instance courts' - 1 Specialized Criminal Court.

**Q044 (2022):** Sofia District Court has two buildings where hearings are held.

**Q044 (2018):** Proposals for amendments to the Code of Administrative Procedure and Code of Civil Procedure to change the jurisdiction of the district and administrative courts with a view to regulating their workload. A model for the optimization of the judicial map at the level of district courts will be developed in implementation of a project under the Operational Program "Good Governance" 2014-2020.

**Q044 (2016):** Proposals for amendments to the Administrative Procedure Code and the Code of Civil Procedure are intended to reform the jurisdiction of regional and administrative courts in order to regulate their workload. Within the implementation of a project under "Good governance" Operational Programme 2014-2020 a model for optimization of the judicial map on regional courts level will be developed.

## Croatia

**Q042 (General Comment):** The reform of judicial map implemented in 2015 decreased the number of Misdemeanour Courts from 63 to 22. Therefore, in accordance with the Act on Territorial Jurisdiction and Seats of Courts (Official Gazette, No. 128/14) in force, there are currently 22 Misdemeanour Courts in function. On the 1st of January 2019. new Courts Areas and Seats Act came into force. From the organizational aspect, the most important organizational measure was the merging of misdemeanor courts into municipal courts, and few municipal courts were reopened after 2015. That is why we have now less first instance specialized courts than in 2018. and more courts of general jurisdiction (22 courts which were in 2018. plus 8 courts which were reopened after the new law came into force).

**Q042 (2020):** On the 1st of January 2019. new Courts Areas and Seats Act came into force. From the organizational aspect, the most important organizational measure was the merging of misdemeanor courts into municipal courts, and few municipal courts were reopened after 2015. That is why we have now less first instance specialized courts than in 2018. and more courts of general jurisdiction (22 courts which were in 2018. plus 8 courts which were reopened after the new law came into force).

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**Q042 (2016):** There was a reform of judicial map implemented in 2015 in which the number of Misdemeanour Courts has decreased from 63 to 22. Therefore, in accordance with the Act on Territorial Jurisdiction and Seats of Courts (Official Gazette, No. 128/14) in force, there are currently 22 Misdemeanour Courts in function.

**Q042 (2014):** In 2014, according to the Act on Territorial Jurisdiction and Seats of Courts, there are 67 first instance courts but the Municipal Court in Novi Zagreb is not in function while the Municipal Criminal Court in Zagreb is a specialized court counted in Q42.2. Accordingly, there are 65 actually functioning first instance courts of a general jurisdiction.

**Q042 (2013):** For 2013, the Ministry of Justice added to the number of geographic locations all offices of a specific court that are located outside of the seat of the court, in which judicial activities are undertaken. The number of courts did not increase in 2013. Also, 66 municipal courts (65 municipal courts and 1 Municipal Criminal Court in Zagreb) were in function out of total 67 first instance courts prescribed by the Act on Territorial Jurisdiction and Seats of Courts. The Municipal Court in Novi Zagreb is still not in function.

**Q043 (General Comment):** No comment.

**Q043 (2022):** will be explained later

**Q043 (2020):** In Croatian Judicial system there is a higher instances of 3 specialized courts: commercial, administrative and other (misdemeanour).

**Q043 (2019):** One criminal and two misdemeanour courts. After the reorganization of courts in 2019 we do not have 22 misdemeanour courts. Only two courts specialized only for misdemeanor cases were left in two largest cities (Zagreb and Split). Third specialized court is court in Zagreb specialized only for criminal cases.

**Q043 (2018):** Other specialised 1st instance courts are Misdemeanour courts and Municipal Criminal Court in Zagreb.

**Q043 (2017):** 23 other specialised 1st instance courts are 22 Misdemeanour courts and 1 Municipal Criminal Court in Zagreb

**Q043 (2016):** According to the Act on the Jurisdiction and Seats of Courts (Official Gazette 128/14) as of 1 April 2015 the number of municipal courts has been reduced, as of 1 July 2015 reduced the number of misdemeanour courts has been reduced and as of 1 April 2015 a new commercial court has been established. Other specialised 1st instance courts are 22 Misdemeanour courts and a Municipal Criminal Court in Zagreb.

**Q044 (2020):** The reorganisation of judicial map that started in 2015 in which the number of municipal and misdemeanour courts as well as the number of municipal state attorneys' offices has been reduced continued in 2019 with the merger of municipal and misdemeanour courts into municipal courts.

The reasons for the merger were a significant decrease in the number of misdemeanour cases and overburdened municipal courts with civil cases. In the new judicial map, instead of 46 municipal and misdemeanour courts, there are now 34 municipal courts - all misdemeanour and municipal courts were merged in the same cities except in 2 largest cities, Zagreb and Split, in which specialised municipal courts for misdemeanour cases were retained, and due to geographical specificities and size of certain municipal courts they were separated and new municipal courts were established (10). Also, a new commercial court was established in Dubrovnik. The aim of this new judicial map with new courts in the network and increased jurisdiction of permanent services is to increase the efficiency of the courts, improve access to court services, ensure even distribution of the workload of judges, shorten the length of court proceedings, reduce the number of unresolved cases in municipal courts, and ensure optimisation and easier management of human resources in courts.

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**Q044 (2016):** There is a new judicial reform in plan in which the misdemeanour courts will be merged with municipal courts (both 1st instance courts).

**Q044 (2014):** According to the new Act on Territories and Seats of Courts (Official Gazette 128/14), that entered into force on the 1st of April 2015, a further rationalization of the network of municipal (from 67 to 24) and misdemeanour courts (from 63 to 22) and the establishment of an additional commercial court (8 instead of 7) are to be carried out from 1st of April and 1st of July.

As well, the new Act introduces changes regarding the territorial jurisdiction with regard to dealing with appeals. In criminal cases, any county court can decide on appeals lodged against judgments, while only few county courts may decide on appeals in land, labor and family matters.

## Cyprus

**Q042 (2020):** Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court. The data for Supreme Court in this question are included in the highest instance courts, but the case flow data of the Supreme Court are included in the second instance cases - questions 97 and 98.

**Q042 (2017):** x

**Q042 (2014):** The number of courts changed in 2014. Instead one labour court in the district of Nicosia, there are 3 separate courts in different districts. This applies as well as for rent and tenancies court. One more family court was also established. The Assize court deals with serious criminal offences only.

**Q043 (2022):** Administrative Court for International Protection

**Q043 (2021):** other specialised courts are the Assize courts and the Administrative Court of International Protection.

In 2021 a law was enacted (law 55/21) providing for the establishment of a juvenile court in each district of the Republic. Family, Labour and rent control courts have been established in one more district.

**Q043 (2020):** 5 Assize courts

1 Administrative court for international Protection

**Q043 (2019):** Other specialised 1st instance courts: 1 International Protection Administrative Court and 5 Assize Court. In 2019 the new administrative court for international protection was established to hear cases concerning asylum applications and international protection matters.

**Q043 (2018):** 5 Assize courts

**Q043 (2017):** Assize Courts

**Q043 (2016):** Assize Courts

**Q043 (2015):** In 2015, two new Assize courts and one administrative court were established and one Rent Control Tribunal was removed.

**Q044 (2018):** In 2019 a New administrative court of international protection has been established that will deal with asylum cases.

**Q044 (2016):** Bills are being drafted for the creation of a commercial court and a first instance asylum administrative court.

**Q044 (2014):** In the frame of the 2014 exercise, it has been pointed out that an Administrative court has been established in Cyprus and started functioning on the 7th of January 2016.

## **Czech Republic**

**Q042 (2022):** 2. Supreme Administrative Court

**Q042 (2021):** 2. Supreme Administrative Court

**Q042 (2020):** 2. Supreme Administrative Court

**Q042 (2017):** There are no specialised first instance courts, but judges within individual courts are specialised (e.g. for family, labour and enforcement cases at district courts, and insolvency and administrative cases at regional courts as first instance courts).

**Q042 (2016):** There are no specialised first instance courts, but judges within individual courts are specialised (e.g. for family, labour and enforcement cases at district courts, and insolvency and administrative cases at regional courts as first instance courts).

**Q043 (General Comment):** There are no specialised first instance courts, but judges within individual courts are specialised (e.g. for family, labour and enforcement cases at district courts, and insolvency and administrative cases at regional courts as first instance courts).

**Q044 (2022):** 6 regional courts and 3 district courts have their branches in other cities.

**Q044 (2021):** 6 regional courts and 3 district courts have their branches in other cities.

**Q044 (2020):** 6 regional courts and 3 district courts have their branches in other cities.

## **Denmark**

**Q042 (General Comment):** District courts are called 1st instance courts, the Land Registration court and the Maritime and Commercial Court are considered as first instance specialized courts. Second and third instance courts are the two High Courts and the Supreme Court.

**Q042 (2021):** Under "2" is Land Registration Court and Maritime and Commercial Court. In 4 is beside the 24 district courts 4 biting court houses.

**Q042 (2019):** Commercial and naval court  
Land Registration court.

**Q042 (2018):** Data has not changed on this point.

**Q042 (2017):** District courts are called 1st instance courts, the Land Registration court and the Maritime and Commercial Court are considered as first instance specialized courts. Second and third instance courts are the two High Courts and the Supreme Court.

**Q043 (General Comment):** Re "Juvenile Courts" such courts do not exist. Juveniles are dealt with by district courts as any other case. There are taken special care though of juveniles in a Juvenile Board. The category "other" concerns the Land Registration Court that has been established in 2009. As for the Commercial Court, in Denmark, it is called Maritime and Commercial Court and it presents the peculiarity to also deal, to a great extent but not exclusively, with insolvency cases (bankruptcies etc.). Accordingly, there is an overlap with the category "Insolvency courts". Family courts are administered as part of District courts. There is one military court but military courts are not part of the Danish Courts Administration.

**Q043 (2022):** Land Registration Court (see also general comments). The other specialized court is Maritime and Commercial Court. The latter do some degree deals with insolvency cases similar to district courts.

**Q043 (2021):** "Other specialised courts" is The Land Registration Court.

**Q043 (2020):** Land Registration Court (see also general comments). The other specialized court is Maritime and Commercial Court. The latter do some degree deals with insolvency cases similar to district courts.

**Q043 (2019):** Other specialised 1st instance court is the Land Registration Court. The Maritime and Commercial Court is a commercial court which ALSO deals with insolvency cases. Although it looks like there are two courts there is only one! As the district courts outside Greater Copenhagen deal with insolvency cases, and the Maritime and Commercial Court deals with insolvency cases inside Greater Copenhagen, but at the same time is a specialized commercial court, the Maritime and Commercial Court is marked as a specialized Commercial Court and insolvency court.

**Q043 (2018):** Military courts exist but they are not part of the Danish Courts Administration. The 24 district courts have always dealt with family cases. From 1 April 2019 family issues are a section of the court.

**Q043 (2017):** The category "other" concerns the Land Registration Court that has been established in 2009. As for the Commercial Court, in Denmark, it is called Maritime and Commercial Court and it presents the peculiarity to also deal, to a great extent but not exclusively, with insolvency cases (bankruptcies etc.). Accordingly, there is an overlap with the category "Insolvency courts". Of course Military courts exist but they are not part of the Danish Courts Administration.

**Q043 (2016):** Land Registration Court.

**Q044 (2022):** Included in first instance courts are district courts, Land Registration Court and the Maritime and Commercial Court.

**Q044 (2021):** The 26 are all the 24 district courts plus the Maritime and Commercial Court and Land Registration Court. In the figure 29 is the two high courts and the Supreme Court included.

**Q044 (2020):** Included in first instance courts are district courts, Land Registration Court and the Maritime and Commercial Court.

## Estonia

**Q042 (2019):** A small courthouse was adjoined with another small courthouse. The distance between them was less than 50 km.

**Q042 (2016):** A small courthouse was adjoined with another small courthouse. The distance between them was less than 50 km.

**Q043 (General Comment):** In Estonia, there are no specialized first instance courts, other than administrative courts. All the cases are dealt with by ordinary courts of first instance. The two administrative courts of first instance are situated in Tallinn and Tartu. Nevertheless, for guaranteeing wider access to justice, these two courts have several court buildings in other cities, namely in Pärnu and Jõhvi, where judges and their supporting legal staff work.

**Q044 (General Comment):** Estonia has 17 courthouses of county courts (first instance courts), 4 courthouses of administrative courts (first instance courts), 2 courthouses of appellate courts (second instance courts) and 1 courthouse of the Supreme Court (highest instance court), all together 24 courthouses. However, as some of the courts are situated in the same house (e.g Tallinn Administrative Court and Tallinn Circuit Court) and taking into account the fact that Pärnu County Court has a courthouse that is divided between two locations, there are 20 actual geographical locations of Estonian courts.

**Q044 (2020):** Tartu county court closed one courthouse, so now there's 20 geographic locations.

**Q044 (2014):** In the end of 2015 the Council for Administration of Courts devised the merger of two courthouses in Estonia that are situated very close to each other (20 km). Both houses will remain open but will have joint territorial jurisdiction and administration.

## Finland

**Q042 (General Comment):** In Finland, there are 20 district courts with 36 offices, five courts of appeal, the Supreme Court, six administrative courts, the Supreme Administrative Court, the Market Court, the Labour Court and the Insurance Court. One of the administrative courts, the Labour Court and the Market Court are located in the same location. In total there are 36 courts in 52 geographic locations.

**Q042 (2021):** The number of district courts was reduced at the re-structuring on 1.1.2019

**Q042 (2020):** The number of district courts was reduced at the re-structuring on 1.1.2019.

**Q042 (2019):** The Court Network has been modified.

**Q042 (2016):** Some geographic locations of the District Courts have been shut down.

**Q042 (2014):** In 2014, in Finland there are 81 courts as geographic locations, namely 27 District Courts, 13 Branch offices of District Courts, 25 Auxiliary courtrooms of District Courts (23 till 2014), 3 specialized courts, 6 Administrative Courts (8 till 2014), 5 Courts of Appeal (6 till 2014), the Supreme Court and the Supreme Administrative Court.

**Q043 (General Comment):** In Finland, there are six regional administrative courts, the Market Court, the Labour Court and the Insurance Court.

Another specialised court is the High Court of Impeachment that hears charges against ministers (i.e. members of the Government), the Chancellor of Justice, the Parliamentary Ombudsman and members of the Supreme Court or the Supreme Administrative Court for unlawful conduct in office. In addition, the High Court of Impeachment deals with charges concerning the criminal liability of the President of the Republic. However, it is convened only when necessary.

**Q043 (2016):** In Finland there are 6 Administrative Courts, 1 Market Court, 1 Labour Court and 1 Insurance Court. Then there is the High Court of Impeachment that hears charges against Ministers (i.e. Members of the State Council), Chancellor of Justice, Parliamentary Ombudsman and Supreme Court Justices for unlawful conduct in office but it is convened only when necessary.

**Q044 (2018):** As of 1 January 2019, the district courts will be centralised by decreasing the number of the courts from 27 to 20. A court can have more than one office. The number of the district courts' offices will be reduced from 57 to 36 offices. As of 1 September 2019, undisputed civil cases (for example debt collection, unpaid rents, other small debts and eviction cases) which are handled and decided in summary proceedings will be centralised from all 20 district courts to nine district courts.

**Q044 (2016):** In Finland is ongoing structural reform of the District Courts in which the number of the courts will be decreased from 27 to 20. The main target is to merge smaller courts in to bigger units that would be more efficient and profitable and also maintain high quality. At the same time the geographical locations of the District Courts will be decreased from 57 to 36. This means that in addition to the 7 administrative offices that will be shut down, 5 side offices and 13 separate locations for hearing will be closed. Instead the use of video conference, electronic services and other IT-solutions would be increased. Deadline for the new project is 31.12.2018 so that the reform would be in force in the beginning of the year 2019. The government's proposal has been given at January 2017. The handling of the proposal in the parliament is unfinished.

**Q044 (2014):** According to 2014 data, for the foreseeable future the next reform is the developing of the structure of the District Court network. The foreseen change is a reduction of the number of District Courts.

## France

**Q042 (2021):** 1.1 : 164 TJ + 4 TPI

1.2 : 30 Courts of appeal in mainland France + 6 Courts of appeal in overseas France + 1 Superior Court of Appeal in Saint Pierre and Miquelon = 37

1.3: the Court of Cassation

Source DSJ

**Q042 (2020):**

There are 168 first instance courts of general jurisdiction, 37 second instance courts of general jurisdiction, and 1 highest instance court of general jurisdiction in the French judicial system.

**Q042 (2019):** See the comment on specialised first instance courts in the frame of Q43.

**Q042 (2018):** With regard to the ordinary courts, the number indicated in the 2016 questionnaire includes the local courts that have been abolished since 1 July 2017 (Act No. 2011-1862 of 13 December 2011), their powers having been taken over by the courts of first instance in civil matters and by the police courts attached to the courts of first instance in criminal matters.

The number of 786 corresponded to: 164 TGI + 4 TPI + 307 TI + 311 jprox. Since then, TIs have been removed from the category of ordinary courts of first instance since they constitute specialised courts of first instance. The number of 479 ordinary courts of first instance therefore corresponded to 164 TGI + 4 TPI + 311 TPROX. The figure of 168 is thus explained by the abolition of the 311 local courts since 1 July 2017, as indicated in the comments in the questionnaire.

Thus:  $479 - 311 = 168$  ordinary courts of first instance (164 TGI + 4 TPI).

**Q043 (General Comment):** With regard to the Enforcement of criminal sanctions courts: in matters of enforcement of sentences, the enforcement judge (JAP) is a court of first instance for the enforcement of sentences, being at the same time a decision-making, control and monitoring body. There is at least one JAP per department (article 712-2 of the CPP). The JAP is competent for adult convicts, and his field of intervention is the following: for measures to individualize custodial sentences, he or she has general jurisdiction (except for a few measures that fall under the special jurisdiction of the Court for the enforcement of sentences); for custodial sentences, when a specific text so provides; for the follow-up of security measures. Established by the law of March 9, 2004, the Court for the enforcement of sentences (TAP) is a court of first instance, composed of three JAPs of first instance courts, appointed by order of the First President of the Appellate Court. In each Appellate Court, a TAP is established whose territorial jurisdiction extends to the jurisdiction of this court (articles 712-3 and D 49-2 of the CPP, article indicating the list of TAPs by Appellate court and the territorial jurisdiction). The seat of the TAP is in principle "that of the first instance court of the seat of the Appellate Court" (article D. 49-3 CPP). The objective is to entrust the most complex and sensitive cases to a collegiality. Thus, the TAP has jurisdiction over: 1) by the effect of the law for those sentenced to the heaviest penalties: applications for parole and suspension of "medical" sentences for persons sentenced to imprisonment or imprisonment of more than 10 years and whose remaining sentence to be served exceeds 3 years; applications for an increase in the security period; placement under judicial supervision of dangerous persons...); 2) by decision of the JAP, in particular because of the complexity of the case or the personality of the convicted person (article 712-6 al. 3 of the CPP). In matters of terrorism, a derogatory jurisdiction is provided for under ordinary law (articles 706-22-1 and D 49-75 to D49-81-5 of the CPP). The Paris Enforcement courts specialized in terrorist matters (JAPAT, the TAPAT and the enforcement chamber) have 1) exclusive jurisdiction to monitor persons convicted by specialized terrorism trial courts pursuant to Article 706-17 of the CPP; 2) competing jurisdiction with ordinary law Enforcement courts to monitor persons convicted of acts of terrorism and other offenses falling within the scope of Article 706-16 of the CPP by ordinary law courts. source DACG.

**Q043 (2022):** 272 TPBR, along with 1 tribunal for navigation on the Rhine, 1 TPI for navigation on the Moselle, 6 maritime tribunals, 1 CNDA and 1 Commission of litigation regarding paid parking.

**Q043 (2021):** Labour courts: 211 CPH (conseils de prud'hommes) + 5 labour courts = 216 courts. The CPH have jurisdiction, according to Article L. 1411-1 of the Labour Code, to hear individual disputes between employees or apprentices and their employers arising from the execution of an employment or apprenticeship contract. Commercial courts: 134 TCs, 9 TMCs, 2 TPIs with commercial jurisdiction, 7 TJs with commercial jurisdiction = 152 courts. Commercial courts are specialised courts with jurisdiction to hear disputes relating to commitments between traders, between credit institutions or between them, disputes relating to commercial companies and commercial acts by their form (Art. L. 721-1 et seq. of the Commercial Code). There are 134 commercial courts whose judges are exclusively "juges consulaires". With regard to the judicial organisation in overseas France, there are 2 First instance courts with jurisdiction in commercial matters and 9 mixed commercial courts. In addition, 7 judicial courts have a commercial chamber in Alsace-Moselle. Concerning juvenile courts: 156 according to the key figures of Justice 2021 and 155 according to the judicial atlas of 2021.

"Other specialised courts": the parity courts for rural leases (TPBR): 272 (according to the key figures for Justice 2021); the court for navigation on the Rhine (L 215-4 al.1 COJ) ; the court of first instance for navigation on the Moselle (L 215-4 al.2 COJ); 6 maritime courts (Bordeaux, Brest, Cayenne, Le Havre, Marseille Saint-Denis); the National court of asylum. Source DSJ and Council of State

**Q043 (2020):** Despite the provisional NA answer for the category " Courts for the execution of criminal sanctions ", the total is available, as it is a small number that will not significantly affect the total. On labor courts: 210 CPHs + 6 labor courts = 216 courts Industrial tribunals have jurisdiction, according to Article L. 1411-1 of the Labor Code, to hear individual disputes that arise between employees or apprentices and their employers during the execution of an employment or apprenticeship contract. There are 210 industrial tribunals and 6 labor courts in the French overseas territories. Same figure as in 2020 On commercial courts: 134 TCs, 9 TMCs, 2 TPJs with commercial jurisdiction, 7 TJs with commercial jurisdiction = 152 courts Commercial courts are specialized courts with jurisdiction to hear disputes relating to commitments between traders, between credit institutions or between them, disputes relating to commercial companies and commercial acts by their form (Art. L. 721-1 et seq. of the Commercial Code) On social jurisdictions:

-Since November 1, 2019, litigation concerning military disability pensions has been transferred to the jurisdiction of the administrative courts, doing away with the military disability pension courts and the regional military disability pension courts that rule on appeal.

- Since January 1, 2019, as a result of Law No. 2016-1547 of November 18, 2016 on the modernization of justice in the 21st century, social litigation, formerly divided between the social security courts (TASS), the courts of disability litigation (TCI) and the departmental social assistance commissions (CDAS), was merged and transferred to the "tribunaux de grande instance", ordinary courts of first instance, which became, as of January 1, 2020, by effect of law n° 2019-222 of March 23, 2019 on programming 2018-2022 and reform for the justice system, Judicial Courts. Consequently, these specialized jurisdictions have been abolished. On appeal, the litigation was only under the jurisdiction of the CNITAAT (extended until December 31, 2022; but now it is under the jurisdiction of specially designated courts of appeal, which allows for better accessibility to justice. There are 134 commercial courts whose judges are exclusively consular. With regard to the judicial organization in overseas France, there are 2 courts of first instance with jurisdiction in commercial matters and 9 mixed commercial courts. In addition, 7 judicial courts have a commercial chamber in Alsace-Moselle. In 2020 it was written 143 commercial courts because I think that only the TC and TMC were counted and not the TJ with commercial jurisdiction nor the TPI with commercial jurisdiction. About the other specialized courts :

The tribunaux paritaires des baux ruraux (TPBR) are autonomous (L. 491-1 of the Code rural et de la pêche maritime). The 2018-2022 programming and reform law for justice sets the seats and jurisdictions of the TPBRs no longer with reference to the seats of the former magistrate's courts but according to the seats of the judicial courts and their proximity chamber. On social jurisdictions:

-Since November 1, 2019, the litigation of military disability pensions has been transferred to the jurisdiction of the administrative courts, making the military disability pension courts and the regional military disability pension courts, which rule on appeal, disappear.

- Since January 1, 2019, as a result of law no. 2016-1547 of November 18, 2016 on the modernization of justice in the 21st century, social litigation, which was previously divided between the social security courts (TASS), the disability litigation courts (TCI) and the departmental social assistance commissions (CDAS), was merged and transferred to the "tribunaux de grande instance", courts of first instance under ordinary law, which became, as of January 1, 2020, the "Tribunaux Judiciaires" (Judicial Courts) under law No. 2019-222 of March 23, 2019 on programming for 2018-2022 and reform of the justice system.

**Q043 (2019):** Since 1 January 2019, social litigation, formerly divided between the social security courts (TASS), the incapacity courts (TCI) and the departmental social assistance commissions (CDAS), has been merged and transferred to the "tribunaux de grande instance" (first instance courts of general jurisdiction). As a result, these specialised courts have been abolished.

As of 1 November 2019, litigation concerning military invalidity pensions will be transferred to the administrative courts, eliminating the military invalidity pension courts and the regional military invalidity pension courts which rule on appeal.

These changes explain the variation in the number of courts compared to the previous year. The other specialised courts are: - joint courts for rural leases: 274; juvenile courts: 155; court for navigation on the Rhine: 1; maritime courts: 6; national asylum court: 1; court of first instance for navigation on the Moselle: 1.

**Q043 (2018):** The other specialized courts are: - joint courts for rural leases: 272 ;  
- juvenile courts: 155; - military pension courts: 36;  
- court for navigation on the Rhine: 1;  
- Maritime courts: 6;  
- national court of asylum: 1; - court of first instance for navigation on the Moselle: 1.

In the previous questionnaire, the Joint Rural Lease Courts (JRTs) were indicated, with the District Courts (TIs) within the "Rental Courts", the figure of 307 corresponding to the District Courts, since the seats and jurisdictions of the JRTs were linked to those of the TI. However, the TPBRs are, and have always been, autonomous courts. However, as decrees have been issued to remove some TPBRs, there is no longer a correlation between their number and that of IT. We have therefore indicated here in the "rental courts", only IT (289), and by including TPBRs in a separate item, which is legally more accurate. The total number of TPBRs is 274. On the insurance and social security courts: in the requested reference year, there are 26 disability courts, 115 social security courts (TASS) and 100 departmental social assistance commissions (CDAS). The differential of 100 corresponds to the addition of the 100 CDASs which are administrative courts.

The Paris Court, created on 14 May 2018, brought together all the services of the Regional Court, formerly dispersed over 5 sites, including Ile de la Cité, the Police Court and the 20 District Courts. The number of TIs had to be reduced by 19. In addition, the reform of the transfer of the police court under the 21st century Justice Act had the effect of removing 3 of them from the 307 TIs. The number of IT has therefore increased from 304 (307-3) to 285 district courts (304-19). We have added to these 285 TI the 4 TPIs because of their dual IT and TGI skills. Thus: 285 TI + 4 TPI = 289 TI in total.

**Q043 (2017):** The other specialized courts are:

- juvenile courts 155
- military pensions tribunals 36
- the court for navigation on the Rhine 1
- the court for navigation on the Moselle 1
- maritime trade courts 6
- national court of asylum 1

**Q043 (2016):** The other specialised courts are: 155 juvenile courts; 36 military pension courts; 1 court for navigation on the Rhine; 1 court for navigation on the Moselle; 6 maritime trade courts; 1 national asylum court.

As a matter of fact, the following reforms are on-going:

- The future Tribunal de Paris, whose establishment is scheduled for 14 May 2018, will unify all the services of the TGI (Tribunal de grande instance) currently dispersed over 5 sites, including "Ile de la Cité", the police court and the first instance courts (tribunaux d'instance);
- Since 1 July 2017, the hearings of the Police Court, previously under the jurisdiction of the "tribunaux d'instance", have been transferred to the TGI. The aim of this reform is to refocus the tribunaux d'instance on day-to-day civil justice and to centralise criminal litigation at the seat of the TGI.
- Since 1 July 2017, the 311 local courts have been abolished (Law No. 2011-1862 of 13 December 2011), their powers being taken over by the tribunaux d'instance in civil matters and by the police courts attached to the TGI in criminal matters.
- As of 1 January 2019, social litigation, currently divided between the Social Security Courts (TASS), the Disability Dispute Courts (TCI) and the Departmental Social Assistance Commissions (CDAS), will be unified and transferred to the TGI (first instance courts of general jurisdiction). These specialised courts will then be abolished.

**Q043 (2015):** Other specialised courts are:

- Juvenile courts : 155
- Military Pensions Courts: 36
- Court for navigation on the Rhine: 1
- Maritime Courts: 14
- National Court of Asylum: 1
- Court of First Instance for navigation on the Moselle: 1

**Q043 (2014):** The reduction of the number of specialised courts is primarily due to the suppression of 70 military pensions courts. The other specialised courts are: Children courts (155); Military pensions courts (36); the Rhine navigation court; commercial maritime courts (14); the National court for asylum right; the Court for the navigation on the Moselle. In contrast with 2010 and 2012 data, a part of the "other specialised courts" was distributed in the proposed categories, namely the agricultural land courts, the courts of rental cases, the Courts for enforcement of criminal sanctions and the courts of incapability litigation. The specialised interregional courts, competent to judge cases of organised crime were added.

**Q043 (2013):** The reduction of the number of specialised courts is primarily due to the suppression of 70 military pensions courts. The other specialised courts are: Children courts (155); Military pensions courts (36); the Rhine navigation court; commercial maritime courts (14); the National court for asylum right; the Court for the navigation on the Moselle. In contrast with 2010 and 2012 data, a part of the "other specialised courts" was distributed in the proposed categories, namely the agricultural land courts, the courts of rental cases, the Courts for enforcement of criminal sanctions and the courts of incapability litigation. The specialised interregional courts, competent to judge cases of organised crime were added.

**Q043 (2012):** There are 135 Commercial Courts and 8 mixed commercial courts (this of Mayotte is not included). The category "labour courts" subsumes 210 industrial courts and 6 labour courts. The category "insurance and/or social security courts" refers to the courts responsible for social security cases. The other specialised courts are: Police courts (3); local Police courts (3); Children courts (155); Incapacity Dispute courts (26); Agricultural land courts (281); Sentence enforcement courts (50); Military pensions courts (106); the Rhine navigation court; Commercial maritime courts (14); the Court for the navigation on Moselle. The military court of Paris was discontinued in January 2012. Its functions were transferred to a pole specialised in military matters in the High Court of Paris.

**Q044 (2022):** The data encompasses both the jurisdictions of the judiciary and those of the administrative order (the number of geographical locations of administrative courts: 1) Administrative courts at first instance (including common law jurisdictions at first instance and specialized jurisdictions at first instance): 32 in mainland France / 11 overseas territories; 2) All administrative courts (this figure includes common law courts at first instance, specialized courts at first instance, all second-instance courts and appellate courts, as well as all Supreme Courts): 42 in mainland France / 11 overseas territories.

**Q044 (2021):** 661: this figure takes into account all courts of first instance, excluding Courts of appeal (CA). Sites hosting only a Court of appeal have therefore been excluded from this count. Sites hosting both a CA and a court of first instance have been counted only once (hence the difference of 44: 37 CAs occupying 44 sites), 43 of which are for the administrative order. 715: this figure takes into account all courts, whether on appeal or at first instance. When a court of first instance and a Court of appeal are located on the same site, they have been counted separately, including 53 for the administrative order.

**Q044 (2020):** "With regard to the judiciary, there are 576 courts of first instance - geographic locations. This figure takes into account, by number of sites, all the courts of first instance, excluding the second instance court. Sites hosting exclusively a second instance court have therefore been excluded from this count. Sites hosting both a CA and a trial court were counted only once. There were 619 Courts geographic locations counted. This figure takes into account, by number of sites, all the jurisdictions whether they are appeal or first instance. Moreover, when a first instance court and a second instance court are located on the same site, they have been counted twice (hence the difference of 43 with the previous question: 37 CA which occupy 43 sites).

As regards the administrative order, there are 42 first instance courts for the administrative order and 53 all courts for the administrative order. "

**Q044 (2016):** A reform could take place within the framework of the bill on Justice programming presented in 2018. If no court site should be closed, the organization could be modified, particularly at the level of the courts of appeal, whose map is very different from those of the current administrative regions. There could also be only one first instance court per department.

**Q044 (2014):** As of 1 September 2014, the high courts (TGI) were resettled in the towns of Saint-Gaudens, Saumur and Tulle. Moreover, seconded chambers (geographic locations) were created on the same date in Guingamp and Marmande and on 1 January 2015 in Millau. A draft law to modernise the justice provides that the litigation of social security affairs and disability will be brought together before the TGI. Small offences ruled before the District Court will be transferred to TGI; similarly, compensation for personal injury will be entirely the responsibility of the TGI.

## Germany

**Q042 (General Comment):** Eventhough the german legal system generally knows three instances (first instance, appeal on questions of fact and law, appeal on questions of law only), the different kinds of courts do not correspond directly to the stages of appeal. Local courts (Amtsgerichte) are first instance courts with the regional courts (Landgerichte) as next stage of appeal (exceptions apply in family matters). However, regional courts do not only serve as second instance courts but also deal with first instance cases. Whether a case is initially dealt with at a local or regional court depends (among other things) on the value at dispute (civil cases) or on the kind of the suspected offence (criminal cases). Similarly the higher regional courts may serve as second instance courts (for cases that were initially dealt with at regional courts or for cases in family matters) and as highest instance courts for cases that were initiated at the local courts (especially in criminal cases). The constitutional courts of the federal states and the Federal Constitutional Court (Bundesverfassungsgericht) are not part of the the stages of appeal. Constitutional jurisdiction is also seen as seperate from general and specialised jurisdiction. Constitutional courts review legislation with regard to constitutional provisions. The Federal Constitutional Court mainly assess alleged violations of base rights by public authorities. However, in order to have access to the constitutional courts, the regular path of legal proceedings must generally be exhausted.

**Q042 (2022):** 1.1 First instance courts include: 638 local courts, 115 regional courts  
regional courts handle first as well as second instance cases. In 2022, regional courts registered 300 266 incoming first instance cases and 68 876 incoming second instance cases (civil and criminal matters). For further information see General Comment.

1.2 Second instance courts include: 24 higher regional courts

higher regional courts handle second and third instance cases as well as certain (few) first instance cases. Higher regional courts are the third and final instance with regard to criminal cases, that were originally initiated at the local courts. In 2022, higher regional courts recorded 72 201 incoming second instance cases (excluding family matters) and 4 761 incoming third/last instance cases. For further information see General Comment.

1.3 Highest instance courts include: Federal Supreme Court

2. The total number of specialised courts includes administrative, labour, financial, and social courts as well as the Federal Patent Court.

Discrepancy in comparison to the 2022-2020 cycle:

regional courts were originally counted twice as first instance and second instance courts. Higher regional courts were counted as second instance courts. This was changed during the 2023-2021 cycle (EU-Scoreboard). The regional courts and higher regional courts are now placed according to the number of incoming cases as outlined in the explanatory note.

In previous cycles, the total number of specialised courts included 16 constitutional courts of the federal states as well as the Federal Constitutional Court. In the current cycle, these courts are no longer included as they are mostly seen as seperate from the ordinary justice system (for further information please refer to the general comment).

**Q042 (2021):** 1.1 First instance courts include: 638 Local Courts, 115 Regional Courts

Regional Courts handle first as well as second instance cases. In 2021, Regional Courts registered 344 128 incoming first instance cases and 75 400 incoming second instance cases (civil and criminal matters). For further information see General Comment.

1.2 Second instance courts include: 24 Higher Regional Courts

Higher Regional Courts handle second and third instance cases as well as certain (few) first instance cases. Higher Regional Courts are the third and final instance with regard to criminal cases, that were originally initiated at the Local Courts. In 2021, Higher Regional Courts recorded 102 029 incoming second instance cases and 5 089 incoming third/last instance cases. For further information see General Comment.

1.3 Highest instance courts include: Federal Supreme Court

The total number of specialised courts includes 16 Constitutional Courts of the Länder.

**Q042 (2020):** 1.1 First instance courts include: 638 Local Courts, 115 Regional Courts

1.2 Second instance courts include: 115 Regional Courts, 24 Higher Regional Courts

1.3 Highest instance courts include: 24 Higher Regional Courts, Federal Supreme Court

The vertical consistency is not fulfilled, since the 115 Regional Courts appear as "First instance courts" (1.1) as well as "Second instance courts" (1.2) and 24 Higher Regional Courts appear as "Second Instance Courts"(1.2) as well as "Highest Instance Courts" (1.3).

For further information please consult the General Comment.

The total number of specialised courts includes 16 Constitutional Courts of the Länder.

**Q043 (General Comment):** It is noteworthy that depending on the value at dispute, commercial cases are dealt with at local or regional Courts, on application in a chamber established at the regional court for commercial cases. There are no separate commercial courts. Likewise, there are no independent rent and tenancies courts, enforcement courts or courts for insurance cases. Depending on the caseload, special panels of judges are established for this purpose at the local and regional Courts. Family cases are dealt with at first instance in special departments of the local courts (second instance: higher regional courts). The Federal Armed Forces do not have any military courts of their own; its members are subject to civil jurisdiction. Juvenile courts do not exist as independent courts either. They are established at the local courts or regional courts, depending on the severity of the expected sentence and the type of offence. The juvenile courts may be composed of a single criminal judge sitting as youth judge or one or more judges together with lay youth assessors.

**Q043 (2022):** Comments - If "Other specialised courts", please specify:

The category "other" covers:

18 finance courts (first instance)

Federal Patent Court and the Federal Finance Court (higher instances)

In previous cycles, other specialised courts included 16 constitutional courts of the federal states as well as the Federal Constitutional Court. In the current cycle, these courts are no longer included as they are mostly seen as separate from the ordinary justice system (for further information please refer to the general comment).

**Q043 (2021):** The category "other" covers:

18 Finance Courts (first instance)

16 Constitutional Courts of the Länder, the Federal Constitutional Court, Federal Patent Court and the Federal Finance Court (higher instances)

With regard to the Constitutional Courts please see General Comment Q 42.

**Q043 (2020):** The category "other" covers:

18 Finance Courts (first instance)

16 Constitutional Courts of the Länder, the Federal Constitutional Court, Federal Patent Court, Federal Labour Court, Federal Administrative Court, Federal Social Court and the Federal Finance Court (higher instances)

With regard to the Constitutional Courts please see General Comment Q 42.

**Q043 (2019):** finance courts

**Q043 (2018):** Finance Courts

**Q043 (2017):** Finance courts

**Q043 (2016):** Other specialised 1st instance courts: Finance Courts

**Q043 (2015):** The data refer to the year 2014. At present, no more recent data are available.

**Q043 (2014):** In 2014, in comparison with 2012, the number of specialized first instance courts decreased of three labour courts in two Landers.

**Q044 (General Comment):** The figures in this section are taken from the chart "Number of Federal and State Courts" that does not distinguish between legal entities and geographic location of the courts. Generally, one legal entity equals one geographic location. A small number of courts may have a additional points of presence in other geographic locations. Since the exact number of geographic locations in comparison to legal entities is unknown, the figures from the chart "Number of Federal and State Courts" were used to answer this question as well.

**Q044 (2018):** The possibility of combining courts is being considered by individual Länder in order to reduce costs. The regional structures have proven effective.

On 5 November 2019, the Land Government of Schleswig-Holstein adopted a statutory instrument on the concentration of jurisdiction which combines existing concentrations of jurisdiction while adding further concentration provisions. The instrument will be promulgated at the end of the month.

**Q044 (2016):** The possibility of combining courts is being considered by individual Länder in order to reduce costs.

## Greece

**Q042 (2020):** In highest instance courts include the Supreme Court( Areios Pagos). In First instance courts of general jurisdiction are included in the number 259, 196 local and District Criminal Courts and 63 courts of first degree.

**Q043 (General Comment):** In Greece, there are no special courts for the fields of law described in the question 43, besides those already mentioned. The Greek Constitution is reluctant to provide in the Greek legal system special courts. Instead, within the Courts of First Instance and Courts of Appeal of large cities, we have special Chambers, where the task of adjudicating in special categories of law (e.g. family law, commercial law, etc.) is assigned. Judges entrusted with such duties have usually the correspondent specific studies. As far as other special courts are concerned, special provisions regulate the operation of courts for juveniles, military, navy and air force courts. We clarify that the military, navy and air force courts are under the jurisdiction of the Ministry of National Defense, therefore we have no further information.

**Q043 (2022):** The Court of Auditors is one of three supreme courts in Greece.

**Q043 (2021):** There are no special courts for resolving Internet-related disputes.

**Q043 (2020):** Administrative courts include: in the first instance 30, in the second instance 9 and 1 Supreme Court (the Council of State).

Juvenile courts are subject to the Courts of First Instance, according to your instructions the choice changed from non-available to non applicable.

The military courts are under a different ministry, specifically the National Defense.

The higher instance other specialized courts is the Court of Auditors that is considered one of three supreme courts in Greece.

**Q043 (2017):** In Greece, there are no special courts for the fields of law described in the question 43, besides those already mentioned. The Greek Constitution is reluctant to provide in the Greek legal system special courts. Instead, within the Courts of First Instance and Courts of Appeal of large cities, we have special Chambers, where the task of adjudicating in special categories of law (e.g. family law, commercial law, etc.) is assigned. Judges entrusted with such duties have usually the correspondent specific studies. As far as other special courts are concerned, special provisions regulate the operation of courts for juveniles, military, navy and air force courts.

**Q044 (2020):** The total number of courts includes the Court of Auditors

**Q044 (2014):** According to 2014 data, the Law 1756/1988, article 2, as modified by the Law 4123/2013, provides for a reduction of the number of courts. Besides, the Law 1756/1988, article 4, as modified by the Law 4264/2014, provides for a change in the powers of courts.

## Hungary

**Q042 (General Comment):** The Hungarian court system is as follows: Kúria (1) – the Hungarian Supreme Court - its jurisdiction in criminal, civil and administrative cases covers adjudication of extraordinary remedies and appeals, adopting uniformity decisions. It also decides if municipal decrees are in compliance with higher level legislation. Regional courts of appeal (5) – their jurisdiction in criminal and civil cases covers the adjudication of appeals received from the regional courts (third instance in criminal cases). Regional courts (20) – their jurisdiction in criminal, civil and administrative cases covers the adjudication of appeals received from district courts, administrative and labour courts, and procedure at first instance in certain criminal and civil cases. District courts (113) – their jurisdiction in criminal and civil cases covers the procedures at first instance. The number of judges in the largest district court is 357, whereas the smallest court operates with one judge. Out of the 113 district courts, the district courts in the seat of the regional courts have special competences in many cases.

**Q042 (2020):** The Hungarian court system is as follows: Kúria (1) – the Hungarian Supreme Court - its jurisdiction in criminal, civil and administrative cases covers adjudication of extraordinary remedies and appeals, adopting uniformity decisions. It also decides if municipal decrees are in compliance with higher level legislation. Regional courts of appeal (5) – their jurisdiction in criminal and civil cases covers the adjudication of appeals received from the regional courts (third instance in criminal cases). Regional courts (20) – their jurisdiction in criminal, civil and administrative cases covers the adjudication of appeals received from district courts, administrative and labour courts, and procedure at first instance in certain criminal and civil cases. District courts (113) – their jurisdiction in criminal and civil cases covers the procedures at first instance. Out of the 113 district courts, the district courts in the seat of the regional courts have special competences in many cases. Administrative and labour courts (20) were dismissed on the 31st of March 2020. From this date Regional Courts deal with labour cases on first instance while administrative cases are dealt with by eight Regional Court on a regional level.

**Q042 (2019):** 113 District Courts (first instance courts of general jurisdiction)  
20 Administrative and Labour Courts (specialized first instance courts)  
20 Regional Courts (second instance courts of general jurisdiction + first instance courts in cases of higher importance)  
5 Regional Courts of Appeal (second instance courts in cases of higher importance)  
1 Supreme Court ("Kúria" - special judicial review)

It has to be noted that Administrative and Labour Courts are merged into the regional courts on the 31st of March 2020. Since 1st of April 2020 every regional court deals with labour cases on first instance (second instance are the regional courts of appeal) and 8 regional courts have special administrative law department dealing with first instance cases (second instance is the Supreme Court).

**Q042 (2018):** Two new district courts were established (one in 2017 in the city of Szigetszentmiklós, another one in 2019 in the city of Érd).

113 District Courts (first instance courts of general jurisdiction)  
20 Administrative and Labour Courts (specialized first instance courts)  
20 Regional Courts (second instance courts of general jurisdiction + first instance courts in cases of higher importance)  
5 Regional Courts of Appeal (second instance courts in cases of higher importance)  
1 Supreme Court (special judicial review)

**Q042 (2017):** All courts include :

112 District Courts  
20 Regional Courts  
20 Administrative and Labour Courts  
5 Regional Courts of Appeal  
1 Supreme Court (Kúria)

The Hungarian court system is as follows: Kúria (1) – the Hungarian Supreme Court - its jurisdiction in criminal, civil and administrative cases covers adjudication of extraordinary remedies and appeals, adopting uniformity decisions. It also decides if municipal decrees are in compliance with higher level legislation. Regional courts of appeal (5) – their jurisdiction in criminal and civil cases covers the adjudication of appeals received from the regional courts (third instance in criminal cases). Regional courts (20) – their jurisdiction in criminal, civil and administrative cases covers the adjudication of appeals received from district courts, administrative and labour courts, and procedure at first instance in certain criminal and civil cases. District courts (112) – their jurisdiction in criminal and civil cases covers the procedures at first instance. The number of judges in the largest district court is 357, whereas the smallest court operates with one judge. Out of the 111 district courts, the district courts in the seat of the regional courts have special competences in many cases. Administrative and labour courts (20) – their jurisdiction covers procedures at first instance in individual and collective labour disputes and in administrative cases. First instance administrative and labour courts (20) started operating on 1 January 2013 as first instance specialized courts. Thus from this date the number of first instance courts of general jurisdiction is 112.

**Q043 (General Comment):** There are military departments at five Regional Courts and at one Regional Court of Appeal. Although they only deal with military related criminal cases, they are not considered as specialized courts as they are a part of the ordinary court system both in administrative and professional management.

**Q043 (2020):** "Administrative and labour courts (20) were dismissed on the 31st of March 2020. From this date Regional Courts deal with labour cases on first instance while administrative cases are dealt with by eight Regional Court on a regional level".

**Q044 (2018):** According to proposed legislation an independent administrative court system may be established in the future.

**Q044 (2016):** Two new district courts will be established (one in 2017 in the city of Szigetszentmiklós, another one in 2019 in the city of Érd).

**Q044 (2014):** According to 2014 data, a new first instance (district) court will be established in the city of Érd on 01/01/2018.

## Ireland

**Q042 (General Comment):** In Ireland, there are only three first instance courts (as legal entities) exercising general jurisdiction for the entire State (the High Court, the Circuit Court and the District Court). Each of those three courts has a single court president only, who exercises a nationwide remit for his/her court. The number of geographic locations reflects the physical location serving as seats or venues for the three jurisdictions.

**Q042 (2016):** The specialised courts referred to are the two Special Criminal Courts the jurisdiction of which generally relates to trial of terrorism- and organised crime-related offences.

The increase of one location over the figure provided for 2014 refers to the temporary relocation of the Dublin District Court's Drug Treatment Court in 2016.

**Q043 (General Comment):** The two specialised first instance courts listed above are Special Criminal Court No. 1 and Special Criminal Court No. 2. The latter was established in October 2015 and came into operation, sitting for the first time, in 2016. In previous cycles the category "other" (1) was referring to Special Criminal Court No. 1.

Other than distinctions between jurisdictional levels there is no specialisation - all judges within a court jurisdiction may be allocated to any category of case falling within the jurisdictional remit of the court concerned. Starting in 2013 a new cadre of specialist judges was created in the Circuit Court with specific jurisdiction in relation to certain types of personal insolvency remedy and certain pre-trial order making powers.

Ireland has a specialist regime for the trial of commercial proceedings in the form of the Commercial List of the High Court (known as the 'Commercial Court') but, as it is not a separate legal entity, being a list within and formally a part of the High Court, it is not included as a specialist court as such.

**Q043 (2022):** There are currently 2 Special Criminal Courts in Ireland who (in general) deal with crimes relating to terrorism and organised crime. While divisions of other courts deal with many of the matters set out in the table above, there are no specialised courts per se to deal with same.

Furthermore, while there are other tribunals or bodies outside of the court system which have powers to make determinations in some of the matters in the table (e.g., the Labour Court and Military Courts). These tribunals are not within the courts system.

**Q043 (2019):** Legislation to provide for a Family Court has been proposed

**Q044 (2022):** There has not been an increase in venues since 2020. This answer is based on the explanatory note wherein if there are two courts, e.g. District and Circuit courts sitting in one specific location, they are to be counted separately whereas previously they were counted together.

**Q044 (2018):** The Assisted Decision-Making (Capacity) Act 2015 will, when commenced, replace the existing wardship regime for persons with capacity issues and introduce new decision support arrangements for such persons. New jurisdiction will, in particular, be conferred on the Circuit Court in respect of such arrangements. The current situation is that while some parts of the 2015 Act are commenced, others remain to be commenced.

**Q044 (2016):** The Assisted Decision-Making (Capacity) Act 2015 will, when commenced, replace the existing wardship regime for persons with capacity issues and introduce new decision support arrangements for such persons. New jurisdiction will, in particular, be conferred on the Circuit Court in respect of such arrangements.

**Q044 (2014):** According to 2014 data, legislation is in preparation for the creation of specialised family courts within the High, Circuit and District Courts.

## Italy

**Q042 (2018):** In 2012-2013 we went through a major reform of the judicial map. In particular, a great number of justice of peace offices (initially 846) were shut down. However, each Italian municipality had (and still has) the opportunity to preserve the office at their own expenses. For this reason, each year a series of Justice of Peace offices administered by the municipality might be re-opened or closed. 3 justice of peace offices closed between 2017 and 2018.

**Q042 (2017):** In 2012-2013 we went through a major reform of the judicial map. In particular, a great number of justice of peace offices (initially 846) were shut down. However, each Italian municipality had (and still has) the opportunity to preserve the office at their own expenses. For this reason, each year a series of Justice of Peace offices administered by the municipality might be re-opened or closed.

**Q043 (General Comment):** Since 2014 in Italy there are 22 Brand Commercial courts (Tribunali delle imprese) that are legal entities of their own and not just internal court divisions for organizational purpose (such as labour, family etc.).

It is noteworthy that in Italy, some of the specialized first instance courts are not administered and financed by the Ministry of Justice. This is the case for the regional administrative courts, the regional audit commissions, the local tax commissions and military courts. These courts are not taken into consideration for the replies to questions 6, 46 and 52 for none of the exercises.

In respect of the 20 first instance administrative courts (legal entities) and their supreme court, it should be stressed that they have been encompassed within the total under question 43 for the last four exercises, but only since 2014 this approach is reflected in questions 91 and 99 (number of administrative law cases).

Moreover, in Italy specific matters (such as labour, family etc.) are dealt by specific divisions within the same Court. There are also 26 divisions called DDA (Direzioni Distrettuali Antimafia) which deal specifically with mafia and organized crime.

**Q043 (2022):** The appeal of some specialized courts (e.g. commercial courts, juvenile courts) are dealt by the general jurisdiction appeal courts. Specific subject matters (e.g. labour, insolvency, family, fight against terrorism and organised crime) are dealt by specific divisions within general jurisdiction courts. See general comment for details. The option "Other specialised courts" refers to tax courts.

**Q043 (2021):** The appeal of some specialized courts (e.g. commercial courts, juvenile courts) are dealt by the general jurisdiction appeal courts.

Specific subject matters (e.g labour, insolvency, family, fight against terrorism and organised crime) are dealt by specific divisions within general jurisdiction courts. See general comment for details.

**Q043 (2020):** Tax courts fall into the "Other" category.

The appeal of some specialized courts (e.g. commercial courts, juvenile courts) are dealt by the general jurisdiction appeal courts.

Specific subject matters (e.g labour, insolvency, family, fight against terrorism and organised crime) are dealt by specific divisions within general jurisdiction courts. See general comment for details.

**Q043 (2019):** The category "other" subsumes 29 Minor (or Juvenile) Courts and 103 Tax Courts

**Q043 (2018):** The category "other" category subsumes 29 Minor (or Juvenile) Courts and 103 Tax Courts.

**Q043 (2017):** Other: 29 Minor (or Juvenile) Courts + 103 provincial tax commissions

**Q043 (2016):** OTHER: 29 Minor (or Juvenile) Courts + 103 Local Tax Commissions

**Q043 (2013):** In September 2013, the Italian judicial system implemented an extensive reorganization of the territorial distribution of offices with the closing (by merger) of 30 Tribunals, 30 Prosecution offices, 220 branches of Tribunals and 346 Peace Judges.

**Q044 (2016):** Enhancing the specialization of judges / courts. In particular, the judiciary authorities are evaluating the introduction of specific courts for family and personal matters ("Berruti" reform). Increased competence of Business Courts. Establishment of specialized sections on matters such as immigration, international protection and free movement of citizens of the European Union.

Revision of the appeal system in order to reduce the appeal rate.

## Latvia

**Q042 (2022):** "1.1 First instance courts of general jurisdiction - legal entities": in 2022, three courts were merged into one, creating the Riga City Court.

In Latvia, the two administrative courts and the Economic court are considered as courts of general jurisdiction, but according to the CEPEJ methodology, data are inserted in line 2 "Total number of specialized courts".

**Q042 (2021):** In the total number of specialised courts - legal entities are included 1 Administrative court, 1 Administrative Regional (appeal) Court and 1 Economic Court, what was created and started operates from 31.03.2021. in Latvia. From 01.08.2022. is created and operates Riga City Court, merging 3 courts in Riga city territory. The number of first instance courts of general jurisdiction is indicated as it was in 2021, not including Riga City Court as 1 court in Riga. In Latvia is also Constitutional court - which within the jurisdiction specified in the Constitution of the Republic of Latvia and in this Law, shall adjudicate matters regarding the conformity of laws and other regulatory enactments with the Constitution, as well as other matters regarding which jurisdiction is conferred upon it by this Law. The Constitutional court is not included in the total number of the courts.

**Q042 (2020):** In the total number of specialised courts - legal entities are included 1 Administrative court and 1 Administrative Regional (appeal) court. Starting from 31.03.2021. in Latvia is created and operates the Economic Court. The Economic Court is not included in the total number of specialized courts. In Latvia is also Constitutional court - which within the jurisdiction specified in the Constitution of the Republic of Latvia and in this Law, shall adjudicate matters regarding the conformity of laws and other regulatory enactments with the Constitution, as well as other matters regarding which jurisdiction is conferred upon it by this Law. The Constitutional court is not included in the total number of the courts.

**Q042 (2019):** Since the reform of March, 2018, the number of first instance courts has been reduced to 10 legal entities at first instance (9 general + 1 administrative). There are also 6 appellate courts and Supreme court. In 2019 was completed reform of Land Register Units, which are included in the composition of district (city) courts. The number of legal entities doesn't change, but number of courts per geographic locations therefore differs.

The data regarding the geographic locations are indicated on 31.12.2019.

**Q042 (2018):** Since the reform of March, 2018, the number of first instance courts has been reduced to 10 legal entities at first instance (9 general + 1 administrative). There are also 6 appellate courts and Supreme court.

**Q042 (2017):** The number of first instance courts (legal entities) is indicated on 31.12.2017., in Latvia starting from 2015 till March, 2018 was a reform where court map was revised. The number of first instance courts (legal entities) starting from March, 2018 is 9. As regards the specialised court - there is only one specialised court the Administrative court with 5 court houses.

**Q042 (2016):** There is only one specialised court the administrative court with 5 court houses

**Q043 (General Comment):** The Economic court, is specialized in commercial cases so it can be classified as a specialized court within the scope of this question. It is a first instance court.

The administrative court can be considered as a first and second instance specialized court (within the scope of this question). The Administrative District Court in Riga and the Administrative Regional Court are located in one building. As to the category "military courts", the reply NA is justified by the fact that according to the Law on Judicial Power, judicial power in the Republic of Latvia is vested in district (city) courts, regional courts, the Supreme Court and the Constitutional Court, but in state of emergencies or during war – also military courts. The rest of the courts in Latvia are not established, and therefore in this case should be NAP.

**Q043 (2021):** Military courts is established in state of emergency or during a war. On 1 July 2020, amendments to the Law on Judicial Power came into force, providing for the establishment of the Economic Court, which is competent for both certain types of civil and criminal cases. Accordingly, the Court is competent for specific commercial disputes and criminal cases, which cause significant damage to the business environment and economic development. The Economic Court is indicated as Commercial Court. As for Administrative court - first instance court is Administrative District Court and for higher instance is indicated Administrative Regional (appeal) instance Court.

**Q043 (2020):** Military courts is established in state of emergency or during a war. On 1 July 2020, amendments to the Law on Judicial Power came into force, providing for the establishment of the Economic Court, which is competent for both certain types of civil and criminal cases. Accordingly, the Court is competent for specific commercial disputes and criminal cases, which cause significant damage to the business environment and economic development. The Economic Court is not counted yet in the total number of specialized courts, because it will start its action on 31st March 2021. As for Administrative court - first instance court is Administrative District Court and for higher instance is indicated Administrative Regional (appeal) instance Court.

**Q043 (2019):** There is only Administrative court in Latvia. On July 1, 2020, amendments to the Law "On Judicial Power" entered into force. The Amendments provides for the establishment of the Court of Economic Affairs. The Economic Court will take office on 1 January 2021.

**Q043 (2018):** There is only Administrative court in Latvia.

**Q043 (2016):** There is only one specialised court the administrative court with 5 court houses

**Q044 (2021):** All the courts (geographic locations) - Administrative District Court in Riga and Administrative Regional Court is located in one building, there is counted as 1 court per geographical location and indicated in the number of first instance courts. The same situation is in Vidzeme region - Vidzeme Regional Court Madona Court house and Vidzeme District Court is located in 1 building, there is counted as 1 court per geographical location and indicated in the number of first instance courts.

**Q044 (2018):** Reform was finished in March 2018. In its course first instance court count was reduced to 10 (9 first instance + 1 first instance Administrative court).

In year 2020/2021 there is a plan of creating a court for economical cases that would be a specialised 1st instance court.

**Q044 (2016):** Starting from 1 of February 2016, the reform has been introduced in Latgale (administrative region of Latvia). A number of district (city) courts in territory of Latgale regional court was decreased from six to two district (city) courts (Balvi District Court and Ludza District Court had been incorporated into Rezekne District Court; Kraslava district court and Preili District Court had been incorporated into Daugavpils District Court).

in 2016, Ministry of Justice make preparatory work to make court house reform in two district (city) court in the Rigas region. Accordingly, starting from 1 of February 2017, the City of Rīga Zemgale Urban District Court has been reorganized and conjoined with the City of Rīga Kurzeme District Court and changed the name of this court to City of Rīga Pārdaugavas Court.

**Q044 (2014):** In the frame of the 2014 evaluation, it has been stressed that the Judicial Council and the Cabinet of Ministers have initiated the gradual unification of the territory of operation of district (city) courts, through the implementation of the reform of the Riga court region. From March 2015, the Sigulda Court is attached to the Riga District Court, while the Riga City Central District Court was attached to the Riga City Vidzeme District Court.

The Judicial Council's decision of 8 June 2015 confirmed the restructuring plan concerning the Jurmala City Court. According to the plan, the latter must be attached to the Riga District Court from August 2015. The review of the judicial map is intended to increase the efficiency of the court system and the quality of the judicial activity, to reduce the processing times and to even out the judicial capacity. The reform is still going on.

## Lithuania

**Q042 (General Comment):** 1.1. 12 district courts;

1.2. 5 regional courts (regional courts are appeal instance for judgments, decisions, rulings and orders of district courts as well as first instance courts adjudicating certain categories of cases; in this table regional courts are counted only as second instance courts of general jurisdiction) and the Court of Appeal of Lithuania;

2. 2 regional administrative courts and the Supreme Administrative Court of Lithuania.

Regional courts as the first instance courts examine criminal cases in which persons are accused of having committed serious and very serious crimes, as well as cases in which the accused were the President of the Republic of Lithuania, members of the Seimas (Parliament) or Government, judges, judges or prosecutors of the Constitutional Court at the time of the commission of the criminal act.

Regional courts as the first instance deal with civil cases in which the amount of the claim is greater than 28,510 EUR (except for family legal relations cases due to the division of property), copyright cases, civil public tender legal relations cases, bankruptcy and restructuring cases, according to the statement of the bank's temporary administrator on reduction of the bank's share capital, cases in which one of the parties is a foreign state, according to lawsuits regarding the forced sale of shares, due to the investigation of the activity of a legal entity, and other cases.

Only the Vilnius Regional Court, with exclusive rights, in accordance with the laws in force, as a court of first instance hears cases regarding disputes provided for in the Patent Law of the Republic of Lithuania, regarding disputes provided for in the Trademark Law of the Republic of Lithuania, regarding adoption based on requests of foreign citizens

**Q042 (2022):** according to 2021 answers, Regional courts are counted only as second instance.

**Q042 (2021):** Regional courts are counted only as second instance; general comment has been updated in view of the changed assignment of the regional courts to the second instance only.

**Q042 (2020):** 1.1. 12 district courts and 5 regional courts (the latter are adjudicating certain categories of cases as first instance courts);

1.2. 5 regional courts and the Court of Appeal of Lithuania;

2. 2 regional administrative courts and the Supreme Administrative Court of Lithuania.

**Q042 (2018):** Number of courts (as legal entities) in Lithuania decreased from 1st January 2018 according to the Law on Reorganization of Courts of the Republic of Lithuania (Law of 23rd June, 2016 No. XII-2474). Instead of 49 district courts (as legal entities) there are now 12 district courts (some of them have court houses), instead of 5 regional administrative courts there are now 2 of them (one has houses). The number of first instance courts of general jurisdiction (legal entities) in point 42.1 implies 5 regional courts (of general jurisdiction) which are first instance for criminal and civil cases assigned to its jurisdiction by law. These courts also are appeal instance for judgements, decisions, rulings and orders of district courts, so their number is also included in the number of all courts at point 42.3.

**Q042 (2017):** From January 1, 2018, there are 22 left (17 first instance courts, 2 first instance courts of special jurisdiction, 2 courts of appeal (1 of them is specialized court) and 1 court of cassation).

**Q042 (2014):** As regional courts of Lithuania function not only as courts of appeal, but also as courts of first instance, for 2014, the number of these courts is also included in the number of first instance courts of general jurisdiction. This was not the case in earlier years.

**Q044 (General Comment):** There are 59 1st instance courts locations: 12 district courts (49 locations), 5 regional courts (5 locations) of general jurisdiction and 2 regional administrative courts (5 locations).

For all the courts 62 courts locations: The Supreme Court of Lithuania, the Court of Appeal of Lithuania, the Supreme Administrative Court of Lithuania and 59 1st instance courts locations.

**Q044 (2022):** There are 59 1st instance courts locations: 12 district courts (49 locations), 5 regional courts (5 locations) of general jurisdiction and 2 regional administrative courts (5 locations).

For all the courts 62 courts locations: The Supreme Court of Lithuania, the Court of Appeal of Lithuania, the Supreme Administrative Court of Lithuania and 59 1st instance courts locations.

**Q044 (2020):** There are 59 1st instance courts locations: 12 district courts (49 locations), 5 regional courts (5 locations) of general jurisdiction and 2 regional administrative courts (5 locations).

For all the courts 62 courts locations: The Supreme Court of Lithuania, the Court of Appeal of Lithuania, the Supreme Administrative Court of Lithuania and 59 1st instance courts locations.

**Q044 (2018):** Analysis and discussion on the need and possibility to decrease the number of court houses are initiated.

**Q044 (2016):** From January 1, 2018, there shall be 12 district courts (instead of 49) and 2 regional administrative courts (instead of 5).

## Luxembourg

**Q042 (General Comment):** 42.1.1: three justices of the peace and two district courts

42.1.2: a Court of Appeal 42.1.3: a Court of Cassation

42.2: Total specialized courts (all instances) In addition to the actual jurisdictions, the law of July 27, 1997 organizing the Constitutional Court established this court which is seized, as a preliminary ruling, when a question arises regarding the conformity of a law with the Constitution before a jurisdiction of either judicial or administrative order.

It rules by way of judgment on laws' conformity with the Constitution, except for those approving treaties.

When one party raises an issue concerning a law's compliance with the Constitution before either judicial or administrative jurisdiction, that jurisdiction must refer it to The Constitutional Court unless it considers that making decision on raised issue is unnecessary for its judgment; that such question lacks any foundation; or that The Constitutional Court has already ruled on an identical matter.

If any jurisdiction deems there's an issue about whether certain legislation complies with constitutional provisions and deciding upon this point is necessary for delivering its verdict then it should raise this matter ex officio after previously inviting parties to present their observations.

Parties are entitled to conclude and plead before The Constitutional Court through representation by counsel listed in Category I annually compiled tables set up by bar councils' orders."

The judgments from The Constitutional Courts are published in Official Journal within thirty days from their pronouncement." (Justice Portal : <https://justice.public.lu/fr/organisation-justice/cour-constitutionnelle.html>)

**Q042 (2022):** In addition to the regular courts, the Law of 27 July 1997 on the organization of the Constitutional Court established this court, which is seized for a preliminary ruling when a question arises before a judicial or administrative jurisdiction concerning the conformity of a law with the Constitution. It rules by way of judgment on the conformity of laws with the Constitution, except those approving treaties.

When a party raises an issue regarding compliance of a law with the Constitution before a judicial or administrative jurisdiction, that jurisdiction is required to refer it to the Constitutional Court, unless it considers that deciding on such matter is not necessary for its judgment, that there are no grounds for such issue or that there has already been an adjudication by the Constitutional Court on an identical matter.

If any jurisdiction deems that an issue relating to compliance of a law with the constitution arises and decision on this point is necessary for its judgment, it must raise it ex officio after having previously invited the parties to present their observations.

The parties are entitled to conclude and plead before the Constitutional Court through counsel registered in List I annually drawn up by the councils of bar associations.

Judgments from the Constitutional Court are published in the Official Gazette of Luxembourg within thirty days from their pronouncement. (Justice Portal: <https://justice.public.lu/fr/organisation-justice/cour-constitutionnelle.html>)

**Q042 (2020):** "In addition to the courts proper, the law of 27 July 1997 on the organization of the Constitutional Court established this court, which is seized, on a preliminary basis, when a question relating to the conformity of a law to the Constitution arises before a court of the judicial or administrative order. It rules, by means of a judgment, on the conformity of laws with the Constitution, with the exception of those concerning the approval of treaties.

When a party raises a question concerning the conformity of a law with the Constitution before a court of the judicial or administrative order, that court is obliged to refer the matter to the Constitutional Court, except when it considers that a decision on the question raised is not necessary to render its judgment, that the question is unfounded or that the Constitutional Court has already ruled on a question with the same object.

If a court considers that a question of conformity of a law with the Constitution arises and that a decision on this point is necessary to render its judgment, it must raise it of its own motion after first inviting the parties to present their observations. The parties are admitted to conclude and plead before the Constitutional Court through the ministry of a lawyer registered in list I of the tables drawn up annually by the Bar Associations.

The judgments of the Constitutional Court are published in the Official Journal of the Grand Duchy of Luxembourg within thirty days of their delivery. (Portal of Justice: <https://justice.public.lu/fr/organisation-justice/cour-constitutionnelle.html>) "

**Q042 (2017):** 42.1: 3 justices of the peace and 2 district courts

42.2: Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

**Q042 (2016):** 42.1: 3 justices of the peace and 2 district courts

42.2: Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

**Q043 (General Comment):** Courts of general jurisdiction are organized into specialized sections. For example, the commercial courts (which also deal with insolvency cases) are specialized sections of the district court. Only the administrative, military and social security courts of first instance are autonomous.

**Q043 (2020):** Pour 2020, seules les entités juridiques ont été prises en considération dans le tableau.

**Q043 (2017):** Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

**Q043 (2016):** Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

**Q043 (2014):** Most of the areas mentioned in the question are within the competence of district courts (commercial cases, insolvency cases, family law cases and all criminal cases except for offenses that are under the jurisdiction of justices of peace) and justices of peace (labour law cases, rental cases). The indicated total is a purely statistical information which does not reflect the reality.

**Q043 (2012):** Matters concerning trade and family law are dealt with at the level of district courts, while matters pertaining to labour law and rental cases are within the competence of the justices of peace.

**Malta**

**Q042 (2022):** The 1st instance courts of general jurisdiction are:

- the Court of Magistrates, Civil Jurisdiction
- the Court of Magistrates, Criminal Jurisdiction
- the Civil Court, First Hall - the Criminal Court

The 2nd instance courts of general jurisdiction are:

- the Civil Court of Appeal, Inferior Jurisdiction
- the Civil Court of Appeal, Superior Jurisdiction
- the Criminal Court of Appeal, Inferior Jurisdiction
- the Criminal Court of Appeal, Superior Jurisdiction

In the Maltese judicial system, there are only 2 instances of courts, hence Q1.3 is marked as NAP.

The increase in the number of courts as legal entities reflects the addition of the criminal courts to the above data, namely:

- 1st Instance Courts: Court of Magistrates Criminal Jurisdiction and Criminal Court
- 2nd Instance Courts: Criminal Court of Appeal in its Inferior and Superior Jurisdiction

Q2: The increase by 1 in the number of specialised courts reflects the addition of the Constitutional Court (in line with 2021 data).

**Q042 (2021):** The total number of Specialised Courts has increased to 8 because of the addition of the Constitutional Court as a second instance specialised court.

**Q042 (2020):** The 1st instance courts of general jurisdiction are:

- the Court of Magistrates, Civil Jurisdiction (competency up to Euros 15,000)
- the Civil Court, First Hall (civil cases above Euros 15,000)

The 2nd instance courts of general jurisdiction are:

- the Civil Court of Appeal, Inferior Jurisdiction - the Civil Court of Appeal, Superior Jurisdiction

In the Maltese judicial system, there are only 2 instances of courts, hence Q1.3 is marked as NAP.

The increase in the number of courts as legal entities reflects the addition of the criminal courts to the above data, namely:

- 1st Instance Courts: Court of Magistrates Criminal Jurisdiction and Criminal Court
- 2nd Instance Courts: Criminal Court of Appeal in its Inferior and Superior Jurisdiction

**Q042 (2018):** In 2018, the Commercial Division was set up in order to hear cases filed under the Companies Act that include Insolvency cases. This new specialised first instance court is the reason behind the increase in the number of courts quoted at 42.2 above.

**Q043 (General Comment):** The number of specialised courts includes non-criminal, administrative and criminal courts established as legal entities in line with the CEPEJ methodology. The seven (7) specialised courts referred to in Q43 are the Rent Regulation Board, the Land Arbitration Board, the Rural Leases Control Board, the Small Claims Tribunal, the Court of Voluntary Jurisdiction, the Administrative Review Tribunal and the Juvenile Court. Other courts previously counted as specialised courts, such as the Family Court and the Commercial Court, are divisions of the Civil Court, First Hall, and as such are now being included with the 1st Instance Courts of General Jurisdiction.

**Q043 (2022):** The identified specialised courts listed under 'Other specialised courts' are:

- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal
- the Court of Voluntary Jurisdiction
- the Constitutional Court (higher instance court)

The Juvenile Court is a specialised criminal court.

**Q043 (2021):** The first instance specialised courts are:

- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal
- the Court of Voluntary Jurisdiction
- the Juvenile Court

Under the second instance specialised courts, we are including the Constitutional Court which is a court that deals exclusively with constitutional cases.

**Q043 (2020):** A number of courts that used to be previously identified as specialised courts, are not being categorised this time, given that they all make part of the First Hall, General Jurisdiction Court. These are:

- The Commercial Court (including insolvency cases)
- The Family Court

The identified specialised courts listed under 'Other specialised courts' are:

- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal
- the Court of Voluntary Jurisdiction

The Juvenile Court is a specialised criminal court.

**Q043 (2019):** The courts referred to under 'Other specialised 1st Instance courts' include:

- The Civil Court, First Hall
- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal
- the Court of Voluntary Jurisdiction

**Q043 (2018):** The courts referred to under 'Other specialised 1st Instance courts' include:

- The Civil Court, First Hall
- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal
- the Court of Voluntary Jurisdiction

**Q043 (2017):** The other specialised 1st Instance courts include:

- the Civil Court, First Hall
- the Court of Voluntary Jurisdiction - the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal

**Q043 (2016):** The other specialised 1st Instance courts include:

- the Civil Court, First Hall
- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal

**Q044 (2022):** The Juvenile Court that until the previous evaluation was in a separate geographical location, has since been relocated to the Courts of Justice in Valletta. Hence the change in the figure quoted.

**Q044 (2021):** The Juvenile Court is a first instance specialised court that is located outside of the main court building in Valletta. We are therefore reflecting this different geographic location in the updated figures in Q44.

**Q044 (2016):** Throughout 2017, work was carried out in order to introduce a commercial division within the Civil Court in order to facilitate cases filed under the Companies Act. The bill is currently undergoing the legislative process that would see it being enacted as law by the end of the year. The Commercial Division will become operative in 2018.

## Netherlands

**Q042 (General Comment):** Second instance courts of general jurisdiction handle civil, criminal and tax cases.

There are two additional courts that do not seem to fit this categorization by instance, acting in the area of administrative law. Some administrative law cases (tax cases) are handled by first and second instance courts of general jurisdiction. Other administrative cases are handled by the Trade and Industry Appeals Tribunal, also known as the Administrative High Court for Trade and Industry (College van van Beroep voor het Bedrijfsleven). This is a specialized administrative court, which rules on disputes in the area of social-economic administrative law, and appeals for specific laws. The tribunal hears both first and second instance cases. Categorized as a specialized court.

The Central Appeals Tribunal (Centrale Raad van Beroep) is a court of appeal mainly active in legal areas pertaining to social security and civil service. In these areas, it is also the highest judicial authority. In some cases, it is the first and sole instance. This court does not exactly fit the distinction of the table above, but categorized as a specialized court.

The Administrative Jurisdiction Division of the Council of State is the highest administrative court with general jurisdiction in the Netherlands. It hears various types of appeals (e.g. members of the public / associations / commercial companies against governmental bodies, or between public authorities). This court does not exactly fit the distinction of the table above, but categorized as a specialized court. For more information, see <https://www.rechtspraak.nl/English/Judicial-system-and-legislation/Pages/Special-Tribunals.aspx>. Note that the Supreme Court (highest instance court of general jurisdiction) does not retry the case itself, but judges whether the judges at the first and second instance applied the law correctly in the judgment, and whether the procedure was correctly followed (cassation, potential quashing of judgment).

Since 2013 and following the implementation of the reform related to the reorganization of the judicial map, the number of district courts was reduced from 19 in 2010 to 11 in 2013 and 2014. Moreover, this reform resulted in the closure of sub-district court locations due to which the number of geographic locations decreased from 64 in 2010 to 40 in 2013 and 2014.

**Q042 (2021):** Second instance courts of general jurisdiction handle civil, criminal and tax cases.

There are two additional courts that do not seem to fit this categorization by instance, acting in the area of administrative law. Some administrative law cases (tax cases) are handled by first and second instance courts of general jurisdiction. Other administrative cases are handled by the Trade and Industry Appeals Tribunal, also known as the Administrative High Court for Trade and Industry (College van van Beroep voor het Bedrijfsleven). This is a specialized administrative court, which rules on disputes in the area of social-economic administrative law, and appeals for specific laws. The tribunal hears both first and second instance cases. Categorized as a specialized court.

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For more information, see <https://www.rechtspraak.nl/English/Judicial-system-and-legislation/Pages/Special-Tribunals.aspx>. Note that the Supreme Court (highest instance court of general jurisdiction) does not retry the case itself, but judges whether the judges at the first and second instance applied the law correctly in the judgment, and whether the procedure was correctly followed (cassation, potential quashing of judgment).

**Q042 (2020):** There are 11 first instance courts (Rechtbanken).

There are 4 second instance courts of general jurisdiction: 4 courts of appeal (Second instance, Gerechtshoven) that handle civil cases, criminal cases and tax cases.

There is 1 highest instance court of general jurisdiction, the Supreme Court (Hoge Raad), the highest instance court in The Netherlands.

There are three specialized courts (see comment Q43).

**Q042 (2017):** same as last year

**Q043 (General Comment):** See the comment under Q42 on the other special (not specialised) appeal tribunals as well.

The Trade and Industry Appeals Tribunal, also known as the Administrative High Court for Trade and Industry (College van van Beroep voor het Bedrijfsleven) is a specialized administrative court, which rules on disputes in the area of social-economic administrative law, and appeals for specific laws. The tribunal hears both first and second instance cases, but is categorized as a first instance court.

The Central Appeals Tribunal (Centrale Raad van Beroep) is a court of appeal mainly active in legal areas pertaining to social security and civil service. In these areas, it is also the highest judicial authority. In some cases, it is the first and sole instance.

The Administrative Jurisdiction Division of the Council of State is the highest administrative court with general jurisdiction in the Netherlands. It hears various types of appeals (e.g. members of the public / associations / commercial companies against governmental bodies, or between public authorities).

There is no separate military court, but there is a military chamber in one of the district courts.

**Q043 (2021):** See also comment at Q42 on the other special (not specialized) appeal tribunals.

Trade and Industry Appeals Tribunal, also known as the Administrative High Court for Trade and Industry (College van van Beroep voor het Bedrijfsleven). This is a specialized administrative court, which rules on disputes in the area of social-economic administrative law, and appeals for specific laws. The tribunal hears both first and second instance cases, but is categorized as a first instance court.

The Central Appeals Tribunal (Centrale Raad van Beroep) is a court of appeal mainly active in legal areas pertaining to social security and civil service. In these areas, it is also the highest judicial authority. In some cases, it is the first and sole instance.

The Administrative Jurisdiction Division of the Council of State is the highest administrative court with general jurisdiction in the Netherlands. It hears various types of appeals (e.g. members of the public / associations / commercial companies against governmental bodies, or between public authorities).

**Q043 (2020):** The specialized courts are:

Trade and Industry Appeals Tribunal: the administrative High Court for trade and industry. This tribunal is a specialized administrative court that rules on disputes in the area of social-economic administrative law. Categorized as administrative court.

The Central Appeals Tribunal is the highest judicial authority in areas of social security and civil service. Categorized as other.

**Q043 (2017):** same as last year

**Q043 (2015):** Currently the commercial court in the Netherlands is the specialized court CBb. Per January first 2017 starts the Netherlands Commercial Court (NCC).

**Q044 (General Comment):** First instance: the first instance courts, and the Trade and Industry Appeals Tribunal are included. All courts: first instance, second and highest instance courts of general jurisdiction are included, as well as the Trade and Industry Appeals Tribunal, Central Appeals Tribunal and Administrative Jurisdiction Division of the Council of State.

First instance geographic locations:

-33 first instance geographic locations of general jurisdiction, with 4 locations only housing a Justice of the Peace.

-1 Trade and Industry Appeals Tribunal. Counted separately, although located at the same location as a first instance court of general jurisdiction. It is not the same court, but a separate, specialized court (this change in counting occurred between 2020 and 2021). See Q43 for why this is counted as a first instance court.

All courts geographic locations:

-34 first instance geographic locations (see above).

-6 second instance geographic locations of general jurisdiction, of which 4 are located at the same geographic location as a first instance court.

-1 Supreme Court, located at a separate location.

-1 Central Appeals Tribunal, located at the same geographic location as a first instance court. Counted separately as it is not the same court.

-1 Administrative Jurisdiction Division of the Council of State, located at a separate location.

**Q044 (2021):** First instance: the first instance courts, and the Trade and Industry Appeals Tribunal are included.

All courts: first instance, second and highest instance courts of general jurisdiction are included, as well as the Trade and Industry Appeals Tribunal, Central Appeals Tribunal and Administrative Jurisdiction Division of the Council of State.

First instance geo.locations:

-33 first instance geo.location of general jurisdiction, with 4 locations only housing a Justice of the Peace.

-1 Trade and Industry Appeals Tribunal. Counted separately, although located at the same location as a first instance court of general jurisdiction, as it is not the same court, but a separate, specialized court (different than previous evaluation). See Q43 for why this is counted as a first instance court.

All courts geo.locations:

-34 first instance geo.locations (see above).

-6 second instance geo.locations of general jurisdiction, of which 4 are located at the same geo.location as a first instance court.

-1 Supreme Court, located at a separate location.

-1 Central Appeals Tribunal, located at the same geo.location as a first instance court. Counted separately as it is not the same court.

-1 Administrative Jurisdiction Division of the Council of State, located at a separate location.

**Q044 (2020):** In one case (of 43), a first instance court of general jurisdiction, a specialized first instance court, and a court of appeal are housed at the same site (adding 2 sites according to the explanatory note).

In 3 cases, a first instance court of gen.jur. and a court of appeal are housed at the same site (adding 3 sites according to the explanatory note).

In 1 case, a f.i. court of gen.jur. and a specialized second instance court are housed at the same site (adding 1 site according to the explanatory note).

Finally, the Supreme Court, 1 specialized second instance court, and 2 appeal courts are housed at unique locations (adding 4 sites according to the explanatory note).

**Q044 (2016):** Possibility of closing subdistrict court facility?

**Q044 (2014):** According to 2014 data, the reforms regarding the merging of courts mentioned on the occasion of the 2012 evaluation have been implemented.

## Poland

**Q042 (General Comment):** The Polish court structure is characterized by four levels of courts but only three instances.

Basically, there are district courts which are first instance courts, regional courts which are first and second instance courts (regional courts within their jurisdiction have the majority of first-instance cases), and appellate courts which are second instance courts. The highest instance courts are the Supreme Court, the Supreme Administrative Court and the Constitutional Tribunal.

**Q042 (2022):** 1.1 first instance courts (district courts + regional courts);

1.2 second (appellate courts); 1.3 third instance courts (cassation of the judgment) (Supreme Court) of general jurisdiction;

**Q042 (2021):** The table indicating the content of:

1.1 first instance courts (district + regional courts), 1.2 second (appellate courts) , 1.3 third instance courts (cassation of the judgment) (Supreme Court) of general jurisdiction.

**Q042 (2020):** The table indicating the content of:

1.1 first instance courts (district + regional courts), 1.2 second (appellate courts) , 1.3 third instance courts (cassation of the judgment) (Supreme Court) of general jurisdiction.

**Q042 (2018):** .

**Q042 (2017):** 42.1 First instance courts of general jurisdiction - common courts (318 regional courts, 45 district courts).

42.2 First instance specialised courts - 16 administrative courts, 9 military courts.

42.3 All the courts - the Supreme Court, common courts (318 regional courts, 45 district courts, 11 appeal courts), administrative courts (voivodship administrative courts (16), the Supreme Administrative Court), military courts (regional military courts (7), district military courts (2)).

**Q042 (2016):** 42.1 First instance courts of general jurisdiction - common courts (318 regional courts, 45 district courts).

42.2 First instance specialised courts - 16 administrative courts, 9 military courts.

42.3 All the courts - the Supreme Court, common courts (318 regional courts, 45 district courts, 11 appeal courts), administrative courts (16 voivodship administrative courts. the Supreme Administrative Court), military courts (9 regional military courts, 2 district military courts). The differences between presented data and the data from 2014 edition is likely to be due to the restoration of District Courts, abolished and converted to divisions of larger units in 2013.

The difference in courts number between this (363) and previous evaluation cycle (287) is probably caused by a significant organizational reform of polish court system, which took place in 2013. Almost eighty small district courts were merged with larger entities. Since 2015 the reform has been reversing, which has resulted in an increase in the number of the courts.

**Q042 (2012):** In 2012, there was a structural change concerning District courts. Some of them were transformed into divisions of other courts.

**Q043 (2020):** There are 7 military courts of first instance and 2 military courts of higher instance in Poland.

**Q043 (2019):** It is noteworthy that the Land and Mortgage Courts which are within the structure of the common court system deal with specific topics, but they are departments.

Besides, the National Court Register and Pledge Registry Departments are business divisions.

The EU Trademark and Community Design Court (which existed in the XXII Division of the District Court in Warsaw)-functioned from 2004 until the creation of intellectual property courts, which took place on 1 July 2020. Cases in the field of intellectual property belong to the jurisdiction of selected District Courts (Article 47990 of the Code of Civil Procedure), while the District Court in Warsaw (XXII Division) has exclusive jurisdiction in matters of intellectual property concerning computer programs, inventions, utility models, topography of integrated circuits, plant varieties and company secrets of a technical nature.

The Court of Competition and Consumer Protection is a special department functioning within the District Court in Warsaw. In the current state of law, the scope of activity of the 17th Department of the Court of Competition and Consumer Protection includes the handling of the following cases in court proceedings of appeals and complaints against decisions and orders issued by the government: the President of the Office of Competition and Consumer Protection, the President of the Energy Regulatory Office, the President of the Railway Transport Office, the President of the Office of Electronic Communications. When it comes to matters from lease or tenancy agreements - as long as these matters are of an economic nature, they are recognized by business departments, as are matters related to new technologies and the Internet space.

**Q044 (2022):** The figure of 496 indicated in 2022 is the sum of the common, administrative and military courts of first and second instance and the Supreme Court by geographic location (i.e. including the subdivisions). To the number of courts of first instance by geographical location (item 44 in line 1 - all common, administrative, military courts of first instance with localised divisions: number of courts 434) was added

the number of 62 courts: - regional courts: 47; - courts of appeal: 11; - military courts: 2; - Supreme Administrative Court: 1; - Supreme Court: 1;

Total: 494 (434 + 62).

**Q044 (2020):** Regarding point 44, it should be noted that in the previous evaluation cycles (2016, 2017, 2018, 2019) the answer in terms of the number of all courts as geographical locations was 401, while in 2020 it is 494.

The figure of 494 indicated in 2020 is the sum of the common, administrative and military courts of first and second instance and the Supreme Court by geographic location (i.e. including the subdivisions). To the number of courts of first instance by geographical location (item 44 in line 1 - all common, administrative, military courts of first instance with localised divisions: number of courts 433) was added the number of 61 courts: - regional courts: 46; - courts of appeal: 11; - military courts: 2; - Supreme Administrative Court: 1; - Supreme Court: 1;  
Total: 494 (433 + 61).

The discrepancy is due to the adoption of a different method of data presentation in 2020 (by geographical location). In compliance with the Explanatory note, the 2020 data show first-instance courts (line 1), and further all courts (line 2) together with all seats in different locations, which in the realities of the Polish legal system should be understood as a necessity to show the number of courts together with local divisions.

**Q044 (2016):** It is considered to reduce the number of district courts which are responsible for land and mortgage registers or abolishing external branches in district courts.

## Portugal

**Q042 (2020):** 1.1 Courts of general jurisdiction and proximity divisions;  
1.2. 2nd Instance Courts (Tribunal Relação de Lisboa, Coimbra, Porto, Évora e Guimarães).  
1.3. Supreme Justice Court

**Q042 (2019):** Regarding Q 42.1 the decrease of the total number of first instance courts of general jurisdiction is accompanied by an increase of certain types of first instance courts (please consult answers provided to Q 43).

Regarding Q 42.2, the total corresponds to first instance specialised courts of judicial courts and administrative and tax courts. Under our Constitution, we have two set of courts: judicial courts, which have general jurisdiction in civil/commercial and criminal matters and encompass specialized courts, and administrative and tax courts, whose role is to settle disputes arising out of administrative and tax relations. These latter are specialised in this domain only.

In order to be rigorous and coherent with Q 43, we have included first instance administrative and tax courts. The total corresponds to 418 judicial courts + 17 administrative/tax courts.

**Q042 (2018):** These data correspond to the values given for the last scoreboard.

The differences registered result from the changes to the judicial organization (Law n. 40-A/2016, 22 December) in force since January 1, 2017.

42.1 the number of 1st instance courts with general jurisdiction decreased due to the increase of specialized courts.

Accordingly, 20 courts that were closed in 2014 were re-enacted as proximity judgments, new family sections were created as well as new sections with generic jurisdiction.

**Q042 (2017):** The differences registered result from the changes to the judicial organization (Law n. 40-A/2016, 22 December) in force since January 1, 2017.

42.1 the number of 1st instance courts with general jurisdiction decreased due to the increase of specialized courts.

Accordingly, 20 courts that were closed in 2014 were re-enacted as proximity judgments, new family sections were created as well as new sections with generic jurisdiction.

**Q042 (2014):** As a result of the new Judicial Organization Reform, the number of specialized first instance courts increased in 2014, while the enlargement of the court districts has been promoted. The reform melted the former judicial districts into 23 judicial districts, each containing two or more units, according to the demographic and economic reality of the respective geographic area. The difference between Q42.2 and Q43 is due to the inclusion of the 20 administrative courts in Q43. In Portugal, the administrative jurisdiction is autonomous, independent from the civil jurisdiction.

**Q043 (General Comment):** Q.43 -total:The number given under Q43.1.1 includes 17 first instance courts and 3 higher instance courts of administrative jurisdiction that are not included under Q.42.2. Administrative courts are part of another jurisdiction and under our law cannot be considered specialized courts.

**Q043 (2020):** «Commercial courts» deal with, inter alia, winding up of the company, insolvency and suspension and revocation of company resolutions.

«Internet related disputes»: only for Internet domain system (DNS) issues, which are under the jurisdiction of the Intellectual Property Court; for all other Internet related issues, general jurisdiction courts are competent. Internet related disputes were not included in the number of specialised courts for previous cycles.

«Other specialised courts»: includes all other courts that are not listed in the categories above.

This category includes Civil Central Judicial Divisions, Criminal Central Judicial Divisions, Civil Local Proximity Judicial Divisions, Criminal Local Proximity Judicial Divisions, Petty Criminality Local; Proximity Judicial Divisions, Criminal Examination Judicial Divisions, Enforcement Judicial Divisions, Central Criminal Examination Court, Competition Court and Maritime Court.

**Q043 (2019):** This category includes Civil Central Judicial Divisions, Criminal Central Judicial Divisions, Civil Local Proximity Judicial Divisions, Criminal Local Proximity Judicial Divisions, Petty Criminality Local Proximity Judicial Divisions, Criminal Examination Judicial Divisions, Enforcement Judicial Divisions, Central Criminal Examination Court, Intellectual Property Court, Competition Court and Maritime Court.

**Q043 (2018):** Changes to the judicial organization (Law n. 40-A/2016, 22 December) are in force since January 1, 2017.

**Q043 (2017):** Changes to the judicial organization (Law n. 40-A/2016, 22 December) are in force since January 1, 2017.

Other specialised 1st instance courts include, among others: Criminal Instruction Courts, Maritime Courts; Intellectual Property and Competition Court; Enforcement Courts.

Law 31/2012, 14 August, put in force the Rent and tenancy section (Balcão Nacional do Arrendamento) that is functioning since 8

January 2013.

**Q043 (2015):** In 2013-2014, the Reform of the Portuguese Judicial system was implemented. One of the major goals of this reform was to set up specialised courts on a national level, which led to a significant increase of commercial courts compared to previous years.

The difference between Q42.2 and Q43 is due to the inclusion of the 20 administrative courts in Q43. In Portugal, the administrative jurisdiction is autonomous, independent from the civil jurisdiction and cannot be considered as specialised courts.

Other courts:

Other specialised 1st instance courts include: Criminal Instruction Courts, Maritime Courts; Intellectual Property and Competition Court; Enforcement Courts.

Law 31/2012, 14 August, put in force the Rent and tenancy section (Balcão Nacional do Arrendamento) that is functioning since 8 January 2013

**Q043 (2014):** In 2013-2014, the Reform of the Portuguese Judicial system was implemented. One of the major goals of this reform was to set up specialised courts on a national level, which led to a significant increase of commercial courts compared to previous years.

For 2014, the category “other” subsumes as in 2012 Criminal Instruction Courts, Maritime Courts, Intellectual Property and Competition Court and Enforcement Courts. Additionally, the Rent and tenancy section (Balcão Nacional do Arrendamento) has been established by law in August 2012 and is functioning since 8 January 2013.

**Q043 (2012):** For 2012, the category “other” encompasses Criminal Instruction Courts, Maritime Courts, Intellectual Property and Competition Court and Enforcement Courts.

**Q044 (2020):** The difference between 2019 and 2020 is justified by the increase in new buildings.

**Q044 (2018):** Law n.º 19/2019, 19th February.

The recent amendments to the Law of the Organization of the Judiciary System are intended to ensure the reciprocal proximity of justice and citizens in two key segments: criminal jurisdiction and family and minors jurisdiction.

These new amendments aim to facilitate people's access to courts and combat the desertification of the interior regions of the country.

**Q044 (2016):** Law n.40-A/2016, 22 December and Decree-Law n. 86/2016, 27 December.

On the 1st of January 2017, 20 extinct districts were reopened, as well as 23 of the so-called proximity sections, in which judicial acts may now be concluded.

## Romania

**Q042 (General Comment):** In Romania there are 175 judecatorii, first instance courts of general jurisdiction.

**Q042 (2022):** Law no. 304/2022 on the judicial organisation.

The number of „judecatorii” has decreased by one between 2019-2020 because the activity of Judecătoria Insuratei was suspended so it no longer appears in the statistics. 175 represent the first instance courts with general jurisdiction in this matter, even if tribunals, courts of appeal and the High Court may also judge first instance cases. Starting from 2020 the methodology of presentation of data changed and only “judecatorii” are counted as first instance courts of general jurisdiction, even if tribunals, courts of appeal and the High Court may also judge first instance cases.

**Q042 (2021):** Law no. 304/2004 on the judicial organisation.

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The number of „judecatorii” has decreased by one between 2019-2020 because the activity of Judecătoria Insuratei was suspended so it no longer appears in the statistics. 175 represent the first instance courts with general jurisdiction in this matter, even if tribunals, courts of appeal and the High Court may also judge first instance cases. Starting from 2020 the methodology of presentation of data changed and only “judecatorii” are counted as first instance courts of general jurisdiction, even if tribunals, courts of appeal and the High Court may also judge first instance cases.

**Q042 (2017):** There are 176 first instance courts, 42 tribunals and 15 courts of appeals. All of the first instance courts deal with cases in first instance, but also the tribunals and the courts of appeal may have material or personal jurisdiction in first instance.

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**Q043 (2022):** Law no. 304/2022 on the judicial organisation.

**Q043 (2020):** Law no. 304/2004 on the judicial organisation.

**Q044 (2022):** It should be mentioned that some of the first instance specialised courts share the location with „judecatorii”.

**Q044 (2020):** Law no. 304/2004 on the judicial organisation.

It should be mentioned that some of the first instance specialised courts share the location with „judecatorii”.

**Q044 (2014):** According to 2014 data, a bill on closing 30 courts and 30 attached prosecution offices with low volume of work was initiated by the Ministry of Justice with the support of the Superior Council of Magistracy of Romania. The bill was rejected by the Parliament. The Superior Council of Magistracy seeks for alternative solutions for the reallocation of the resources.

## **Slovak Republic**

**Q042 (2022):** The new Supreme Administrative Court - specialized court of higher instance was established in 2021 and started its full work in 2022.

**Q042 (2021):** The changed answer in line 2 is due to the Supreme Administrative Court of the Slovak Republic, it was established from January 1, 2021 by Constitutional Act No. 422/2020.

**Q042 (2020):** The Constitutional Court is not included, since it was not included in previous cycles. According to the explanatory note - "In some countries, other bodies can be referred to as courts. When they are not part of the regular judiciary system, they should not be considered here (e.g. courts of audits, constitutional courts when not dealing with individual cases but rather with questions of compliance with constitution and international law etc.)." In Slovak republic the Constitutional Court can deal with some rare individual cases.

**Q042 (2019):** The entire court system of the Slovak republic consists of 54 District Courts, 8 Regional Courts, The Specialized Criminal Court and the Supreme Court of the Slovak republic.

**Q042 (2018):** The entire court system of the Slovak republic consists of 54 District Courts, 8 Regional Courts, The Specialized Criminal Court and

The Supreme Court of the Slovak republic

**Q042 (2017):** The court system of the Slovak republic consists of 54 District Courts, 8 Regional Courts, Specialized Criminal Court and Supreme Court of the Slovak republic

**Q042 (2016):** The court system of the Slovak republic consists of 54 District Courts, 8 Regional Courts, The Specialized Criminal Court and The Supreme Court of the Slovak republic

**Q043 (General Comment):** In the Slovak court system there are 8 Regional courts which are the courts with dual competence. The Regional courts are the courts of appeal with the general jurisdiction in the civil, commercial and the criminal cases. In the appellate procedure they decide the appeals lodged against the decisions of all 54 District courts within their local jurisdiction. At the same time the Regional courts have the jurisdiction as the courts of first instance in administrative matters. They act as the administrative courts.

The Specialized Criminal court is competent to judge the grave criminal matters enumerated in the § 14 of the Criminal procedure Code (e. g. premeditated murder, corruption, terrorism, organised crime, severe economic crimes, damaging the financial interests of the EU etc.). Highest instance courts are the Supreme Court, Supreme Administrative Court and the Constitutional Court.

**Q043 (2021):** The first instance administrative cases agenda is concentrated in eight regional courts, which also act as general courts of appeal. The question (43.) defines specialized courts as legal entities, so it cannot be understood that the administrative cases agenda is centralized on specialized courts as legal entities, but it is concentrated on 8 regional general courts. These 8 general regional courts are already legal entities included in Q42, line 1.2. Highest instance courts are the Supreme Court and the new Supreme Administrative Court.

**Q043 (2020):** The first instance administrative cases agenda is concentrated in eight regional courts, which also act as general courts of appeal. The question (43.) defines specialized courts as legal entities, so it cannot be understood that the administrative cases agenda is centralized on specialized courts as legal entities, but it is concentrated on 8 regional general courts. These 8 general regional courts are already legal entities included in Q42, line 1.2.

**Q044 (2021):** The Constitutional court is not included in Q44.

**Q044 (2020):** The Constitutional Court is not included in the 44 answer.

**Q044 (2014):** According to 2014 data, on 1st July 2016, the new Civil Litigious Procedure Code will enter into force. It introduces the so called "causal jurisdiction" of first instance courts. It means that certain types of civil claims will belong to the jurisdiction of only some of the first instance courts. This will apply e.g. for individual labour disputes, arbitration disputes, disputes arisen from bill of exchange etc.

## Slovenia

**Q042 (General Comment):** First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

Second instance courts of general jurisdiction: 4 higher courts

Specialised courts: 3 labour courts (1st instance) + 1 labour and social court (1st instance) + 1 Administrative court (1st instance) + 1 Higher labour and social Court (2nd instance) = 6

Highest instance courts of general jurisdiction: The Supreme Court (also highest instance court for specialised courts)

**Q042 (2018):** First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

First instance specialised courts: 3 labour courts + 1 labour and social court + 1 Administrative court = 5

All courts: first instance courts of general jurisdiction (55, see Q42.1) + first instance specialised courts (4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court) + second instance courts and courts of appeal (4 higher courts of general jurisdiction + 1 higher labour and social court) + the Supreme court = 77.

**Q042 (2017):** First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

First instance specialised courts: 3 labour courts + 1 labour and social court + 1 Administrative court = 5

All courts: first instance courts of general jurisdiction (55, see Q42.1) + first instance specialised courts (4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court) + second instance courts and courts of appeal (4 higher courts of general jurisdiction + 1 higher labour and social court) + the Supreme court = 77.

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First instance specialised courts: 3 labour courts + 1 labour and social court + 1 Administrative court = 5

All courts: first instance courts of general jurisdiction (55, see Q42.1) + first instance specialised courts (4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court) + second instance courts and courts of appeal (4 higher courts of general jurisdiction + 1 higher labour and social court) + the Supreme court = 77.

**Q042 (2015):** legal entities:

First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

First instance specialised courts: 3 labour courts + 1 labour and social court + 1 administrative court = 5

geographic locations:

All the courts = 77

- first instance courts of general jurisdiction = 55 (Q42.1); additionally

- first instance specialised courts = 4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court = 16; additionally

- second instance courts and courts of appeal = 4 higher courts of general jurisdiction + 1 higher labour and social court = 5; and finally

- supreme court: the Supreme Court of the Republic of Slovenia = 1.

**Q043 (General Comment):** Although the given answer for 'labour courts' is 4 and 'insurance and/ or social welfare courts' at first instance is 1, the total number of these courts is 4, as one of the labour courts and the social court form a single legal entity – the Labour and social court in Ljubljana.

Concerning specialised courts – higher instances, although the given answer for 'labour courts' is 1 and 'insurance and/ or social welfare courts' is 1, the total number of these courts is 1, as they form a single legal entity – the Higher labour and social Court.

**Q043 (2019):** Please see general comment.

**Q044 (General Comment):** First instance courts: first instance courts of general jurisdiction (55, see Q42.1) + first instance specialised courts (4 labour courts and social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of the Administrative court) =70

All courts: In addition to above also 4 higher courts of general jurisdiction + 1 higher labour and social court + the Supreme court = 76.

**Q044 (2018):** A change in the organisation of first instance courts (judicial map), as well as first instance judges' position is being prepared by the Ministry of Justice - see Q208.

**Q044 (2016):** Ministry of Justice is preparing court network reform. Existing first instance court network is considered as inefficient and insufficient. The main goal of this reform is to set up a system, which could assure better quality and efficiency of adjudication, specialization of judges and even allocation of cases. Furthermore, reform still should assure proper access to the courts and financial efficiency. Ministry of Justice is also taking in consideration different system of the nomination of judges, nomination of Supreme Court judges and president of the Supreme Court. Existing nomination procedure of judges is too rigid and does not enable taking prompt actions when the post is vacant.

**Q044 (2014):** According to 2014 data, discussions about the reorganization of the structure of courts have been initiated. Following the CEPEJ Guidelines on the creation of judicial maps to support access to justice within a quality judicial system (CEPEJ(2013)7) the change should be gradual. The reduction in the number of courts regarding geographical locations is not foreseen, but reorganization in the powers of local courts that are organizational units of district courts might be needed. There are local courts that have only a few (3-5) judges, which is not rational in the sense of court management. Such local courts might start dealing only with certain kinds of cases, with other local courts in the same district dealing with other kinds of cases, having de facto specialized local courts.

Nevertheless, these changes are still in the initial debate phase, so no formal proposal can be presented yet.

## Spain

**Q042 (General Comment):** In Spain, as general rule, the First Instance are unipersonal Courts: One Judge-courts. In Spain we have two types of specialization: Special Jurisdictions established by Organic Law (Violence against women, Commercial, for example), and the possibility for GCJ to determine that in some places, a general jurisdiction Court (Civil) is focused in some kind of cases.

**Q043 (General Comment):** The Arbitration Court was created by decision of the General Council of the Judiciary of 25 November 2010. The latter assigns exclusive jurisdiction over arbitration matters to the Court of First Instance No. 101 of Madrid. This measure seeks to foster the development of uniform criteria in court proceedings for the assistance and control of arbitration in Madrid.

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**Q043 (2022):** Courts Labour specialised in enforcement; Courts on enforcement of Arbitration; Civil Registry; Courts on Penitentiary Surveillance; Courts for mortgage enforcement; Courts on capacity of persons; Criminal Courts of Violence against Women; other

**Q043 (2021):** "Juzgados de lo Mercantil" are in Spain in charge of insolvencies and commercial cases (both). So it cannot be separated commercial and insolvency.

**Q043 (2020):** Commercial courts - new units have been established.

**Q043 (2019):** Courts of violence against women 106

Foreclosure proceedings Courts: 3

Court of arbitration: 1

Civil capacity courts: 13

Criminal courts: 348

Criminal courts specialized in Violence against women, 31

Juvenile Courts: 82

Prison courts: 51

Civil Registries: 28

**Q043 (2018):** Between 2016 and 2018, more first instance courts have become specialized in family matters. Courts of violence against women: 106  
Foreclosure proceedings Courts: 3  
Court of arbitration: 1  
Civil capacity courts: 12  
Criminal courts: 341  
Criminal courts specialized in Violence against women, 32  
Juvenile Courts: 82  
Prison courts: 51  
Civil Registries: 28  
Additionally (and they are not accounted) there are 26 military courts that are not part of the Judiciary but they are inspected by it)

**Q043 (2017):** -338 Criminal courts  
-32 Criminal courts specialized in violence against women  
-106 violence against women courts  
-82 juvenile courts  
-51 Prison courts  
-3 foreclosure proceedings courts  
-1 Arbitration court  
-18 Civil Capacity courts  
- 28 Civil register offices

**Q043 (2016):** - 335 Criminal courts  
-30 Criminal courts specialized in violence against women  
-106 violence against women courts  
-83 juvenile courts  
-51 Prison courts  
-3 foreclosure proceedings courts  
-1 Arbitration court  
-18 Civil Capacity courts  
- 28 Civil register courts

**Q043 (2015):** Other specialised courts include: 343 Penal courts; 23 Penal courts specialized in violence against women; 106 violence against women courts; 83 juvenile courts; 50 Prison courts; 3 foreclosure proceedings courts; 1 Arbitration court; 12 Civil Capacity courts and 28 Civil registry.

The Commercial Courts deal with insolvency issues.

Military Courts have not been accounted because they do not belong to the Judiciary (except the Supreme Court 5th room ). There are other 26 Military Courts.

**Q043 (2014):** In 2014, the category “other” encompasses: 357 Penal courts; 23 Penal courts specialized in violence against women; 106 violence against women courts; 83 Juvenile courts; 50 Prison courts; 16 Courts for disabled people (capacity courts), 26 Civil Register Courts, 3 Foreclosure proceedings courts (mortgage courts); 1 Arbitration court. The Decanatos exclusive are not included in this exercise because these organs are not courts and have rather administrative nature.

**Q043 (2012):** In 2012, the category “other” encompasses: 380 Penal courts; 17 Penal courts specialised in violence against women; 106 Violence against women courts; 82 Juvenile courts; 1 Juvenile Enforcement court; 50 Prison courts; 9 Capacity courts; 26 Civil Register courts; 8 Decanatos exclusive; 4 Labour enforcement courts; 4 Mortgage courts and one Arbitration Court.

**Q044 (General Comment):** One building usually houses different courts. For example, in Madrid one building (Castilla Square) houses 47 unipersonal Courts.

**Q044 (2018):** The traditional structure of a Court includes a Judge (or Magistrate), a Judicial Counsellor, and several civil servants (the exact number depends on many circumstances). The New Judicial Office (Nueva Oficina Judicial) has been implemented in many territories and its development continues. The New Judicial Office (NOJ) has, as base, the called 'Procedural Unit of Direct Support' (UPAD), a small office with personnel necessary for the strict aid of the work of the Judge. On the other hand, and for the uniform processing of repetitive tasks, the called Common Procedural Services have been created. The Judicial Counsellor is the Director of these services, and is responsible of processing the phase of the judicial file of a strictly procedural nature.

**Q044 (2016):** The traditional structure of a Court includes a Judge (or Magistrate), a Lawyer of the Administration of Justice, and several civil servants (the exact number depends on many circumstances). The New Judicial Office (Nueva Oficina Judicial) has been implemented in many territories and its development continues. The New Judicial Office (NOJ) has, as base, the called 'Procedural Unit of Direct Support' (UPAD), a small office with personnel necessary for the strict aid of the work of the Judge. On the other hand, and for the uniform processing of repetitive tasks, the called Common Procedural Services have been created. The Lawyer of the Administration of Justice is the Director of these services, and is responsible of processing the phase of the judicial file of a strictly procedural nature.

**Q044 (2014):** On the occasion of the 2014 evaluation, the attention was drawn on the deployment in the entire country of the Judicial Office, the new model for organising courts of law and the creation of the Instance Courts (Tribunales de Instancia), a new model of collegial courts aimed at replacing local courts belonging to the same judicial district.

# Indicator 2: The judicial organisation

## Comments provided by the national correspondents

### organised by question no.

*Question 042.*

*Question 043.*

*Question 044.*

#### Question 042

##### Austria

**(2022):** In 2022 in Austria, the number of courts considered as legal entities is 152. Namely, there are 133 courts of general jurisdiction and 19 specialised courts. Among the 133 legal entities of general jurisdiction, 128 act at first instance, 4 at second instance and one at third instance. More precisely, the 115 District courts and the 13 Regional courts of general jurisdiction intervene as first instance courts. It is noteworthy that the 7 other regional courts that have specialised jurisdiction are not taken into consideration here, but are counted as specialised first instance courts (*infra*). It is to be mentioned that the peculiarity of the 20 Austrian Regional courts is that even though these are first instance courts, some of them are also competent in respect of appeals against District courts' decisions. The 4 Higher Regional Courts have appeal competence in respect of all civil and criminal cases.

The Supreme court is the highest instance court in civil and criminal matters.

**(2020):** In 2020 in Austria, the number of courts considered as legal entities is 152. Namely, there are 133 courts of general jurisdiction and 19 specialised courts. Among the 133 legal entities of general jurisdiction, 128 act at first instance, 4 at second instance and one at third instance. More precisely, the 115 District courts and the 13 Regional courts of general jurisdiction intervene as first instance courts. It is noteworthy that the 7 other regional courts that have specialised jurisdiction are not taken into consideration here, but are counted as specialised first instance courts (*infra*). It is to be mentioned that the peculiarity of the 20 Austrian Regional courts is that even though these are first instance courts, some of them are also competent in respect of appeals against District courts' decisions. The 4 Higher Regional Courts have appeal competence in respect of all civil and criminal cases.

The Supreme court is the highest instance court in civil and criminal matters.

**(2014):** From January 1st 2013 to July 1st, 2014 a number of district courts merged. In 2014, there are 129 first instance district courts which is less than 132 (number communicated for 2013) but still not complying with the aim of 115.

##### Belgium

**(General Comment):** The reform of the Justices of the peace, involving a reduction in geographical establishments, was consolidated by the law of 25th December 2017. The implementation of the reform took place between 2016 and 2019.

1.1 General jurisdiction courts of first instance : 13 first-instance courts, 162 Justices of the peace, 11 assize courts (one per province and two in Brussels), and 15 police courts.

1.2 General jurisdiction appellate courts : There are five appellate courts ; however, the 13 first-instance courts also act as appellate jurisdictions with regard to decisions made by the justices of the peace.

Vertical coherence within the table is not ensured, since the total counts for each category did not account for those instances where a single court has dual jurisdiction (first and second instance).

For this current assessment cycle (2020 data), both justices of the peace and police court figures are included under general courts. In previous cycles, they were categorized as specialized first-instance jurisdictions. As from year-end-2020, data includes all eleven assize courthouses too.

Given that Council of State acts both at first instance level and on appeal, it has been accounted for under both columns Q43 but only once within total column Q42.

**(2022):** 1.2. The courts of general jurisdiction at the second instance – legal entities : only the 5 courts of appeal have been mentioned here, but the 13 lower courts also have jurisdiction to hear appeals from decisions of the Justices of the peace.

**(2021):** 1.1 First instance courts of general jurisdiction: 13 first instance courts, 162 Justices of the peace, 11 Assize courts (one per province and two in Brussels) and 15 Police courts.

1.2 Second instance courts of general jurisdiction: 5 Courts of appeal (the 13 first instance courts that rule as appeal courts on the decisions of the Justices of the peace are taken into consideration only within line 1.1).

As for the previous evaluation round (2020 data), Justices of the peace and Police courts are counted as courts of general jurisdiction. Before 2020, they were categorized as specialized courts of first instance. As of 2020, the 11 Assize courts are also included in the data. Insofar as the Council of State (Conseil d'Etat) intervenes both in first instance and on appeal, it has been taken into account in both columns of Q43, but only once in the total of Q42.2.

It is worth mentioning that the Assize courts are not structural entities (they are not permanent); they are organised within the Courts of appeal. The Assize court is constituted whenever the Investigation Chamber of the respective Court of appeal (Chambre des mises en accusation) refers a case to that court - the Assize court.

All courts in Belgium (except the Court of cassation) are grouped into 49 legal entities (steering committees).

**(2020):** "1.1 First instance Courts of general jurisdiction: 13 first instance courts, 162 justices of the peace, 11 assize courts (one per province and two in Brussels) and 15 police courts. "Second instance Courts of general jurisdiction": 13 courts of first instance that rule as appeal courts on the decisions of the justices of the peace and 5 appeal courts.

Vertical consistency in the table is not ensured, as the 13 courts of first instance with dual jurisdiction (1 and 2 instances) have been counted only once in the totals.

For the current evaluation round (2020 data), justices of the peace and police courts are counted as general courts. In previous cycles, they were categorized as specialized courts of first instance. As of 2020, the 11 assize courts are also included in the data. Insofar as the Conseil d'Etat intervenes both in first instance and on appeal, it has been taken into account in both columns of Q43, but only once in the total of Q42.2."

**(2017):** The law of 25 December 2017 amended the number of cantons of justices of the peace from 187 to 162. The implementation of this reform will take place until 2019.

**(2016):** A reform of the justices of the peace is under way, leading to a reduction in the number of hearing locations.

**(2014):** Following a reform of the judicial map, the number of legal entities decreased: from 27 to 13 first instance courts, from 27 to 9 labour courts, from 27 to 9 commercial courts, and from 34 to 15 police courts.

## Bulgaria

**(General Comment):** There are the following courts in Bulgaria: District Courts- 113- The District Court is the main court of first instance. It has jurisdiction over all cases except those which are statutorily assigned to another court. It deals with civil, criminal and administrative-criminal cases. The decisions of the district courts are subject to appeal before the respective Regional court. Provincial/Regional Courts- 28- The Provincial Courts act as courts of first and second instance. As courts of first instance, they examine a precisely defined category of cases involving significant sums or substantial societal interest. When acting as a second (appellate) instance, they re-examine decisions taken by the district courts. Administrative Courts- 28, Courts of Appeals - 5, Military Courts - 3 - The Military courts consider criminal cases of crimes committed by servicemen or officials of the Interior Ministry at first instance. Military Court of Appeal - 1 Supreme Court of Cassation - 1 Supreme Administrative Court - 1

**(2022):** Regional/ Provincial courts are courts of first instance for a certain category of cases and courts of second instance for another category of cases. In this case, they are included in the number of courts of second instance with general jurisdiction, the decisive indicator used is the number of incoming cases.

**(2020):** Judiciary System Act

Article 65

All courts are legal entities funded by the budget and shall be represented by the administrative head or another designated person. In the discharge of the functions of administrative head, orders, instructions and rules shall be issued in accordance with the statutory competence. The general assembly, the plenum of the Supreme Cassation Court and the Plenum of the Supreme Administrative Court shall be bodies of the respective court, which rule only in the cases specified in the law, give opinions, adopt rules and decisions by open ballot and a majority of more than half of the judges present.

**(2019):** There are the following courts in Bulgaria: District Courts- 113- The District Court is the main court of first instance. It has jurisdiction over all cases except those which are statutorily assigned to another court. It deals with civil, criminal and administrative-criminal cases. The decisions of the district courts are subject to appeal before the respective Regional court. Provincial/Regional Courts- 28- The Provincial Courts act as courts of first and second instance. As courts of first instance, they examine a precisely defined category of cases involving significant sums or substantial societal interest. When acting as a second (appellate) instance, they re-examine decisions taken by the district courts.

Administrative Courts- 28

Specialized Criminal Court -1

Courts of Appeals - 5

Specialized Court of Appeal - 1

Military Courts - 3 - The Military courts consider criminal cases of crimes committed by servicemen or officials of the Interior Ministry at first instance.

Military Court of Appeal - 1

Supreme Court of Cassation - 1

Supreme Administrative Court - 1

**(2018):** 42.1. District Court - 113

The District Court is the main court of first instance. It has jurisdiction over all cases except those which are statutorily assigned to another court. It deals with civil, criminal and administrative-criminal cases. The decisions of the district courts are subject to appeal before the respective Regional court.

Provincial/ regional courts- 28

The provincial courts act as courts of first and second instance. As courts of first instance, they examine a precisely defined category of cases involving significant sums or substantial societal interest. When acting as a second (appellate) instance, they re-examine decisions taken by the district courts.

Military first instance courts- 3

Military courts consider criminal cases of crimes committed by servicemen or officials of the Interior Ministry at first instance.

## Croatia

**(General Comment):** The reform of judicial map implemented in 2015 decreased the number of Misdemeanour Courts from 63 to 22. Therefore, in accordance with the Act on Territorial Jurisdiction and Seats of Courts (Official Gazette, No. 128/14) in force, there are currently 22 Misdemeanour Courts in function. On the 1st of January 2019. new Courts Areas and Seats Act came into force. From the organizational aspect, the most important organizational measure was the merging of misdemeanor courts into municipal courts, and few municipal courts were reopened after 2015. That is why we have now less first instance specialized courts than in 2018. and more courts of general jurisdiction (22 courts which were in 2018. plus 8 courts which were reopened after the new law came into force).

**(2020):** On the 1st of January 2019. new Courts Areas and Seats Act came into force. From the organizational aspect, the most important organizational measure was the merging of misdemeanor courts into municipal courts, and few municipal courts were reopened after 2015. That is why we have now less first instance specialized courts than in 2018. and more courts of general jurisdiction (22 courts which were in 2018. plus 8 courts which were reopened after the new law came into force).

**(2019):** On the 1st of January 2019. new Courts Areas and Seats Act came into force. From the organizational aspect, the most important organizational measure was the merging of misdemeanor courts into municipal courts, and few municipal courts were reopened after 2015. That is why we have now less first instance specialized courts than in 2018. and more courts of general jurisdiction (22 courts which were in 2018. plus 8 courts which were reopened after the new law came into force).

**(2016):** There was a reform of judicial map implemented in 2015 in which the number of Misdemeanour Courts has decreased from 63 to 22. Therefore, in accordance with the Act on Territorial Jurisdiction and Seats of Courts (Official Gazette, No. 128/14) in force, there are currently 22 Misdemeanour Courts in function.

**(2014):** In 2014, according to the Act on Territorial Jurisdiction and Seats of Courts, there are 67 first instance courts but the Municipal Court in Novi Zagreb is not in function while the Municipal Criminal Court in Zagreb is a specialized court counted in Q42.2. Accordingly, there are 65 actually functioning first instance courts of a general jurisdiction.

**(2013):** For 2013, the Ministry of Justice added to the number of geographic locations all offices of a specific court that are located outside of the seat of the court, in which judicial activities are undertaken. The number of courts did not increase in 2013. Also, 66 municipal courts (65 municipal courts and 1 Municipal Criminal Court in Zagreb) were in function out of total 67 first instance courts prescribed by the Act on Territorial Jurisdiction and Seats of Courts. The Municipal Court in Novi Zagreb is still not in function.

## **Cyprus**

**(2020):** Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court. The data for Supreme Court in this question are included in the highest instance courts, but the case flow data of the Supreme Court are included in the second instance cases - questions 97 and 98.

**(2017):** x

**(2014):** The number of courts changed in 2014. Instead one labour court in the district of Nicosia, there are 3 separate courts in different districts. This applies as well as for rent and tenancies court. One more family court was also established. The Assize court deals with serious criminal offences only.

## **Czech Republic**

**(2022):** 2. Supreme Administrative Court

**(2021):** 2. Supreme Administrative Court

**(2020):** 2. Supreme Administrative Court

**(2017):** There are no specialised first instance courts, but judges within individual courts are specialised (e.g. for family, labour and enforcement cases at district courts, and insolvency and administrative cases at regional courts as first instance courts).

**(2016):** There are no specialised first instance courts, but judges within individual courts are specialised (e.g. for family, labour and enforcement cases at district courts, and insolvency and administrative cases at regional courts as first instance courts).

## **Denmark**

**(General Comment):** District courts are called 1st instance courts, the Land Registration court and the Maritime and Commercial Court are considered as first instance specialized courts. Second and third instance courts are the two High Courts and the Supreme Court.

**(2021):** Under "2" is Land Registration Court and Maritime and Commercial Court. In 4 is beside the 24 district courts 4 biting court houses.

**(2019):** Commercial and naval court  
Land Registration court.

**(2018):** Data has not changed on this point.

**(2017):** District courts are called 1st instance courts, the Land Registration court and the Maritime and Commercial Court are considered as first instance specialized courts. Second and third instance courts are the two High Courts and the Supreme Court.

## **Estonia**

**(2019):** A small courthouse was adjoined with another small courthouse. The distance between them was less than 50 km.

**(2016):** A small courthouse was adjoined with another small courthouse. The distance between them was less than 50 km.

## **Finland**

**(General Comment):** In Finland, there are 20 district courts with 36 offices, five courts of appeal, the Supreme Court, six administrative courts, the Supreme Administrative Court, the Market Court, the Labour Court and the Insurance Court. One of the administrative courts, the Labour Court and the Market Court are located in the same location. In total there are 36 courts in 52 geographic locations.

**(2021):** The number of district courts was reduced at the re-structuring on 1.1.2019

**(2020):** The number of district courts was reduced at the re-structuring on 1.1.2019.

**(2019):** The Court Network has been modified.

**(2016):** Some geographic locations of the District Courts have been shut down.

**(2014):** In 2014, in Finland there are 81 courts as geographic locations, namely 27 District Courts, 13 Branch offices of District Courts, 25 Auxiliary courtrooms of District Courts (23 till 2014), 3 specialized courts, 6 Administrative Courts (8 till 2014), 5 Courts of Appeal (6 till 2014), the Supreme Court and the Supreme Administrative Court.

## France

**(2021):** 1.1 : 164 TJ + 4 TPI

1.2 : 30 Courts of appeal in mainland France + 6 Courts of appeal in overseas France + 1 Superior Court of Appeal in Saint Pierre and Miquelon = 37

1.3: the Court of Cassation

Source DSJ

**(2020):**

There are 168 first instance courts of general jurisdiction, 37 second instance courts of general jurisdiction, and 1 highest instance court of general jurisdiction in the French judicial system.

**(2019):** See the comment on specialised first instance courts in the frame of Q43.

**(2018):** With regard to the ordinary courts, the number indicated in the 2016 questionnaire includes the local courts that have been abolished since 1 July 2017 (Act No. 2011-1862 of 13 December 2011), their powers having been taken over by the courts of first instance in civil matters and by the police courts attached to the courts of first instance in criminal matters. The number of 786 corresponded to: 164 TGI + 4 TPI + 307 TI + 311 jprox. Since then, TIs have been removed from the category of ordinary courts of first instance since they constitute specialised courts of first instance. The number of 479 ordinary courts of first instance therefore corresponded to 164 TGI + 4 TPI + 311 TPROX. The figure of 168 is thus explained by the abolition of the 311 local courts since 1 July 2017, as indicated in the comments in the questionnaire. Thus:  $479 - 311 = 168$  ordinary courts of first instance (164 TGI + 4 TPI).

## Germany

**(General Comment):** Even though the German legal system generally knows three instances (first instance, appeal on questions of fact and law, appeal on questions of law only), the different kinds of courts do not correspond directly to the stages of appeal. Local courts (Amtsgerichte) are first instance courts with the regional courts (Landgerichte) as next stage of appeal (exceptions apply in family matters). However, regional courts do not only serve as second instance courts but also deal with first instance cases. Whether a case is initially dealt with at a local or regional court depends (among other things) on the value at dispute (civil cases) or on the kind of the suspected offence (criminal cases). Similarly the higher regional courts may serve as second instance courts (for cases that were initially dealt with at regional courts or for cases in family matters) and as highest instance courts for cases that were initiated at the local courts (especially in criminal cases).

The constitutional courts of the federal states and the Federal Constitutional Court (Bundesverfassungsgericht) are not part of the stages of appeal. Constitutional jurisdiction is also seen as separate from general and specialised jurisdiction.

Constitutional courts review legislation with regard to constitutional provisions. The Federal Constitutional Court mainly assesses alleged violations of basic rights by public authorities. However, in order to have access to the constitutional courts, the regular path of legal proceedings must generally be exhausted.

**(2022): 1.1** First instance courts include: 638 local courts, 115 regional courts regional courts handle first as well as second instance cases. In 2022, regional courts registered 300 266 incoming first instance cases and 68 876 incoming second instance cases (civil and criminal matters). For further information see General Comment.

**1.2** Second instance courts include: 24 higher regional courts

higher regional courts handle second and third instance cases as well as certain (few) first instance cases. Higher regional courts are the third and final instance with regard to criminal cases, that were originally initiated at the local courts. In 2022, higher regional courts recorded 72 201 incoming second instance cases (excluding family matters) and 4 761 incoming third/last instance cases. For further information see General Comment.

**1.3** Highest instance courts include: Federal Supreme Court

**2.** The total number of specialised courts includes administrative, labour, financial, and social courts as well as the Federal Patent Court.

Discrepancy in comparison to the 2022-2020 cycle:

regional courts were originally counted twice as first instance and second instance courts. Higher regional courts were counted as second instance courts. This was changed during the 2023-2021 cycle (EU-Scoreboard). The regional courts and higher regional courts are now placed according to the number of incoming cases as outlined in the explanatory note.

In previous cycles, the total number of specialised courts included 16 constitutional courts of the federal states as well as the Federal Constitutional Court. In the current cycle, these courts are no longer included as they are mostly seen as separate from the ordinary justice system (for further information please refer to the general comment).

**(2021): 1.1** First instance courts include: 638 Local Courts, 115 Regional Courts

Regional Courts handle first as well as second instance cases. In 2021, Regional Courts registered 344 128 incoming first instance cases and 75 400 incoming second instance cases (civil and criminal matters). For further information see General Comment.

**1.2** Second instance courts include: 24 Higher Regional Courts

Higher Regional Courts handle second and third instance cases as well as certain (few) first instance cases. Higher Regional Courts are the third and final instance with regard to criminal cases, that were originally initiated at the Local Courts. In 2021, Higher Regional Courts recorded 102 029 incoming second instance cases and 5 089 incoming third/last instance cases. For further information see General Comment.

**1.3** Highest instance courts include: Federal Supreme Court

The total number of specialised courts includes 16 Constitutional Courts of the Länder.

**(2020): 1.1** First instance courts include: 638 Local Courts, 115 Regional Courts

**1.2** Second instance courts include: 115 Regional Courts, 24 Higher Regional Courts

**1.3** Highest instance courts include: 24 Higher Regional Courts, Federal Supreme Court

The vertical consistency is not fulfilled, since the 115 Regional Courts appear as "First instance courts" (1.1) as well as "Second instance courts" (1.2) and 24 Higher Regional Courts appear as "Second Instance Courts"(1.2) as well as "Highest Instance Courts" (1.3).

For further information please consult the General Comment.

The total number of specialised courts includes 16 Constitutional Courts of the Länder.

## Greece

**(2020):** In highest instance courts include the Supreme Court( Areios Pagos). In First instance courts of general jurisdiction are included in the number 259, 196 local and District Criminal Courts and 63 courts of first degree.

## Hungary

**(General Comment):** The Hungarian court system is as follows: Kúria (1) – the Hungarian Supreme Court - its jurisdiction in criminal, civil and administrative cases covers adjudication of extraordinary remedies and appeals, adopting uniformity decisions. It also decides if municipal decrees are in compliance with higher level legislation. Regional courts of appeal (5) – their jurisdiction in criminal and civil cases covers the adjudication of appeals received from the regional courts (third instance in criminal cases). Regional courts (20) – their jurisdiction in criminal, civil and administrative cases covers the adjudication of appeals received from district courts, administrative and labour courts, and procedure at first instance in certain criminal and civil cases. District courts (113) – their jurisdiction in criminal and civil cases covers the procedures at first instance. The number of judges in the largest district court is 357, whereas the smallest court operates with one judge. Out of the 113 district courts, the district courts in the seat of the regional courts have special competences in many cases.

**(2020):** The Hungarian court system is as follows: Kúria (1) – the Hungarian Supreme Court - its jurisdiction in criminal, civil and administrative cases covers adjudication of extraordinary remedies and appeals, adopting uniformity decisions. It also decides if municipal decrees are in compliance with higher level legislation. Regional courts of appeal (5) – their jurisdiction in criminal and civil cases covers the adjudication of appeals received from the regional courts (third instance in criminal cases). Regional courts (20) – their jurisdiction in criminal, civil and administrative cases covers the adjudication of appeals received from district courts, administrative and labour courts, and procedure at first instance in certain criminal and civil cases. District courts (113) – their jurisdiction in criminal and civil cases covers the procedures at first instance. Out of the 113 district courts, the district courts in the seat of the regional courts have special competences in many cases. Administrative and labour courts (20) were dismissed on the 31st of March 2020. From this date Regional Courts deal with labour cases on first instance while administrative cases are dealt with by eight Regional Court on a regional level.

**(2019):** 113 District Courts (first instance courts of general jurisdiction)

20 Administrative and Labour Courts (specialized first instance courts)

20 Regional Courts (second instance courts of general jurisdiction + first instance courts in cases of higher importance)

5 Regional Courts of Appeal (second instance courts in cases of higher importance)

1 Supreme Court ("Kúria" - special judicial review)

It has to be noted that Administrative and Labour Courts are merged into the regional courts on the 31st of March 2020. Since 1st of April 2020 every regional court deals with labour cases on first instance (second instance are the regional courts of appeal) and 8 regional courts have special administrative law department dealing with first instance cases (second instance is the Supreme Court).

**(2018):** Two new district courts were established (one in 2017 in the city of Szigetszentmiklós, another one in 2019 in the city of Érd).

113 District Courts (first instance courts of general jurisdiction)

20 Administrative and Labour Courts (specialized first instance courts)

20 Regional Courts (second instance courts of general jurisdiction + first instance courts in cases of higher importance)

5 Regional Courts of Appeal (second instance courts in cases of higher importance)

1 Supreme Court (special judicial review)

**(2017):** All courts include :

112 District Courts

20 Regional Courts

20 Administrative and Labour Courts

5 Regional Courts of Appeal

1 Supreme Court (Kúria)

The Hungarian court system is as follows: Kúria (1) – the Hungarian Supreme Court - its jurisdiction in criminal, civil and administrative cases covers adjudication of extraordinary remedies and appeals, adopting uniformity decisions. It also decides if municipal decrees are in compliance with higher level legislation. Regional courts of appeal (5) – their jurisdiction in criminal and civil cases covers the adjudication of appeals received from the regional courts (third instance in criminal cases). Regional courts (20) – their jurisdiction in criminal, civil and administrative cases covers the adjudication of appeals received from district courts, administrative and labour courts, and procedure at first instance in certain criminal and civil cases. District courts (112) – their jurisdiction in criminal and civil cases covers the procedures at first instance. The number of judges in the largest district court is 357, whereas the smallest court operates with one judge. Out of the 111 district courts, the district courts in the seat of the regional courts have special competences in many cases. Administrative and labour courts (20) – their jurisdiction covers procedures at first instance in individual and collective labour disputes and in administrative cases. First instance administrative and labour courts (20) started operating on 1 January 2013 as first instance specialized courts. Thus from this date the number of first instance courts of general jurisdiction is 112.

## Ireland

**(General Comment):** In Ireland, there are only three first instance courts (as legal entities) exercising general jurisdiction for the entire State (the High Court, the Circuit Court and the District Court). Each of those three courts has a single court president only, who exercises a nationwide remit for his/her court. The number of geographic locations reflects the physical location serving as seats or venues for the three jurisdictions.

**(2016):** The specialised courts referred to are the two Special Criminal Courts the jurisdiction of which generally relates to trial of terrorism- and organised crime-related offences.

The increase of one location over the figure provided for 2014 refers to the temporary relocation of the Dublin District Court's Drug Treatment Court in 2016.

## Italy

**(2018):** In 2012-2013 we went through a major reform of the judicial map. In particular, a great number of justice of peace offices (initially 846) were shut down. However, each Italian municipality had (and still has) the opportunity to preserve the office at their own expenses. For this reason, each year a series of Justice of Peace offices administered by the municipality might be re-opened or closed. 3 justice of peace offices closed between 2017 and 2018.

**(2017):** In 2012-2013 we went through a major reform of the judicial map. In particular, a great number of justice of peace offices (initially 846) were shut down. However, each Italian municipality had (and still has) the opportunity to preserve the office at their own expenses. For this reason, each year a series of Justice of Peace offices administered by the municipality might be re-opened or closed.

## Latvia

**(2022):** "1.1 First instance courts of general jurisdiction - legal entities": in 2022, three courts were merged into one, creating the Riga City Court.

In Latvia, the two administrative courts and the Economic court are considered as courts of general jurisdiction, but according to the CEPEJ methodology, data are inserted in line 2 "Total number of specialized courts".

**(2021):** In the total number of specialised courts - legal entities are included 1 Administrative court, 1 Administrative Regional (appeal) Court and 1 Economic Court, what was created and started operates from 31.03.2021. in Latvia. From 01.08.2022. is created and operates Riga City Court, merging 3 courts in Riga city territory. The number of first instance courts of general jurisdiction is indicated as it was in 2021, not including Riga City Court as 1 court in Riga. In Latvia is also Constitutional court - which within the jurisdiction specified in the Constitution of the Republic of Latvia and in this Law, shall adjudicate matters regarding the conformity of laws and other regulatory enactments with the Constitution, as well as other matters regarding which jurisdiction is conferred upon it by this Law. The Constitutional court is not included in the total number of the courts.

**(2020):** In the total number of specialised courts - legal entities are included 1 Administrative court and 1 Administrative Regional (appeal) court. Starting from 31.03.2021. in Latvia is created and operates the Economic Court. The Economic Court is not included in the total number of specialized courts. In Latvia is also Constitutional court - which within the jurisdiction specified in the Constitution of the Republic of Latvia and in this Law, shall adjudicate matters regarding the conformity of laws and other regulatory enactments with the Constitution, as well as other matters regarding which jurisdiction is conferred upon it by this Law. The Constitutional court is not included in the total number of the courts.

**(2019):** Since the reform of March, 2018, the number of first instance courts has been reduced to 10 legal entities at first instance (9 general + 1 administrative). There are also 6 appellate courts and Supreme court. In 2019 was completed reform of Land Register Units, which are included in the composition of district (city) courts. The number of legal entities doesn't changes, but number of courts per geographic locations therefore differs. The data regarding the geographic locations are indicated on 31.12.2019.

**(2018):** Since the reform of March, 2018, the number of first instance courts has been reduced to 10 legal entities at first instance (9 general + 1 administrative). There are also 6 appellate courts and Supreme court.

**(2017):** The number of first instance courts (legal entities) is indicated on 31.12.2017., in Latvia starting from 2015 till March, 2018 was a reform where court map was revised. The number of first instance courts (legal entities) starting from March, 2018 is 9. As regards the specialised court - there is only one specialised court the Administrative court with 5 court houses.

**(2016):** There is only one specialised court the administrative court with 5 court houses

## Lithuania

**(General Comment):** 1.1. 12 district courts;

1.2. 5 regional courts (regional courts are appeal instance for judgments, decisions, rulings and orders of district courts as well as first instance courts adjudicating certain categories of cases; in this table regional courts are counted only as second instance courts of general jurisdiction) and the Court of Appeal of Lithuania;

2. 2 regional administrative courts and the Supreme Administrative Court of Lithuania.

Regional courts as the first instance courts examine criminal cases in which persons are accused of having committed serious and very serious crimes, as well as cases in which the accused were the President of the Republic of Lithuania, members of the Seimas (Parliament) or Government, judges, judges or prosecutors of the Constitutional Court at the time of the commission of the criminal act.

Regional courts as the first instance deal with civil cases in which the amount of the claim is greater than 28,510 EUR (except for family legal relations cases due to the division of property), copyright cases, civil public tender legal relations cases, bankruptcy and restructuring cases, according to the statement of the bank's temporary administrator on reduction of the bank's share capital, cases in which one of the parties is a foreign state, according to lawsuits regarding the forced sale of shares, due to the investigation of the activity of a legal entity, and other cases.

Only the Vilnius Regional Court, with exclusive rights, in accordance with the laws in force, as a court of first instance hears cases regarding disputes provided for in the Patent Law of the Republic of Lithuania, regarding disputes provided for in the Trademark Law of the Republic of Lithuania, regarding adoption based on requests of foreign citizens

**(2022):** according to 2021 answers, Regional courts are counted only as second instance.

**(2021):** Regional courts are counted only as second instance; general comment has been updated in view of the changed assignment of the regional courts to the second instance only.

**(2020):** 1.1. 12 district courts and 5 regional courts (the latter are adjudicating certain categories of cases as first instance courts);

1.2. 5 regional courts and the Court of Appeal of Lithuania;

2. 2 regional administrative courts and the Supreme Administrative Court of Lithuania.

**(2018):** Number of courts (as legal entities) in Lithuania decreased from 1st January 2018 according to the Law on Reorganization of Courts of the Republic of Lithuania (Law of 23rd June, 2016 No. XII-2474). Instead of 49 district courts (as legal entities) there are now 12 district courts (some of them have court houses), instead of 5 regional administrative courts there are now 2 of them (one has houses). The number of first instance courts of general jurisdiction (legal entities) in point 42.1 implies 5 regional courts (of general jurisdiction) which are first instance for criminal and civil cases assigned to its jurisdiction by law. These courts also are appeal instance for judgements, decisions, rulings and orders of district courts, so their number is also included in the number of all courts at point 42.3.

**(2017):** From January 1, 2018, there are 22 left (17 first instance courts, 2 first instance courts of special jurisdiction, 2 courts of appeal (1 of them is specialized court) and 1 court of cassation).

**(2014):** As regional courts of Lithuania function not only as courts of appeal, but also as courts of first instance, for 2014, the number of these courts is also included in the number of first instance courts of general jurisdiction. This was not the case in earlier years.

## Luxembourg

**(General Comment):** 42.1.1: three justices of the peace and two district courts

42.1.2: a Court of Appeal 42.1.3: a Court of Cassation

42.2: Total specialized courts (all instances) In addition to the actual jurisdictions, the law of July 27, 1997 organizing the Constitutional Court established this court which is seized, as a preliminary ruling, when a question arises regarding the conformity of a law with the Constitution before a jurisdiction of either judicial or administrative order.

It rules by way of judgment on laws' conformity with the Constitution, except for those approving treaties.

When one party raises an issue concerning a law's compliance with the Constitution before either judicial or administrative jurisdiction, that jurisdiction must refer it to The Constitutional Court unless it considers that making decision on raised issue is unnecessary for its judgment; that such question lacks any foundation; or that The Constitutional Court has already ruled on an identical matter.

If any jurisdiction deems there's an issue about whether certain legislation complies with constitutional provisions and deciding upon this point is necessary for delivering its verdict then it should raise this matter ex officio after previously inviting parties to present their observations.

Parties are entitled to conclude and plead before The Constitutional Court through representation by counsel listed in Category I annually compiled tables set up by bar councils' orders."

The judgments from The Constitutional Courts are published in Official Journal within thirty days from their pronouncement." (Justice Portal : <https://justice.public.lu/fr/organisation-justice/cour-constitutionnelle.html>)

**(2022):** In addition to the regular courts, the Law of 27 July 1997 on the organization of the Constitutional Court established this court, which is seized for a preliminary ruling when a question arises before a judicial or administrative jurisdiction concerning the conformity of a law with the Constitution. It rules by way of judgment on the conformity of laws with the Constitution, except those approving treaties.

When a party raises an issue regarding compliance of a law with the Constitution before a judicial or administrative jurisdiction, that jurisdiction is required to refer it to the Constitutional Court, unless it considers that deciding on such matter is not necessary for its judgment, that there are no grounds for such issue or that there has already been an adjudication by the Constitutional Court on an identical matter.

If any jurisdiction deems that an issue relating to compliance of a law with the constitution arises and decision on this point is necessary for its judgment, it must raise it ex officio after having previously invited the parties to present their observations.

The parties are entitled to conclude and plead before the Constitutional Court through counsel registered in List I annually drawn up by the councils of bar associations.

Judgments from the Constitutional Court are published in the Official Gazette of Luxembourg within thirty days from their pronouncement. (Justice Portal: <https://justice.public.lu/fr/organisation-justice/cour-constitutionnelle.html>)

**(2020):** "In addition to the courts proper, the law of 27 July 1997 on the organization of the Constitutional Court established this court, which is seized, on a preliminary basis, when a question relating to the conformity of a law to the Constitution arises before a court of the judicial or administrative order. It rules, by means of a judgment, on the conformity of laws with the Constitution, with the exception of those concerning the approval of treaties.

When a party raises a question concerning the conformity of a law with the Constitution before a court of the judicial or administrative order, that court is obliged to refer the matter to the Constitutional Court, except when it considers that a decision on the question raised is not necessary to render its judgment, that the question is unfounded or that the Constitutional Court has already ruled on a question with the same object.

If a court considers that a question of conformity of a law with the Constitution arises and that a decision on this point is necessary to render its judgment, it must raise it of its own motion after first inviting the parties to present their observations. The parties are admitted to conclude and plead before the Constitutional Court through the ministry of a lawyer registered in list I of the tables drawn up annually by the Bar Associations.

The judgments of the Constitutional Court are published in the Official Journal of the Grand Duchy of Luxembourg within thirty days of their delivery. (Portal of Justice: <https://justice.public.lu/fr/organisation-justice/cour-constitutionnelle.html>) "

**(2017):** 42.1: 3 justices of the peace and 2 district courts

42.2: Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

**(2016):** 42.1: 3 justices of the peace and 2 district courts

42.2: Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

## Malta

**(2022):** The 1st instance courts of general jurisdiction are:

- the Court of Magistrates, Civil Jurisdiction
- the Court of Magistrates, Criminal Jurisdiction
- the Civil Court, First Hall - the Criminal Court

The 2nd instance courts of general jurisdiction are:

- the Civil Court of Appeal, Inferior Jurisdiction
- the Civil Court of Appeal, Superior Jurisdiction
- the Criminal Court of Appeal, Inferior Jurisdiction
- the Criminal Court of Appeal, Superior Jurisdiction

In the Maltese judicial system, there are only 2 instances of courts, hence Q1.3 is marked as NAP.

The increase in the number of courts as legal entities reflects the addition of the criminal courts to the above data, namely:

- 1st Instance Courts: Court of Magistrates Criminal Jurisdiction and Criminal Court
- 2nd Instance Courts: Criminal Court of Appeal in its Inferior and Superior Jurisdiction

Q2: The increase by 1 in the number of specialised courts reflects the addition of the Constitutional Court (in line with 2021 data).

**(2021):** The total number of Specialised Courts has increased to 8 because of the addition of the Constitutional Court as a second instance specialised court.

**(2020):** The 1st instance courts of general jurisdiction are:

- the Court of Magistrates, Civil Jurisdiction (competency up to Euros 15,000)
- the Civil Court, First Hall (civil cases above Euros 15,000)

The 2nd instance courts of general jurisdiction are:

- the Civil Court of Appeal, Inferior Jurisdiction - the Civil Court of Appeal, Superior Jurisdiction

In the Maltese judicial system, there are only 2 instances of courts, hence Q1.3 is marked as NAP.

The increase in the number of courts as legal entities reflects the addition of the criminal courts to the above data, namely:

- 1st Instance Courts: Court of Magistrates Criminal Jurisdiction and Criminal Court
- 2nd Instance Courts: Criminal Court of Appeal in its Inferior and Superior Jurisdiction

**(2018):** In 2018, the Commercial Division was set up in order to hear cases filed under the Companies Act that include Insolvency cases. This new specialised first instance court is the reason behind the increase in the number of courts quoted at 42.2 above.

## Netherlands

**(General Comment):** Second instance courts of general jurisdiction handle civil, criminal and tax cases.

There are two additional courts that do not seem to fit this categorization by instance, acting in the area of administrative law. Some administrative law cases (tax cases) are handled by first and second instance courts of general jurisdiction. Other administrative cases are handled by the Trade and Industry Appeals Tribunal, also known as the Administrative High Court for Trade and Industry (College van van Beroep voor het Bedrijfsleven). This is a specialized administrative court, which rules on disputes in the area of social-economic administrative law, and appeals for specific laws. The tribunal hears both first and second instance cases. Categorized as a specialized court.

The Central Appeals Tribunal (Centrale Raad van Beroep) is a court of appeal mainly active in legal areas pertaining to social security and civil service. In these areas, it is also the highest judicial authority. In some cases, it is the first and sole instance. This court does not exactly fit the distinction of the table above, but categorized as a specialized court.

The Administrative Jurisdiction Division of the Council of State is the highest administrative court with general jurisdiction in the Netherlands. It hears various types of appeals (e.g. members of the public / associations / commercial companies against governmental bodies, or between public authorities). This court does not exactly fit the distinction of the table above, but categorized as a specialized court. For more information, see <https://www.rechtspraak.nl/English/Judicial-system-and-legislation/Pages/Special-Tribunals.aspx>. Note that the Supreme Court (highest instance court of general jurisdiction) does not retry the case itself, but judges whether the judges at the first and second instance applied the law correctly in the judgment, and whether the procedure was correctly followed (cassation, potential quashing of judgment).

Since 2013 and following the implementation of the reform related to the reorganization of the judicial map, the number of district courts was reduced from 19 in 2010 to 11 in 2013 and 2014. Moreover, this reform resulted in the closure of sub-district court locations due to which the number of geographic locations decreased from 64 in 2010 to 40 in 2013 and 2014.

**(2021):** Second instance courts of general jurisdiction handle civil, criminal and tax cases.

There are two additional courts that do not seem to fit this categorization by instance, acting in the area of administrative law. Some administrative law cases (tax cases) are handled by first and second instance courts of general jurisdiction. Other administrative cases are handled by the Trade and Industry Appeals Tribunal, also known as the Administrative High Court for Trade and Industry (College van van Beroep voor het Bedrijfsleven). This is a specialized administrative court, which rules on disputes in the area of social-economic administrative law, and appeals for specific laws. The tribunal hears both first and second instance cases. Categorized as a specialized court.

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For more information, see <https://www.rechtspraak.nl/English/Judicial-system-and-legislation/Pages/Special-Tribunals.aspx>. Note that the Supreme Court (highest instance court of general jurisdiction) does not retry the case itself, but judges whether the judges at the first and second instance applied the law correctly in the judgment, and whether the procedure was correctly followed (cassation, potential quashing of judgment).

**(2020):** There are 11 first instance courts (Rechtbanken).

There are 4 second instance courts of general jurisdiction: 4 courts of appeal (Second instance, Gerechtshoven) that handle civil cases, criminal cases and tax cases.

There is 1 highest instance court of general jurisdiction, the Supreme Court (Hoge Raad), the highest instance court in The Netherlands.

There are three specialized courts (see comment Q43).

**(2017):** same as last year

## Poland

**(General Comment):** The Polish court structure is characterized by four levels of courts but only three instances. Basically, there are district courts which are first instance courts, regional courts which are first and second instance courts (regional courts within their jurisdiction have the majority of first-instance cases), and appellate courts which are second instance courts. The highest instance courts are the Supreme Court, the Supreme Administrative Court and the Constitutional Tribunal.

**(2022):** 1.1 first instance courts (district courts + regional courts);

1.2 second (appellate courts); 1.3 third instance courts (cassation of the judgment) (Supreme Court) of general jurisdiction;

**(2021):** The table indicating the content of:

1.1 first instance courts (district + regional courts), 1.2 second (appellate courts) , 1.3 third instance courts (cassation of the judgment) (Supreme Court) of general jurisdiction.

**(2020):** The table indicating the content of:

1.1 first instance courts (district + regional courts), 1.2 second (appellate courts) , 1.3 third instance courts (cassation of the judgment) (Supreme Court) of general jurisdiction.

**(2018):** .

**(2017):** 42.1 First instance courts of general jurisdiction - common courts (318 regional courts, 45 district courts).

42.2 First instance specialised courts - 16 administrative courts, 9 military courts.

42.3 All the courts - the Supreme Court, common courts (318 regional courts, 45 district courts, 11 appeal courts), administrative courts (voivodship administrative courts (16), the Supreme Administrative Court), military courts (regional military courts (7), district military courts (2)).

**(2016):** 42.1 First instance courts of general jurisdiction - common courts (318 regional courts, 45 district courts).  
42.2 First instance specialised courts - 16 administrative courts, 9 military courts.  
42.3 All the courts - the Supreme Court, common courts (318 regional courts, 45 district courts, 11 appeal courts), administrative courts (16 voivodship administrative courts, the Supreme Administrative Court), military courts (9 regional military courts, 2 district military courts). The differences between presented data and the data from 2014 edition is likely to be due to the restoration of District Courts, abolished and converted to divisions of larger units in 2013. The difference in courts number between this (363) and previous evaluation cycle (287) is probably caused by a significant organizational reform of Polish court system, which took place in 2013. Almost eighty small district courts were merged with larger entities. Since 2015 the reform has been reversing, which has resulted in an increase in the number of the courts.

**(2012):** In 2012, there was a structural change concerning District courts. Some of them were transformed into divisions of other courts.

## Portugal

**(2020):** 1.1 Courts of general jurisdiction and proximity divisions;  
1.2. 2nd Instance Courts (Tribunal Relação de Lisboa, Coimbra, Porto, Évora e Guimarães).  
1.3. Supreme Justice Court

**(2019):** Regarding Q 42.1 the decrease of the total number of first instance courts of general jurisdiction is accompanied by an increase of certain types of first instance courts (please consult answers provided to Q 43). Regarding Q 42.2, the total corresponds to first instance specialised courts of judicial courts and administrative and tax courts. Under our Constitution, we have two set of courts: judicial courts, which have general jurisdiction in civil/commercial and criminal matters and encompass specialized courts, and administrative and tax courts, whose role is to settle disputes arising out of administrative and tax relations. These latter are specialised in this domain only. In order to be rigorous and coherent with Q 43, we have included first instance administrative and tax courts. The total corresponds to 418 judicial courts + 17 administrative/tax courts.

**(2018):** These data correspond to the values given for the last scoreboard. The differences registered result from the changes to the judicial organization (Law n. 40-A/2016, 22 December) in force since January 1, 2017.  
42.1 the number of 1st instance courts with general jurisdiction decreased due to the increase of specialized courts. Accordingly, 20 courts that were closed in 2014 were re-enacted as proximity judgments, new family sections were created as well as new sections with generic jurisdiction.

**(2017):** The differences registered result from the changes to the judicial organization (Law n. 40-A/2016, 22 December) in force since January 1, 2017.  
42.1 the number of 1st instance courts with general jurisdiction decreased due to the increase of specialized courts. Accordingly, 20 courts that were closed in 2014 were re-enacted as proximity judgments, new family sections were created as well as new sections with generic jurisdiction.

**(2014):** As a result of the new Judicial Organization Reform, the number of specialized first instance courts increased in 2014, while the enlargement of the court districts has been promoted. The reform melted the former judicial districts into 23 judicial districts, each containing two or more units, according to the demographic and economic reality of the respective geographic area. The difference between Q42.2 and Q43 is due to the inclusion of the 20 administrative courts in Q43. In Portugal, the administrative jurisdiction is autonomous, independent from the civil jurisdiction.

## Romania

**(General Comment):** In Romania there are 175 judecatorii, first instance courts of general jurisdiction.

**(2022):** Law no. 304/2022 on the judicial organisation.

The number of „judecatorii” has decreased by one between 2019-2020 because the activity of Judecătoria Insuratei was suspended so it no longer appears in the statistics. 175 represent the first instance courts with general jurisdiction in this matter, even if tribunals, courts of appeal and the High Court may also judge first instance cases. Starting from 2020 the methodology of presentation of data changed and only “judecatorii” are counted as first instance courts of general jurisdiction, even if tribunals, courts of appeal and the High Court may also judge first instance cases.

**(2021):** Law no. 304/2004 on the judicial organisation.

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**(2017):** There are 176 first instance courts, 42 tribunals and 15 courts of appeals. All of the first instance courts deal with cases in first instance, but also the tribunals and the courts of appeal may have material or personal jurisdiction in first instance.

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## Slovak Republic

**(2022):** The new Supreme Administrative Court - specialized court of higher instance was established in 2021 and started its full work in 2022.

**(2021):** The changed answer in line 2 is due to the Supreme Administrative Court of the Slovak Republic, it was established from January 1, 2021 by Constitutional Act No. 422/2020.

**(2020):** The Constitutional Court is not included, since it was not included in previous cycles. According to the explanatory note - "In some countries, other bodies can be referred to as courts. When they are not part of the regular judiciary system, they should not be considered here (e.g. courts of audits, constitutional courts when not dealing with individual cases but rather with questions of compliance with constitution and international law etc.)." In Slovak republic the Constitutional Court can deal with some rare individual cases.

**(2019):** The entire court system of the Slovak republic consists of 54 District Courts, 8 Regional Courts, The Specialized Criminal Court and the Supreme Court of the Slovak republic.

**(2018):** The entire court system of the Slovak republic consists of 54 District Courts, 8 Regional Courts, The Specialised Criminal Court and The Supreme Court of the Slovak republic

**(2017):** The court system of the Slovak republic consists of 54 District Courts, 8 Regional Courts, Specialised Criminal Court and Supreme Court of the Slovak republic

**(2016):** The court system of the Slovak republic consists of 54 District Courts, 8 Regional Courts, The Specialised Criminal Court and The Supreme Court of the Slovak republic

## Slovenia

**(General Comment):** First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

Second instance courts of general jurisdiction: 4 higher courts

Specialised courts: 3 labour courts (1st instance) + 1 labour and social court (1st instance) + 1 Administrative court (1st instance) + 1 Higher labour and social Court (2nd instance) = 6

Highest instance courts of general jurisdiction: The Supreme Court (also highest instance court for specialised courts)

**(2018):** First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

First instance specialised courts: 3 labour courts + 1 labour and social court + 1 Administrative court = 5

All courts: first instance courts of general jurisdiction (55, see Q42.1) + first instance specialised courts (4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court) + second instance courts and courts of appeal (4 higher courts of general jurisdiction + 1 higher labour and social court) + the Supreme court = 77.

**(2017):** First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

First instance specialised courts: 3 labour courts + 1 labour and social court + 1 Administrative court = 5

All courts: first instance courts of general jurisdiction (55, see Q42.1) + first instance specialised courts (4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court) + second instance courts and courts of appeal (4 higher courts of general jurisdiction + 1 higher labour and social court) + the Supreme court = 77.

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**(2015):** legal entities:

First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

First instance specialised courts: 3 labour courts + 1 labour and social court + 1 administrative court = 5

geographic locations:

All the courts = 77

- first instance courts of general jurisdiction = 55 (Q42.1); additionally

- first instance specialised courts = 4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court = 16; additionally

- second instance courts and courts of appeal = 4 higher courts of general jurisdiction + 1 higher labour and social court = 5; and finally

- supreme court: the Supreme Court of the Republic of Slovenia = 1.

## Spain

**(General Comment):** In Spain, as general rule, the First Instance are unipersonal Courts: One Judge-courts. In Spain we have two types of specialization: Special Jurisdictions established by Organic Law (Violence against women, Commercial, for example), and the possibility for GCJ to determine that in some places, a general jurisdiction Court (Civil) is focused in some kind of cases.

## Question 043

## Austria

**(General Comment):** As a rule every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. six in Vienna (civil cases, criminal cases, commercial cases [2 x], labour and social welfare cases, administrative cases) and two in Graz (civil cases, criminal cases); Since there are special courts for civil law cases in Vienna and Graz, which cannot be selected individually here, and because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts does not correspond to the total number of specialised courts.

One commercial court in Vienna, both courts (in Vienna and Graz) specialised on civil cases and both courts (in Vienna and Graz) specialised on the enforcement of criminal sanctions also act as second instance courts.

**(2022):** As a rule every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. six in Vienna (civil cases, criminal cases, commercial cases [2 x], labour and social welfare cases, administrative cases) and two in Graz (civil cases, criminal cases); Since there are special courts for civil law cases in Vienna and Graz, which cannot be selected individually here, and because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts does not correspond to the total number of specialised courts.

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**(2021):** As a rule every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], labour and social welfare cases) and two in Graz (civil cases, criminal cases); Because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts does not correspond to the total number of specialised courts. One commercial court in Vienna, both courts (in Vienna and Graz) specialised on civil cases and both courts (in Vienna and Graz) specialised on the enforcement of criminal sanctions also act as second instance courts.

**(2020):** As a rule every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], labour and social welfare cases) and two in Graz (civil cases, criminal cases);

Because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts does not correspond to the total number of specialised courts.

One commercial court in Vienna, both courts (in Vienna and Graz) specialised on civil cases and both courts (in Vienna and Graz) specialised on the enforcement of criminal sanctions also act as second instance courts.

**(2019):** On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialized, i.e. eight in Vienna (civil cases, criminal cases, commercial cases [2x], employment- and social welfare cases, administrative cases) and two in Graz (criminal cases, remaining cases). There is also a regional administrative court in every federal state (9 in total). Because of the Court for labour and social welfare cases in Vienna (Arbeits- und Sozialgericht Wien) the sum of the individual courts equals nineteen.

**(2018):** On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], employment- and social welfare cases) and two in Graz (criminal cases, remaining cases)

**(2017):** On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], employment- and social welfare cases) and two in Graz (criminal cases, remaining cases)

**(2016):** On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], employment- and social welfare cases) and two in Graz (criminal cases, remaining cases)

## Belgium

**(General Comment):** In Belgium, the following courts do not exist - insolvency courts, family courts, juvenile courts, insurance and / or social welfare courts, rent and tenancies courts, enforcement of criminal sanctions courts, courts specialised in fight against terrorism or in internet related disputes. These case categories are within the competence of company courts (insolvency, insurances), first instance courts (family, juveniles, enforcement of sentences), labour courts (safety in work). As for the previous evaluation round (2020 data), Justices of the peace and Police courts are counted as courts of general jurisdiction. Before 2020, they were categorized as specialized courts of first instance.

Administrative courts: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege and Raad voor Verkiezingsbetwistingen.

Six courts of first instance have chambers specialised in enforcement of criminal sanctions. The designation "enforcement court" is used, but in reality, it is a specialized chamber. All first instance courts (13) have a specialized family and youth section. The designation "family court" is used, but in reality, it is a specialized section.

**(2021):** In Belgium, the following courts do not exist - insolvency courts, family courts, juvenile courts, insurance and / or social welfare courts, rent and tenancies courts, enforcement of criminal sanctions courts, courts specialised in fight against terrorism or in internet related disputes. These case categories are within the competence of company courts (insolvency, insurances), first instance courts (family, juveniles, enforcement of sentences), labour courts (safety in work).

As for the previous evaluation round (2020 data), Justices of the peace and Police courts are counted as courts of general jurisdiction. Before 2020, they were categorized as specialized courts of first instance.

**(2020):**

For the current evaluation round (2020 data), justices of the peace and police courts are counted as general courts. In previous cycles, they were categorized as specialized courts of first instance.

**(2019): Other:** 162 justices of the peace and 15 police courts. Administrative courts: Council of State, Council for Aliens Litigation, de Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen (these courts are under the authority of the Minister for Home Affairs and the Flemish Regional Government, and not the Minister of Justice).

Six courts of first instance have specialized chambers for the application of sentences. The denomination 'court for the enforcement of sentences' is used, but in reality it is a specialized chamber.

All the courts of first instance (13) have a special family and youth section. The denomination 'family court' is used, but in reality it is a specialized section.

**(2017): Others:** justices of the peace and police courts. The law of 25 December 2017 amended the number of cantons of justices of the peace from 187 to 162 (162 justices of the peace and 15 police courts).

Administrative courts: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen.

Five courts of first instance have specialized chambers for the enforcement of sentences. Despite the term used in their respect - "court for the enforcement of sentences", those are specialised chambers.

All courts of first instance (13) have a specialised family and youth section. The term "family court" is used, but these are also specialised sections.

**(2016): Other:** justices of the peace and police courts

Administrative courts: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen.

Five courts of first instance have specialized chambers for the enforcement of sentences. The name "court for the enforcement of sentences" is used, but in reality it is a specialized chamber.

All courts of first instance (13) have a specialized family and youth section. The name "family court" is used, but in reality it is a specialized section.

**(2015): Other:** justices of the peace and police courts

Administrative courts: the Council of State, the Council of the Litigation of Foreigners, Milieuhandhavingscollege, de Raad voor Vergunningsbetwistingen en de Raad voor Verkiezingsbetwistingen.

**(2014):** The other specialised courts are 15 police courts and 187 justices of peace. Family courts are a section within the 13 first instance courts. The administrative courts (the Council of State, the Alien Litigation Council, "(Vlaamse)Raad voor Vergunningsbetwistingen", "het (Vlaamse) Milieuhandhavingscollege") are not part of the judicial system administered by the Ministry of Justice. Following a reform of the judicial map, the number of labour, commercial and police courts was reduced.

## Bulgaria

**(General Comment):** Administrative Courts- 28

Supreme Administrative Court - 1

Military Courts - 3

Military Court of Appeal - 1

**(2022):** Previous cycles the category “other specialised courts” encompasses the Specialized Criminal Court of Republic of Bulgaria and Specialized Criminal Court of Appeal. In the State Gazette, no. 32 of 26.04.2022, the Law on Amendments and Supplements to the Law on the Judiciary/ Judiciary System Act was promulgated, which closed the specialized court and prosecutor's office.

**(2021):** The category “other specialised courts” encompasses the Specialized Criminal Court of Republic of Bulgaria, established in 2011, situated in Sofia and treated as a Provincial/Regional Court. Its jurisdiction covers criminal cases of a general nature for crimes carried out throughout the Republic of Bulgaria. Its competence is determined on the basis of the subject of the case and not the quality of the perpetrator. The Criminal Procedure Code exhaustively enumerates cases within the competence of this Court, namely crimes committed by organized criminal groups, or on behalf of them and following their decision.

**(2020):** The category “other specialised courts” encompasses the Specialized Criminal Court of Republic of Bulgaria, established in 2011, situated in Sofia and treated as a Provincial/Regional Court. Its jurisdiction covers criminal cases of a general nature for crimes carried out throughout the Republic of Bulgaria. Its competence is determined on the basis of the subject of the case and not the quality of the perpetrator. The Criminal Procedure Code exhaustively enumerates cases within the competence of this Court, namely crimes committed by organized criminal groups, or on behalf of them and following their decision.

**(2019):** The cases under the jurisdiction of Specialized Criminal Court are specified in Art. 411a of the Penal Procedure Code

**(2018):** The category “other” encompasses the Specialized Criminal Court of Republic of Bulgaria (see the general comment).

**(2017):** Specialized Criminal Court

**(2016):** 'Other specialised 1st instance courts' - 1 Specialized Criminal Court.

## Croatia

**(General Comment):** No comment.

**(2022):** will be explained later

**(2020):** In Croatian Judicial system there is a higher instances of 3 specialized courts: commercial, administrative and other (misdemeanour).

**(2019):** One criminal and two misdemeanour courts. After the reorganization of courts in 2019 we do not have 22 misdemeanour courts. Only two courts specialized only for misdemeanour cases were left in two largest cities (Zagreb and Split). Third specialized court is court in Zagreb specialized only for criminal cases.

**(2018):** Other specialised 1st instance courts are Misdemeanour courts and Municipal Criminal Court in Zagreb.

**(2017):** 23 other specialised 1st instance courts are 22 Misdemeanour courts and 1 Municipal Criminal Court in Zagreb

**(2016):** According to the Act on the Jurisdiction and Seats of Courts (Official Gazette 128/14) as of 1 April 2015 the number of municipal courts has been reduced, as of 1 July 2015 reduced the number of misdemeanour courts has been reduced and as of 1 April 2015 a new commercial court has been established.

Other specialised 1st instance courts are 22 Misdemeanour courts and a Municipal Criminal Court in Zagreb.

## **Cyprus**

**(2022):** Administrative Court for International Protection

**(2021):** other specialised courts are the Assize courts and the Administrative Court of International Protection.

In 2021 a law was enacted (law 55/21) providing for the establishment of a juvenile court in each district of the Republic. Family, Labour and rent control courts have been established in one more district.

**(2020):** 5 Assize courts

1 Administrative court for international Protection

**(2019):** Other specialised 1st instance courts: 1 International Protection Administrative Court and 5 Assize Court. In 2019 the new administrative court for international protection was established to hear cases concerning asylum applications and international protection matters.

**(2018):** 5 Assize courts

**(2017):** Assize Courts

**(2016):** Assize Courts

**(2015):** In 2015, two new Assize courts and one administrative court were established and one Rent Control Tribunal was removed.

## **Czech Republic**

**(General Comment):** There are no specialised first instance courts, but judges within individual courts are specialised (e.g. for family, labour and enforcement cases at district courts, and insolvency and administrative cases at regional courts as first instance courts).

## **Denmark**

**(General Comment):** Re "Juvenile Courts" such courts do not exist. Juveniles are dealt with by district courts as any other case. There are taken special care though of juveniles in a Juvenile Board. The category "other" concerns the Land Registration Court that has been established in 2009. As for the Commercial Court, in Denmark, it is called Maritime and Commercial Court and it presents the peculiarity to also deal, to a great extent but not exclusively, with insolvency cases (bankruptcies etc.). Accordingly, there is an overlap with the category "Insolvency courts". Family courts are administered as part of District courts. There is one military court but military courts are not part of the Danish Courts Administration.

**(2022):** Land Registration Court (see also general comments). The other specialized court is Maritime and Commercial Court. The latter do some degree deals with insolvency cases similar to district courts.

**(2021):** "Other specialised courts" is The Land Registration Court.

**(2020):** Land Registration Court (see also general comments). The other specialized court is Maritime and Commercial Court. The latter do some degree deals with insolvency cases similar to district courts.

**(2019):** Other specialised 1st instance court is the Land Registration Court. The Maritime and Commercial Court is a commercial court which ALSO deals with insolvency cases. Although it looks like there are two courts there is only one! As the district courts outside Greater Copenhagen deal with insolvency cases, and the Maritime and Commercial Court deals with insolvency cases inside Greater Copenhagen, but at the same time is a specialized commercial court, the Maritime and Commercial Court is marked as a specialized Commercial Court and insolvency court.

**(2018):** Military courts exist but they are not part of the Danish Courts Administration. The 24 district courts have always dealt with family cases. From 1 April 2019 family issues are a section of the court.

**(2017):** The category “other” concerns the Land Registration Court that has been established in 2009. As for the Commercial Court, in Denmark, it is called Maritime and Commercial Court and it presents the peculiarity to also deal, to a great extent but not exclusively, with insolvency cases (bankruptcies etc.). Accordingly, there is an overlap with the category “Insolvency courts”. Of course Military courts exist but they are not part of the Danish Courts Administration.

**(2016):** Land Registration Court.

### **Estonia**

**(General Comment):** In Estonia, there are no specialized first instance courts, other than administrative courts. All the cases are dealt with by ordinary courts of first instance. The two administrative courts of first instance are situated in Tallinn and Tartu. Nevertheless, for guaranteeing wider access to justice, these two courts have several court buildings in other cities, namely in Pärnu and Jõhvi, where judges and their supporting legal staff work.

### **Finland**

**(General Comment):** In Finland, there are six regional administrative courts, the Market Court, the Labour Court and the Insurance Court.

Another specialised court is the High Court of Impeachment that hears charges against ministers (i.e. members of the Government), the Chancellor of Justice, the Parliamentary Ombudsman and members of the Supreme Court or the Supreme Administrative Court for unlawful conduct in office. In addition, the High Court of Impeachment deals with charges concerning the criminal liability of the President of the Republic. However, it is convened only when necessary.

**(2016):** In Finland there are 6 Administrative Courts, 1 Market Court, 1 Labour Court and 1 Insurance Court. Then there is the High Court of Impeachment that hears charges against Ministers (i.e. Members of the State Council), Chancellor of Justice, Parliamentary Ombudsman and Supreme Court Justices for unlawful conduct in office but it is convened only when necessary.

### **France**

**(General Comment):** With regard to the Enforcement of criminal sanctions courts: in matters of enforcement of sentences, the enforcement judge (JAP) is a court of first instance for the enforcement of sentences, being at the same time a decision-making, control and monitoring body. There is at least one JAP per department (article 712-2 of the CPP). The JAP is competent for adult convicts, and his field of intervention is the following: for measures to individualize custodial sentences, he or she has general jurisdiction (except for a few measures that fall under the special jurisdiction of the Court for the enforcement of sentences); for custodial sentences, when a specific text so provides; for the follow-up of security measures. Established by the law of March 9, 2004, the Court for the enforcement of sentences (TAP) is a court of first instance, composed of three JAPs of first instance courts, appointed by order of the First President of the Appellate Court. In each Appellate Court, a TAP is established whose territorial jurisdiction extends to the jurisdiction of this court (articles 712-3 and D 49-2 of the CPP, article indicating the list of TAPs by Appellate court and the territorial jurisdiction). The seat of the TAP is in principle "that of the first instance court of the seat of the Appellate Court" (article D. 49-3 CPP). The objective is to entrust the most complex and sensitive cases to a collegiality. Thus, the TAP has jurisdiction over: 1) by the effect of the law for those sentenced to the heaviest penalties: applications for parole and suspension of "medical" sentences for persons sentenced to imprisonment or imprisonment of more than 10 years and whose remaining sentence to be served exceeds 3 years; applications for an increase in the security period; placement under judicial supervision of dangerous persons...); 2) by decision of the JAP, in particular because of the complexity of the case or the personality of the convicted person (article 712-6 al. 3 of the CPP).

In matters of terrorism, a derogatory jurisdiction is provided for under ordinary law (articles 706-22-1 and D 49-75 to D49-81-5 of the CPP). The Paris Enforcement courts specialized in terrorist matters (JAPAT, the TAPAT and the enforcement chamber) have 1) exclusive jurisdiction to monitor persons convicted by specialized terrorism trial courts pursuant to Article 706-17 of the CPP; 2) competing jurisdiction with ordinary law Enforcement courts to monitor persons convicted of acts of terrorism and other offenses falling within the scope of Article 706-16 of the CPP by ordinary law courts.

source DACG.

**(2022):** 272 TPBR, along with 1 tribunal for navigation on the Rhine, 1 TPI for navigation on the Moselle, 6 maritime tribunals, 1 CNDA and 1 Commission of litigation regarding paid parking.

**(2021):** Labour courts: 211 CPH (conseils de prud'hommes) + 5 labour courts = 216 courts. The CPH have jurisdiction, according to Article L. 1411-1 of the Labour Code, to hear individual disputes between employees or apprentices and their employers arising from the execution of an employment or apprenticeship contract. Commercial courts: 134 TCs, 9 TMCs, 2 TPIs with commercial jurisdiction, 7 TJs with commercial jurisdiction = 152 courts. Commercial courts are specialised courts with jurisdiction to hear disputes relating to commitments between traders, between credit institutions or between them, disputes relating to commercial companies and commercial acts by their form (Art. L. 721-1 et seq. of the Commercial Code). There are 134 commercial courts whose judges are exclusively "juges consulaires". With regard to the judicial organisation in overseas France, there are 2 First instance courts with jurisdiction in commercial matters and 9 mixed commercial courts. In addition, 7 judicial courts have a commercial chamber in Alsace-Moselle. Concerning juvenile courts: 156 according to the key figures of Justice 2021 and 155 according to the judicial atlas of 2021.

"Other specialised courts": the parity courts for rural leases (TPBR): 272 (according to the key figures for Justice 2021); the court for navigation on the Rhine (L 215-4 al.1 COJ) ; the court of first instance for navigation on the Moselle (L 215-4 al.2 COJ); 6 maritime courts (Bordeaux, Brest, Cayenne, Le Havre, Marseille Saint-Denis); the National court of asylum. Source DSJ and Council of State

**(2020):** Despite the provisional NA answer for the category " Courts for the execution of criminal sanctions ", the total is available, as it is a small number that will not significantly affect the total. On labor courts: 210 CPHs + 6 labor courts = 216 courts Industrial tribunals have jurisdiction, according to Article L. 1411-1 of the Labor Code, to hear individual disputes that arise between employees or apprentices and their employers during the execution of an employment or apprenticeship contract. There are 210 industrial tribunals and 6 labor courts in the French overseas territories. Same figure as in 2020 On commercial courts: 134 TCs, 9 TMCs, 2 TPJs with commercial jurisdiction, 7 TJs with commercial jurisdiction = 152 courts Commercial courts are specialized courts with jurisdiction to hear disputes relating to commitments between traders, between credit institutions or between them, disputes relating to commercial companies and commercial acts by their form (Art. L. 721-1 et seq. of the Commercial Code) On social jurisdictions:

-Since November 1, 2019, litigation concerning military disability pensions has been transferred to the jurisdiction of the administrative courts, doing away with the military disability pension courts and the regional military disability pension courts that rule on appeal.

- Since January 1, 2019, as a result of Law No. 2016-1547 of November 18, 2016 on the modernization of justice in the 21st century, social litigation, formerly divided between the social security courts (TASS), the courts of disability litigation (TCI) and the departmental social assistance commissions (CDAS), was merged and transferred to the "tribunaux de grande instance", ordinary courts of first instance, which became, as of January 1, 2020, by effect of law n° 2019-222 of March 23, 2019 on programming 2018-2022 and reform for the justice system, Judicial Courts. Consequently, these specialized jurisdictions have been abolished. On appeal, the litigation was only under the jurisdiction of the CNITAAT (extended until December 31, 2022; but now it is under the jurisdiction of specially designated courts of appeal, which allows for better accessibility to justice. There are 134 commercial courts whose judges are exclusively consular. With regard to the judicial organization in overseas France, there are 2 courts of first instance with jurisdiction in commercial matters and 9 mixed commercial courts. In addition, 7 judicial courts have a commercial chamber in Alsace-Moselle. In 2020 it was written 143 commercial courts because I think that only the TC and TMC were counted and not the TJ with commercial jurisdiction nor the TPI with commercial jurisdiction. About the other specialized courts :

The tribunaux paritaires des baux ruraux (TPBR) are autonomous (L. 491-1 of the Code rural et de la pêche maritime). The 2018-2022 programming and reform law for justice sets the seats and jurisdictions of the TPBRs no longer with reference to the seats of the former magistrate's courts but according to the seats of the judicial courts and their proximity chamber. On social jurisdictions:

-Since November 1, 2019, the litigation of military disability pensions has been transferred to the jurisdiction of the administrative courts, making the military disability pension courts and the regional military disability pension courts, which rule on appeal, disappear.

- Since January 1, 2019, as a result of law no. 2016-1547 of November 18, 2016 on the modernization of justice in the 21st century, social litigation, which was previously divided between the social security courts (TASS), the disability litigation courts (TCI) and the departmental social assistance commissions (CDAS), was merged and transferred to the "tribunaux de grande instance", courts of first instance under ordinary law, which became, as of January 1, 2020, the "Tribunaux Judiciaires" (Judicial Courts) under law No. 2019-222 of March 23, 2019, on programming for 2018-2022 and reform of the justice system

**(2019):** Since 1 January 2019, social litigation, formerly divided between the social security courts (TASS), the incapacity courts (TCI) and the departmental social assistance commissions (CDAS), has been merged and transferred to the "tribunaux de grande instance" (first instance courts of general jurisdiction). As a result, these specialised courts have been abolished. As of 1 November 2019, litigation concerning military invalidity pensions will be transferred to the administrative courts, eliminating the military invalidity pension courts and the regional military invalidity pension courts which rule on appeal. These changes explain the variation in the number of courts compared to the previous year. The other specialised courts are: - joint courts for rural leases: 274; juvenile courts: 155; court for navigation on the Rhine: 1; maritime courts: 6; national asylum court: 1; court of first instance for navigation on the Moselle: 1.

**(2018):** The other specialized courts are: - joint courts for rural leases: 272 ;

- juvenile courts: 155; - military pension courts: 36;

- court for navigation on the Rhine: 1;

- Maritime courts: 6;

- national court of asylum: 1; - court of first instance for navigation on the Moselle: 1.

In the previous questionnaire, the Joint Rural Lease Courts (JRTs) were indicated, with the District Courts (TIs) within the "Rental Courts", the figure of 307 corresponding to the District Courts, since the seats and jurisdictions of the JRTs were linked to those of the TI. However, the TPBRs are, and have always been, autonomous courts. However, as decrees have been issued to remove some TPBRs, there is no longer a correlation between their number and that of IT. We have therefore indicated here in the "rental courts", only IT (289), and by including TPBRs in a separate item, which is legally more accurate. The total number of TPBRs is 274. On the insurance and social security courts: in the requested reference year, there are 26 disability courts, 115 social security courts (TASS) and 100 departmental social assistance commissions (CDAS). The differential of 100 corresponds to the addition of the 100 CDASs which are administrative courts.

The Paris Court, created on 14 May 2018, brought together all the services of the Regional Court, formerly dispersed over 5 sites, including Ile de la Cité, the Police Court and the 20 District Courts. The number of TIs had to be reduced by 19. In addition, the reform of the transfer of the police court under the 21st century Justice Act had the effect of removing 3 of them from the 307 TIs. The number of IT has therefore increased from 304 (307-3) to 285 district courts (304-19). We have added to these 285 TI the 4 TPIs because of their dual IT and TGI skills. Thus: 285 TI + 4 TPI = 289 TI in total.

**(2017):** The other specialized courts are:

- juvenile courts 155

- military pensions tribunals 36

- the court for navigation on the Rhine 1

- the court for navigation on the Moselle 1

- maritime trade courts 6

- national court of asylum 1

**(2016):** The other specialised courts are: 155 juvenile courts; 36 military pension courts; 1 court for navigation on the Rhine; 1 court for navigation on the Moselle; 6 maritime trade courts; 1 national asylum court.

As a matter of fact, the following reforms are on-going:

- The future Tribunal of Paris, whose establishment is scheduled for 14 May 2018, will unify all the services of the TGI (Tribunal de grande instance) currently dispersed over 5 sites, including "Ile de la Cité", the police court and the first instance courts (tribunaux d'instance);

- Since 1 July 2017, the hearings of the Police Court, previously under the jurisdiction of the "tribunaux d'instance", have been transferred to the TGI. The aim of this reform is to refocus the tribunaux d'instance on day-to-day civil justice and to centralise criminal litigation at the seat of the TGI.

- Since 1 July 2017, the 311 local courts have been abolished (Law No. 2011-1862 of 13 December 2011), their powers being taken over by the tribunaux d'instance in civil matters and by the police courts attached to the TGI in criminal matters.

- As of 1 January 2019, social litigation, currently divided between the Social Security Courts (TASS), the Disability Dispute Courts (TCI) and the Departmental Social Assistance Commissions (CDAS), will be unified and transferred to the TGI (first instance courts of general jurisdiction). These specialised courts will then be abolished.

**(2015):** Other specialised courts are:

Juvenile courts : 155

Military Pensions Courts: 36

Court for navigation on the Rhine: 1

Maritime Courts: 14

National Court of Asylum: 1

Court of First Instance for navigation on the Moselle: 1

**(2014):** The reduction of the number of specialised courts is primarily due to the suppression of 70 military pensions courts. The other specialised courts are: Children courts (155); Military pensions courts (36); the Rhine navigation court; commercial maritime courts (14); the National court for asylum right; the Court for the navigation on the Moselle. In contrast with 2010 and 2012 data, a part of the "other specialised courts" was distributed in the proposed categories, namely the agricultural land courts, the courts of rental cases, the Courts for enforcement of criminal sanctions and the courts of incapability litigation. The specialised interregional courts, competent to judge cases of organised crime were added.

**(2013):** The reduction of the number of specialised courts is primarily due to the suppression of 70 military pensions courts. The other specialised courts are: Children courts (155); Military pensions courts (36); the Rhine navigation court; commercial maritime courts (14); the National court for asylum right; the Court for the navigation on the Moselle. In contrast with 2010 and 2012 data, a part of the "other specialised courts" was distributed in the proposed categories, namely the agricultural land courts, the courts of rental cases, the Courts for enforcement of criminal sanctions and the courts of incapability litigation. The specialised interregional courts, competent to judge cases of organised crime were added.

**(2012):** There are 135 Commercial Courts and 8 mixed commercial courts (this of Mayotte is not included). The category "labour courts" subsumes 210 industrial courts and 6 labour courts. The category "insurance and/or social security courts" refers to the courts responsible for social security cases. The other specialised courts are: Police courts (3); local Police courts (3); Children courts (155); Incapacity Dispute courts (26); Agricultural land courts (281); Sentence enforcement courts (50); Military pensions courts (106); the Rhine navigation court; Commercial maritime courts (14); the Court for the navigation on Moselle. The military court of Paris was discontinued in January 2012. Its functions were transferred to a pole specialised in military matters in the High Court of Paris.

## Germany

**(General Comment):** It is noteworthy that depending on the value at dispute, commercial cases are dealt with at local or regional Courts, on application in a chamber established at the regional court for commercial cases. There are no separate commercial courts. Likewise, there are no independent rent and tenancies courts, enforcement courts or courts for insurance cases. Depending on the caseload, special panels of judges are established for this purpose at the local and regional Courts. Family cases are dealt with at first instance in special departments of the local courts (second instance: higher regional courts). The Federal Armed Forces do not have any military courts of their own; its members are subject to civil jurisdiction. Juvenile courts do not exist as independent courts either. They are established at the local courts or regional courts, depending on the severity of the expected sentence and the type of offence. The juvenile courts may be composed of a single criminal judge sitting as youth judge or one or more judges together with lay youth assessors.

**(2022): Comments -** If "Other specialised courts", please specify:

The category "other" covers:

18 finance courts (first instance)

Federal Patent Court and the Federal Finance Court (higher instances)

In previous cycles, other specialised courts included 16 constitutional courts of the federal states as well as the Federal Constitutional Court. In the current cycle, these courts are no longer included as they are mostly seen as separate from the ordinary justice system (for further information please refer to the general comment).

**(2021):** The category "other" covers:

18 Finance Courts (first instance)

16 Constitutional Courts of the Länder, the Federal Constitutional Court, Federal Patent Court and the Federal Finance Court (higher instances)

With regard to the Constitutional Courts please see General Comment Q 42.

**(2020):** The category “other” covers:

18 Finance Courts (first instance)

16 Constitutional Courts of the Länder, the Federal Constitutional Court, Federal Patent Court, Federal Labour Court, Federal Administrative Court, Federal Social Court and the Federal Finance Court (higher instances)

With regard to the Constitutional Courts please see General Comment Q 42.

**(2019):** finance courts

**(2018):** Finance Courts

**(2017):** Finance courts

**(2016):** Other specialised 1st instance courts: Finance Courts

**(2015):** The data refer to the year 2014. At present, no more recent data are available.

**(2014):** In 2014, in comparison with 2012, the number of specialized first instance courts decreased of three labour courts in two Landers.

## Greece

**(General Comment):** In Greece, there are no special courts for the fields of law described in the question 43, besides those already mentioned. The Greek Constitution is reluctant to provide in the Greek legal system special courts. Instead, within the Courts of First Instance and Courts of Appeal of large cities, we have special Chambers, where the task of adjudicating in special categories of law (e.g. family law, commercial law, etc.) is assigned. Judges entrusted with such duties have usually the correspondent specific studies. As far as other special courts are concerned, special provisions regulate the operation of courts for juveniles, military, navy and air force courts. We clarify that the military, navy and air force courts are under the jurisdiction of the Ministry of National Defense, therefore we have no further information.

**(2022):** The Court of Auditors is one of three supreme courts in Greece.

**(2021):** There are no special courts for resolving Internet-related disputes.

**(2020):** Administrative courts include: in the first instance 30, in the second instance 9 and 1 Supreme Court( the Council of State).

Juvenile courts are subject to the Courts of First Instance, according to your instructions the choice changed from non-available to non applicable.

The military courts are under a different ministry, specifically the National Defense.

The higher instance other specialized courts is the Court of Auditors that is considered one of three supreme courts in Greece.

**(2017):** In Greece, there are no special courts for the fields of law described in the question 43, besides those already mentioned. The Greek Constitution is reluctant to provide in the Greek legal system special courts. Instead, within the Courts of First Instance and Courts of Appeal of large cities, we have special Chambers, where the task of adjudicating in special categories of law (e.g. family law, commercial law, etc.) is assigned. Judges entrusted with such duties have usually the correspondent specific studies. As far as other special courts are concerned, special provisions regulate the operation of courts for juveniles, military, navy and air force courts.

## Hungary

**(General Comment):** There are military departments at five Regional Courts and at one Regional Court of Appeal. Although they only deal with military related criminal cases, they are not considered as specialized courts as they are a part of the ordinary court system both in administrative and professional management.

**(2020):** “Administrative and labour courts (20) were dismissed on the 31st of March 2020. From this date Regional Courts deal with labour cases on first instance while administrative cases are dealt with by eight Regional Court on a regional level”.

## Ireland

**(General Comment):** The two specialised first instance courts listed above are Special Criminal Court No. 1 and Special Criminal Court No. 2. The latter was established in October 2015 and came into operation, sitting for the first time, in 2016. In previous cycles the category "other" (1) was referring to Special Criminal Court No. 1.

Other than distinctions between jurisdictional levels there is no specialisation - all judges within a court jurisdiction may be allocated to any category of case falling within the jurisdictional remit of the court concerned. Starting in 2013 a new cadre of specialist judges was created in the Circuit Court with specific jurisdiction in relation to certain types of personal insolvency remedy and certain pre-trial order making powers.

Ireland has a specialist regime for the trial of commercial proceedings in the form of the Commercial List of the High Court (known as the 'Commercial Court') but, as it is not a separate legal entity, being a list within and formally a part of the High Court, it is not included as a specialist court as such.

**(2022):** There are currently 2 Special Criminal Courts in Ireland who (in general) deal with crimes relating to terrorism and organised crime. While divisions of other courts deal with many of the matters set out in the table above, there are no specialised courts per se to deal with same.

Furthermore, while there are other tribunals or bodies outside of the court system which have powers to make determinations in some of the matters in the table (e.g., the Labour Court and Military Courts). These tribunals are not within the courts system.

**(2019):** Legislation to provide for a Family Court has been proposed

## Italy

**(General Comment):** Since 2014 in Italy there are 22 Brand Commercial courts (Tribunali delle imprese) that are legal entities of their own and not just internal court divisions for organizational purpose (such as labour, family etc.).

It is noteworthy that in Italy, some of the specialized first instance courts are not administered and financed by the Ministry of Justice. This is the case for the regional administrative courts, the regional audit commissions, the local tax commissions and military courts. These courts are not taken into consideration for the replies to questions 6, 46 and 52 for none of the exercises.

In respect of the 20 first instance administrative courts (legal entities) and their supreme court, it should be stressed that they have been encompassed within the total under question 43 for the last four exercises, but only since 2014 this approach is reflected in questions 91 and 99 (number of administrative law cases).

Moreover, in Italy specific matters (such as labour, family etc.) are dealt by specific divisions within the same Court. There are also 26 divisions called DDA (Direzioni Distrettuali Antimafia) which deal specifically with mafia and organized crime.

**(2022):** The appeal of some specialized courts (e.g. commercial courts, juvenile courts) are dealt by the general jurisdiction appeal courts. Specific subject matters (e.g labour, insolvency, family, fight against terrorism and organised crime) are dealt by specific divisions within general jurisdiction courts. See general comment for details. The option “Other specialised courts” refers to tax courts.

**(2021):** The appeal of some specialized courts (e.g. commercial courts, juvenile courts) are dealt by the general jurisdiction appeal courts.

Specific subject matters (e.g labour, insolvency, family, fight against terrorism and organised crime) are dealt by specific divisions within general jurisdiction courts. See general comment for details.

**(2020):** Tax courts fall into the “Other” category.

The appeal of some specialized courts (e.g. commercial courts, juvenile courts) are dealt by the general jurisdiction appeal courts.

Specific subject matters (e.g. labour, insolvency, family, fight against terrorism and organised crime) are dealt by specific divisions within general jurisdiction courts. See general comment for details.

**(2019):** The category “other” subsumes 29 Minor (or Juvenile) Courts and 103 Tax Courts

**(2018):** The category “other” category subsumes 29 Minor (or Juvenile) Courts and 103 Tax Courts.

**(2017):** Other: 29 Minor (or Juvenile) Courts + 103 provincial tax commissions

**(2016):** OTHER: 29 Minor (or Juvenile) Courts + 103 Local Tax Commissions

**(2013):** In September 2013, the Italian judicial system implemented an extensive reorganization of the territorial distribution of offices with the closing (by merger) of 30 Tribunals, 30 Prosecution offices, 220 branches of Tribunals and 346 Peace Judges.

## Latvia

**(General Comment):** The Economic court, is specialized in commercial cases so it can be classified as a specialized court within the scope of this question. It is a first instance court.

The administrative court can be considered as a first and second instance specialized court (within the scope of this question). The Administrative District Court in Riga and the Administrative Regional Court are located in one building. As to the category “military courts”, the reply NA is justified by the fact that according to the Law on Judicial Power, judicial power in the Republic of Latvia is vested in district (city) courts, regional courts, the Supreme Court and the Constitutional Court, but in state of emergencies or during war – also military courts. The rest of the courts in Latvia are not established, and therefore in this case should be NAP.

**(2021):** Military courts is established in state of emergency or during a war. On 1 July 2020, amendments to the Law on Judicial Power came into force, providing for the establishment of the Economic Court, which is competent for both certain types of civil and criminal cases. Accordingly, the Court is competent for specific commercial disputes and criminal cases, which cause significant damage to the business environment and economic development. The Economic Court is indicated as Commercial Court. As for Administrative court - first instance court is Administrative District Court and for higher instance is indicated Administrative Regional (appeal) instance Court.

**(2020):** Military courts is established in state of emergency or during a war. On 1 July 2020, amendments to the Law on Judicial Power came into force, providing for the establishment of the Economic Court, which is competent for both certain types of civil and criminal cases. Accordingly, the Court is competent for specific commercial disputes and criminal cases, which cause significant damage to the business environment and economic development. The Economic Court is not counted yet in the total number of specialized courts, because it will start its action on 31st March 2021. As for Administrative court - first instance court is Administrative District Court and for higher instance is indicated Administrative Regional (appeal) instance Court.

**(2019):** There is only Administrative court in Latvia. On July 1, 2020, amendments to the Law “On Judicial Power” entered into force. The Amendments provides for the establishment of the Court of Economic Affairs. The Economic Court will take office on 1 January 2021.

**(2018):** There is only Administrative court in Latvia.

**(2016):** There is only one specialised court the administrative court with 5 court houses

## Luxembourg

**(General Comment):** Courts of general jurisdiction are organized into specialized sections. For example, the commercial courts (which also deal with insolvency cases) are specialized sections of the district court. Only the administrative, military and social security courts of first instance are autonomous.

**(2020):** Pour 2020, seules les entités juridiques ont été prises en considération dans le tableau.

**(2017):** Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

**(2016):** Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

**(2014):** Most of the areas mentioned in the question are within the competence of district courts (commercial cases, insolvency cases, family law cases and all criminal cases except for offenses that are under the jurisdiction of justices of peace) and justices of peace (labour law cases, rental cases). The indicated total is a purely statistical information which does not reflect the reality.

**(2012):** Matters concerning trade and family law are dealt with at the level of district courts, while matters pertaining to labour law and rental cases are within the competence of the justices of peace.

## Malta

**(General Comment):** The number of specialised courts includes non-criminal, administrative and criminal courts established as legal entities in line with the CEPEJ methodology. The seven (7) specialised courts referred to in Q43 are the Rent Regulation Board, the Land Arbitration Board, the Rural Leases Control Board, the Small Claims Tribunal, the Court of Voluntary Jurisdiction, the Administrative Review Tribunal and the Juvenile Court. Other courts previously counted as specialised courts, such as the Family Court and the Commercial Court, are divisions of the Civil Court, First Hall, and as such are now being included with the 1st Instance Courts of General Jurisdiction.

**(2022):** The identified specialised courts listed under 'Other specialised courts' are:

- the Land Arbitration Board
  - the Rural Leases Control Board
  - the Small Claims Tribunal
  - the Court of Voluntary Jurisdiction
  - the Constitutional Court (higher instance court)
- The Juvenile Court is a specialised criminal court.

**(2021):** The first instance specialised courts are:

- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal
- the Court of Voluntary Jurisdiction
- the Juvenile Court

Under the second instance specialised courts, we are including the Constitutional Court which is a court that deals exclusively with constitutional cases.

**(2020):** A number of courts that used to be previously identified as specialised courts, are not being categorised this time, given that they all make part of the First Hall, General Jurisdiction Court. These are:

- The Commercial Court (including insolvency cases)
- The Family Court

The identified specialised courts listed under 'Other specialised courts' are:

- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal
- the Court of Voluntary Jurisdiction

The Juvenile Court is a specialised criminal court.

**(2019):** The courts referred to under 'Other specialised 1st Instance courts' include:

- The Civil Court, First Hall
- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal
- the Court of Voluntary Jurisdiction

**(2018):** The courts referred to under 'Other specialised 1st Instance courts' include:

- The Civil Court, First Hall
- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal
- the Court of Voluntary Jurisdiction

**(2017):** The other specialised 1st Instance courts include:

- the Civil Court, First Hall
- the Court of Voluntary Jurisdiction - the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal

**(2016):** The other specialised 1st Instance courts include:

- the Civil Court, First Hall
- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal

## **Netherlands**

**(General Comment):** See the comment under Q42 on the other special (not specialised) appeal tribunals as well.

The Trade and Industry Appeals Tribunal, also known as the Administrative High Court for Trade and Industry (College van van Beroep voor het Bedrijfsleven) is a specialized administrative court, which rules on disputes in the area of social-economic administrative law, and appeals for specific laws. The tribunal hears both first and second instance cases, but is categorized as a first instance court.

The Central Appeals Tribunal (Centrale Raad van Beroep) is a court of appeal mainly active in legal areas pertaining to social security and civil service. In these areas, it is also the highest judicial authority. In some cases, it is the first and sole instance. The Administrative Jurisdiction Division of the Council of State is the highest administrative court with general jurisdiction in the Netherlands. It hears various types of appeals (e.g. members of the public / associations / commercial companies against governmental bodies, or between public authorities).

There is no separate military court, but there is a military chamber in one of the district courts.

**(2021):** See also comment at Q42 on the other special (not specialized) appeal tribunals.

Trade and Industry Appeals Tribunal, also known as the Administrative High Court for Trade and Industry (College van van Beroep voor het Bedrijfsleven). This is a specialized administrative court, which rules on disputes in the area of social-economic administrative law, and appeals for specific laws. The tribunal hears both first and second instance cases, but is categorized as a first instance court.

The Central Appeals Tribunal (Centrale Raad van Beroep) is a court of appeal mainly active in legal areas pertaining to social security and civil service. In these areas, it is also the highest judicial authority. In some cases, it is the first and sole instance. The Administrative Jurisdiction Division of the Council of State is the highest administrative court with general jurisdiction in the Netherlands. It hears various types of appeals (e.g. members of the public / associations / commercial companies against governmental bodies, or between public authorities).

**(2020):** The specialized courts are:

Trade and Industry Appeals Tribunal: the administrative High Court for trade and industry. This tribunal is a specialized administrative court that rules on disputes in the area of social-economic administrative law. Categorized as administrative court.

The Central Appeals Tribunal is the highest judicial authority in areas of social security and civil service. Categorized as other.

**(2017):** same as last year

**(2015):** Currently the commercial court in the Netherlands is the specialized court CBb. Per January first 2017 starts the Netherlands Commercial Court (NCC).

## Poland

**(2020):** There are 7 military courts of first instance and 2 military courts of higher instance in Poland.

**(2019):** It is noteworthy that the Land and Mortgage Courts which are within the structure of the common court system deal with specific topics, but they are departments.

Besides, the National Court Register and Pledge Registry Departments are business divisions.

The EU Trademark and Community Design Court (which existed in the XXII Division of the District Court in Warsaw)-functioned from 2004 until the creation of intellectual property courts, which took place on 1 July 2020. Cases in the field of intellectual property belong to the jurisdiction of selected District Courts (Article 47990 of the Code of Civil Procedure), while the District Court in Warsaw (XXII Division) has exclusive jurisdiction in matters of intellectual property concerning computer programs, inventions, utility models, topography of integrated circuits, plant varieties and company secrets of a technical nature.

The Court of Competition and Consumer Protection is a special department functioning within the District Court in Warsaw. In the current state of law, the scope of activity of the 17th Department of the Court of Competition and Consumer Protection includes the handling of the following cases in court proceedings of appeals and complaints against decisions and orders issued by the government: the President of the Office of Competition and Consumer Protection, the President of the Energy Regulatory Office, the President of the Railway Transport Office, the President of the Office of Electronic Communications. When it comes to matters from lease or tenancy agreements - as long as these matters are of an economic nature, they are recognized by business departments, as are matters related to new technologies and the Internet space.

## Portugal

**(General Comment):** Q.43 -total:The number given under Q43.1.1 includes 17 first instance courts and 3 higher instance courts of administrative jurisdiction that are not included under Q.42.2. Administrative courts are part of another jurisdiction and under our law cannot be considered specialized courts.

**(2020):** «Commercial courts» deal with, inter alia, winding up of the company, insolvency and suspension and revocation of company resolutions.

«Internet related disputes»: only for Internet domain system (DNS) issues, which are under the jurisdiction of the Intellectual Property Court; for all other Internet related issues, general jurisdiction courts are competent. Internet related disputes were not included in the number of specialised courts for previous cycles.

«Other specialised courts»: includes all other courts that are not listed in the categories above.

This category includes Civil Central Judicial Divisions, Criminal Central Judicial Divisions, Civil Local Proximity Judicial Divisions, Criminal Local Proximity Judicial Divisions, Petty Criminality Local; Proximity Judicial Divisions, Criminal Examination Judicial Divisions, Enforcement Judicial Divisions, Central Criminal Examination Court, Competition Court and Maritime Court.

**(2019):** This category includes Civil Central Judicial Divisions, Criminal Central Judicial Divisions, Civil Local Proximity Judicial Divisions, Criminal Local Proximity Judicial Divisions, Petty Criminality Local Proximity Judicial Divisions, Criminal Examination Judicial Divisions, Enforcement Judicial Divisions, Central Criminal Examination Court, Intellectual Property Court, Competition Court and Maritime Court.

**(2018):** Changes to the judicial organization (Law n. 40-A/2016, 22 December) are in force since January 1, 2017.

**(2017):** Changes to the judicial organization (Law n. 40-A/2016, 22 December) are in force since January 1, 2017.

Other specialised 1st instance courts include, among others: Criminal Instruction Courts, Maritime Courts; Intellectual Property and Competition Court; Enforcement Courts.

Law 31/2012, 14 August, put in force the Rent and tenancy section (Balcão Nacional do Arrendamento) that is functioning since 8 January 2013.

**(2015):** In 2013-2014, the Reform of the Portuguese Judicial system was implemented. One of the major goals of this reform was to set up specialised courts on a national level, which led to a significant increase of commercial courts compared to previous years.

The difference between Q42.2 and Q43 is due to the inclusion of the 20 administrative courts in Q43. In Portugal, the administrative jurisdiction is autonomous, independent from the civil jurisdiction and cannot be considered as specialised courts.

Other courts:

Other specialised 1st instance courts include: Criminal Instruction Courts, Maritime Courts; Intellectual Property and Competition Court; Enforcement Courts.

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**(2014):** In 2013-2014, the Reform of the Portuguese Judicial system was implemented. One of the major goals of this reform was to set up specialised courts on a national level, which led to a significant increase of commercial courts compared to previous years.

For 2014, the category “other” subsumes as in 2012 Criminal Instruction Courts, Maritime Courts, Intellectual Property and Competition Court and Enforcement Courts. Additionally, the Rent and tenancy section (Balcão Nacional do Arrendamento) has been established by law in August 2012 and is functioning since 8 January 2013.

**(2012):** For 2012, the category “other” encompasses Criminal Instruction Courts, Maritime Courts, Intellectual Property and Competition Court and Enforcement Courts.

## Romania

**(2022):** Law no. 304/2022 on the judicial organisation.

**(2020):** Law no. 304/2004 on the judicial organisation.

## Slovak Republic

**(General Comment):** In the Slovak court system there are 8 Regional courts which are the courts with dual competence. The Regional courts are the courts of appeal with the general jurisdiction in the civil, commercial and the criminal cases. In the appellate procedure they decide the appeals lodged against the decisions of all 54 District courts within their local jurisdiction. At the same time the Regional courts have the jurisdiction as the courts of first instance in administrative matters. They act as the administrative courts.

The Specialized Criminal court is competent to judge the grave criminal matters enumerated in the § 14 of the Criminal procedure Code (e. g. premeditated murder, corruption, terrorism, organised crime, severe economic crimes, damaging the financial interests of the EU etc.). Highest instance courts are the Supreme Court, Supreme Administrative Court and the Constitutional Court.

**(2021):** The first instance administrative cases agenda is concentrated in eight regional courts, which also act as general courts of appeal. The question (43.) defines specialized courts as legal entities, so it cannot be understood that the administrative cases agenda is centralized on specialized courts as legal entities, but it is concentrated on 8 regional general courts. These 8 general regional courts are already legal entities included in Q42, line 1.2. Highest instance courts are the Supreme Court and the new Supreme Administrative Court.

**(2020):** The first instance administrative cases agenda is concentrated in eight regional courts, which also act as general courts of appeal. The question (43.) defines specialized courts as legal entities, so it cannot be understood that the administrative cases agenda is centralized on specialized courts as legal entities, but it is concentrated on 8 regional general courts. These 8 general regional courts are already legal entities included in Q42, line 1.2.

## Slovenia

**(General Comment):** Although the given answer for 'labour courts' is 4 and 'insurance and/ or social welfare courts' at first instance is 1, the total number of these courts is 4, as one of the labour courts and the social court form a single legal entity – the Labour and social court in Ljubljana.

Concerning specialised courts – higher instances, although the given answer for 'labour courts' is 1 and 'insurance and/ or social welfare courts' is 1, the total number of these courts is 1, as they form a single legal entity – the Higher labour and social Court.

**(2019):** Please see general comment.

## Spain

**(General Comment):** The Arbitration Court was created by decision of the General Council of the Judiciary of 25 November 2010. The latter assigns exclusive jurisdiction over arbitration matters to the Court of First Instance No. 101 of Madrid. This measure seeks to foster the development of uniform criteria in court proceedings for the assistance and control of arbitration in Madrid.

In Spain, as general rule, the First Instance are unipersonal Courts: One Judge-courts. In Spain we have two types of specialization: Special Jurisdictions established by Organic Law (Violence against women, Commercial, for example), and the possibility for GCJ to determine that in some places, a general jurisdiction Court (Civil) is focused in some kind of cases.

**(2022):** Courts Labour specialised in enforcement; Courts on enforcement of Arbitration; Civil Registry; Courts on Penitentiary Surveillance; Courts for mortgage enforcement; Courts on capacity of persons; Criminal Courts of Violence against Women; other

**(2021):** "Juzgados de lo Mercantil" are in Spain in charge of insolvencies and commercial cases (both). So it cannot be separated commercial and insolvency.

**(2020):** Commercial courts - new units have been established.

**(2019): Courts of violence against women 106**

Foreclosure proceedings Courts: 3

Court of arbitration: 1

Civil capacity courts: 13

Criminal courts: 348

Criminal courts specialized in Violence against women, 31

Juvenile Courts: 82

Prison courts: 51

Civil Registries: 28

**(2018):** Between 2016 and 2018, more first instance courts have become specialized in family matters. Courts of violence against women: 106

Foreclosure proceedings Courts: 3

Court of arbitration: 1

Civil capacity courts: 12

Criminal courts: 341

Criminal courts specialized in Violence against women, 32

Juvenile Courts: 82

Prison courts: 51

Civil Registries: 28

Additionally (and they are not accounted) there are 26 military courts that are not part of the Judiciary but they are inspected by it)

**(2017):** -338 Criminal courts

-32 Criminal courts specialized in violence against women

-106 violence against women courts

-82 juvenile courts

-51 Prison courts

-3 foreclosure proceedings courts

-1 Arbitration court

-18 Civil Capacity courts

- 28 Civil register offices

**(2016):** - 335 Criminal courts

-30 Criminal courts specialized in violence against women

-106 violence against women courts

-83 juvenile courts

-51 Prison courts

-3 foreclosure proceedings courts

-1 Arbitration court

-18 Civil Capacity courts

- 28 Civil register courts

**(2015):** Other specialised courts include: 343 Penal courts; 23 Penal courts specialized in violence against women; 106 violence against women courts; 83 juvenile courts; 50 Prison courts; 3 foreclosure proceedings courts; 1 Arbitration court; 12 Civil Capacity courts and 28 Civil registry.

The Commercial Courts deal with insolvency issues.

Military Courts have not been accounted because they do not belong to the Judiciary (except the Supreme Court 5th room ). There are other 26 Military Courts.

**(2014):** In 2014, the category "other" encompasses: 357 Penal courts; 23 Penal courts specialized in violence against women; 106 violence against women courts; 83 Juvenile courts; 50 Prison courts; 16 Courts for disabled people (capacity courts), 26 Civil Register Courts, 3 Foreclosure proceedings courts (mortgage courts); 1 Arbitration court. The Decanatos exclusive are not included in this exercise because these organs are not courts and have rather administrative nature.

**(2012):** In 2012, the category “other” encompasses: 380 Penal courts; 17 Penal courts specialised in violence against women; 106 Violence against women courts; 82 Juvenile courts; 1 Juvenile Enforcement court; 50 Prison courts; 9 Capacity courts; 26 Civil Register courts; 8 Decanatos exclusive; 4 Labour enforcement courts; 4 Mortgage courts and one Arbitration Court.

#### Question 044

##### Austria

**(2020):** For this cycle, data on geographic locations is presented in respect of different locations for different instances, in compliance with the methodology developed in the Explanatory Note. The variation observed with previous cycles is only of a methodological nature.

**(2016):** It is planned to reduce the number of courts by 3 in 2018 (-1) and 2019 (-2)

##### Belgium

**(General Comment):** Having taken account the number of buildings housing the courts: 225 buildings in which all our premises are located. In Eupen, the court of first instance combines the court of first instance, the labor court and the commercial court, resulting in a total of 8 for both labor courts and commercial courts (Law of February 14th, 2014).

**(2020):** Deduction made on the basis of the number of buildings in which the courts are housed: 225 buildings in which all our premises are housed. In Eupen, the first instance courts combines the court of first instance, the labour court and the company court, which gives 8 for the labour and company courts ( Law of 14 February 2014)

**(2016):** A reform of the justices of the peace is under way: 1. a reduction in the number of geographical settlements 2. expansion of their jurisdiction by increasing the amount of claims.

The reform of the cantons (justices of the peace) was launched in 2016 and resulted in the law of 25 December 2017 which formally amended or abolished the cantons. The amendments come into force over 1.5 years.

**(2014):**

According to 2014 data, a change in the number of seats of the justices of the peace is ongoing. Similarly, from 1 April 2014, the statutory number of courts has been decreased for commercial, labour and police first instance courts while keeping the existing geographical seats.

##### Bulgaria

**(2022):** Sofia District Court has two buildings where hearings are held.

**(2018):** Proposals for amendments to the Code of Administrative Procedure and Code of Civil Procedure to change the jurisdiction of the district and administrative courts with a view to regulating their workload. A model for the optimization of the judicial map at the level of district courts will be developed in implementation of a project under the Operational Program "Good Governance" 2014-2020.

**(2016):** Proposals for amendments to the Administrative Procedure Code and the Code of Civil Procedure are intended to reform the jurisdiction of regional and administrative courts in order to regulate their workload. Within the implementation of a project under “Good governance” Operational Programme 2014-2020 a model for optimization of the judicial map on regional courts level will be developed.

##### Croatia

**(2020):** The reorganisation of judicial map that started in 2015 in which the number of municipal and misdemeanour courts as well as the number of municipal state attorneys' offices has been reduced continued in 2019 with the merger of municipal and misdemeanour courts into municipal courts.

The reasons for the merger were a significant decrease in the number of misdemeanour cases and overburdened municipal courts with civil cases. In the new judicial map, instead of 46 municipal and misdemeanour courts, there are now 34 municipal courts - all misdemeanour and municipal courts were merged in the same cities except in 2 largest cities, Zagreb and Split, in which specialised municipal courts for misdemeanour cases were retained, and due to geographical specificities and size of certain municipal courts they were separated and new municipal courts were established (10). Also, a new commercial court was established in Dubrovnik. The aim of this new judicial map with new courts in the network and increased jurisdiction of permanent services is to increase the efficiency of the courts, improve access to court services, ensure even distribution of the workload of judges, shorten the length of court proceedings, reduce the number of unresolved cases in municipal courts, and ensure optimisation and easier management of human resources in courts.

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**(2016):** There is a new judicial reform in plan in which the misdemeanour courts will be merged with municipal courts (both 1st instance courts).

**(2014):** According to the new Act on Territories and Seats of Courts (Official Gazette 128/14), that entered into force on the 1st of April 2015, a further rationalization of the network of municipal (from 67 to 24) and misdemeanour courts (from 63 to 22) and the establishment of an additional commercial court (8 instead of 7) are to be carried out from 1st of April and 1st of July.

As well, the new Act introduces changes regarding the territorial jurisdiction with regard to dealing with appeals. In criminal cases, any county court can decide on appeals lodged against judgments, while only few county courts may decide on appeals in land, labor and family matters.

## **Cyprus**

**(2018):** In 2019 a New administrative court of international protection has been established that will deal with asylum cases.

**(2016):** Bills are being drafted for the creation of a commercial court and a first instance asylum administrative court.

**(2014):** In the frame of the 2014 exercise, it has been pointed out that an Administrative court has been established in Cyprus and started functioning on the 7th of January 2016.

## **Czech Republic**

**(2022):** 6 regional courts and 3 district courts have their branches in other cities.

**(2021):** 6 regional courts and 3 district courts have their branches in other cities.

**(2020):** 6 regional courts and 3 district courts have their branches in other cities.

## **Denmark**

**(2022):** Included in first instance courts are district courts, Land Registration Court and the Maritime and Commercial Court.

**(2021):** The 26 are all the 24 district courts plus the Maritime and Commercial Court and Land Registration Court. In the figure 29 is the two high courts and the Supreme Court included.

**(2020):** Included in first instance courts are district courts, Land Registration Court and the Maritime and Commercial Court.

## **Estonia**

**(General Comment):** Estonia has 17 courthouses of county courts (first instance courts), 4 courthouses of administrative courts (first instance courts), 2 courthouses of appellate courts (second instance courts) and 1 courthouse of the Supreme Court (highest instance court), all together 24 courthouses. However, as some of the courts are situated in the same house (e.g Tallinn Administrative Court and Tallinn Circuit Court) and taking into account the fact that Pärnu County Court has a courthouse that is divided between two locations, there are 20 actual geographical locations of Estonian courts.

**(2020):** Tartu county court closed one courthouse, so now there's 20 geographic locations.

**(2014):** In the end of 2015 the Council for Administration of Courts devised the merger of two courthouses in Estonia that are situated very close to each other (20 km). Both houses will remain open but will have joint territorial jurisdiction and administration.

## **Finland**

**(2018):** As of 1 January 2019, the district courts will be centralised by decreasing the number of the courts from 27 to 20. A court can have more than one office. The number of the district courts' offices will be reduced from 57 to 36 offices. As of 1 September 2019, undisputed civil cases (for example debt collection, unpaid rents, other small debts and eviction cases) which are handled and decided in summary proceedings will be centralised from all 20 district courts to nine district courts.

**(2016):** In Finland is ongoing structural reform of the District Courts in which the number of the courts will be decreased from 27 to 20. The main target is to merge smaller courts in to bigger units that would be more efficient and profitable and also maintain high quality. At the same time the geographical locations of the District Courts will be decreased from 57 to 36. This means that in addition to the 7 administrative offices that will be shut down, 5 side offices and 13 separate locations for hearing will be closed. Instead the use of video conference, electronic services and other IT-solutions would be increased. Deadline for the new project is 31.12.2018 so that the reform would be in force in the beginning of the year 2019. The government's proposal has been given at January 2017. The handling of the proposal in the parliament is unfinished.

**(2014):** According to 2014 data, for the foreseeable future the next reform is the developing of the structure of the District Court network. The foreseen change is a reduction of the number of District Courts.

## **France**

**(2022):** The data encompasses both the jurisdictions of the judiciary and those of the administrative order (the number of geographical locations of administrative courts: 1) Administrative courts at first instance (including common law jurisdictions at first instance and specialized jurisdictions at first instance): 32 in mainland France / 11 overseas territories; 2) All administrative courts (this figure includes common law courts at first instance, specialized courts at first instance, all second-instance courts and appellate courts, as well as all Supreme Courts): 42 in mainland France / 11 overseas territories.

**(2021):** 661: this figure takes into account all courts of first instance, excluding Courts of appeal (CA). Sites hosting only a Court of appeal have therefore been excluded from this count. Sites hosting both a CA and a court of first instance have been counted only once (hence the difference of 44: 37 CAs occupying 44 sites), 43 of which are for the administrative order. 715: this figure takes into account all courts, whether on appeal or at first instance. When a court of first instance and a Court of appeal are located on the same site, they have been counted separately, including 53 for the administrative order.

**(2020):** "With regard to the judiciary, there are 576 courts of first instance - geographic locations. This figure takes into account, by number of sites, all the courts of first instance, excluding the second instance court. Sites hosting exclusively a second instance court have therefore been excluded from this count. Sites hosting both a CA and a trial court were counted only once. There were 619 Courts geographic locations counted. This figure takes into account, by number of sites, all the jurisdictions whether they are appeal or first instance. Moreover, when a first instance court and a second instance court are located on the same site, they have been counted twice (hence the difference of 43 with the previous question: 37 CA which occupy 43 sites).

As regards the administrative order, there are 42 first instance courts for the administrative order and 53 all courts for the administrative order. "

**(2016):** A reform could take place within the framework of the bill on Justice programming presented in 2018. If no court site should be closed, the organization could be modified, particularly at the level of the courts of appeal, whose map is very different from those of the current administrative regions. There could also be only one first instance court per department.

**(2014):** As of 1 September 2014, the high courts (TGI) were resettled in the towns of Saint-Gaudens, Saumur and Tulle. Moreover, seconded chambers (geographic locations) were created on the same date in Guingamp and Marmande and on 1 January 2015 in Millau. A draft law to modernise the justice provides that the litigation of social security affairs and disability will be brought together before the TGI. Small offences ruled before the District Court will be transferred to TGI; similarly, compensation for personal injury will be entirely the responsibility of the TGI.

## Germany

**(General Comment):** The figures in this section are taken from the chart "Number of Federal and State Courts" that does not distinguish between legal entities and geographic location of the courts. Generally, one legal entity equals one geographic location. A small number of courts may have a additional points of presence in other geographic locations. Since the exact number of geographic locations in comparison to legal entities is unknown, the figures from the chart "Number of Federal and State Courts" were used to answer this question as well.

**(2018):** The possibility of combining courts is being considered by individual Länder in order to reduce costs. The regional structures have proven effective.

On 5 November 2019, the Land Government of Schleswig-Holstein adopted a statutory instrument on the concentration of jurisdiction which combines existing concentrations of jurisdiction while adding further concentration provisions. The instrument will be promulgated at the end of the month.

**(2016):** The possibility of combining courts is being considered by individual Länder in order to reduce costs.

## Greece

**(2020):** The total number of courts includes the Court of Auditors

**(2014):** According to 2014 data, the Law 1756/1988, article 2, as modified by the Law 4123/2013, provides for a reduction of the number of courts. Besides, the Law 1756/1988, article 4, as modified by the Law 4264/2014, provides for a change in the powers of courts.

## **Hungary**

**(2018):** According to proposed legislation an independent administrative court system may be established in the future.

**(2016):** Two new district courts will be established (one in 2017 in the city of Szigetszentmiklós, another one in 2019 in the city of Érd).

**(2014):** According to 2014 data, a new first instance (district) court will be established in the city of Érd on 01/01/2018.

## **Ireland**

**(2022):** There has not been an increase in venues since 2020. This answer is based on the explanatory note wherein if there are two courts, e.g. District and Circuit courts sitting in one specific location, they are to be counted separately whereas previously they were counted together.

**(2018):** The Assisted Decision-Making (Capacity) Act 2015 will, when commenced, replace the existing wardship regime for persons with capacity issues and introduce new decision support arrangements for such persons. New jurisdiction will, in particular, be conferred on the Circuit Court in respect of such arrangements. The current situation is that while some parts of the 2015 Act are commenced, others remain to be commenced.

**(2016):** The Assisted Decision-Making (Capacity) Act 2015 will, when commenced, replace the existing wardship regime for persons with capacity issues and introduce new decision support arrangements for such persons. New jurisdiction will, in particular, be conferred on the Circuit Court in respect of such arrangements.

**(2014):** According to 2014 data, legislation is in preparation for the creation of specialised family courts within the High, Circuit and District Courts.

## **Italy**

**(2016):** Enhancing the specialization of judges / courts. In particular, the judiciary authorities are evaluating the introduction of specific courts for family and personal matters ("Berruti" reform). Increased competence of Business Courts. Establishment of specialized sections on matters such as immigration, international protection and free movement of citizens of the European Union.

Revision of the appeal system in order to reduce the appeal rate.

## **Latvia**

**(2021):** All the courts (geographic locations) - Administrative District Court in Riga and Administrative Regional Court is located in one building, there is counted as 1 court per geographical location and indicated in the number of first instance courts. The same situation is in Vidzeme region - Vidzeme Regional Court Madona Court house and Vidzeme District Court is located in 1 building, there is counted as 1 court per geographical location and indicated in the number of first instance courts.

**(2018):** Reform was finished in March 2018. In its course first instance court count was reduced to 10 (9 first instance + 1 first instance Administrative court).

In year 2020/2021 there is a plan of creating a court for economical cases that would be a specialised 1st instance court.

**(2016):** Starting from 1 of February 2016, the reform has been introduced in Latgale (administrative region of Latvia). A number of district (city) courts in territory of Latgale regional court was decreased from six to two district (city) courts (Balvi District Court and Ludza District Court had been incorporated into Rezekne District Court; Kraslava district court and Preiļi District Court had been incorporated into Daugavpils District Court).  
in 2016, Ministry of Justice make preparatory work to make court house reform in two district (city) court in the Rīgas region. Accordingly, starting from 1 of February 2017, the City of Rīga Zemgale Urban District Court has been reorganized and conjoined with the City of Rīga Kurzeme District Court and changed the name of this court to City of Rīga Pārdaugavas Court.

**(2014):** In the frame of the 2014 evaluation, it has been stressed that the Judicial Council and the Cabinet of Ministers have initiated the gradual unification of the territory of operation of district (city) courts, through the implementation of the reform of the Riga court region. From March 2015, the Sigulda Court is attached to the Riga District Court, while the Riga City Central District Court was attached to the Riga City Vidzeme District Court.  
The Judicial Council's decision of 8 June 2015 confirmed the restructuring plan concerning the Jūrmala City Court. According to the plan, the latter must be attached to the Riga District Court from August 2015. The review of the judicial map is intended to increase the efficiency of the court system and the quality of the judicial activity, to reduce the processing times and to even out the judicial capacity. The reform is still going on.

## Lithuania

**(General Comment):** There are 59 1st instance courts locations: 12 district courts (49 locations), 5 regional courts (5 locations) of general jurisdiction and 2 regional administrative courts (5 locations).

For all the courts 62 courts locations: The Supreme Court of Lithuania, the Court of Appeal of Lithuania, the Supreme Administrative Court of Lithuania and 59 1st instance courts locations.

**(2022):** There are 59 1st instance courts locations: 12 district courts (49 locations), 5 regional courts (5 locations) of general jurisdiction and 2 regional administrative courts (5 locations).

For all the courts 62 courts locations: The Supreme Court of Lithuania, the Court of Appeal of Lithuania, the Supreme Administrative Court of Lithuania and 59 1st instance courts locations.

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For all the courts 62 courts locations: The Supreme Court of Lithuania, the Court of Appeal of Lithuania, the Supreme Administrative Court of Lithuania and 59 1st instance courts locations.

**(2018):** Analysis and discussion on the need and possibility to decrease the number of court houses are initiated.

**(2016):** From January 1, 2018, there shall be 12 district courts (instead of 49) and 2 regional administrative courts (instead of 5).

## Malta

**(2022):** The Juvenile Court that until the previous evaluation was in a separate geographical location, has since been relocated to the Courts of Justice in Valletta. Hence the change in the figure quoted.

**(2021):** The Juvenile Court is a first instance specialised court that is located outside of the main court building in Valletta. We are therefore reflecting this different geographic location in the updated figures in Q44.

**(2016):** Throughout 2017, work was carried out in order to introduce a commercial division within the Civil Court in order to facilitate cases filed under the Companies Act. The bill is currently undergoing the legislative process that would see it being enacted as law by the end of the year. The Commercial Division will become operative in 2018.

## Netherlands

**(General Comment):** First instance: the first instance courts, and the Trade and Industry Appeals Tribunal are included. All courts: first instance, second and highest instance courts of general jurisdiction are included, as well as the Trade and Industry Appeals Tribunal, Central Appeals Tribunal and Administrative Jurisdiction Division of the Council of State.

First instance geographic locations:

-33 first instance geographic locations of general jurisdiction, with 4 locations only housing a Justice of the Peace.

-1 Trade and Industry Appeals Tribunal. Counted separately, although located at the same location as a first instance court of general jurisdiction. It is not the same court, but a separate, specialized court (this change in counting occurred between 2020 and 2021). See Q43 for why this is counted as a first instance court.

All courts geographic locations:

-34 first instance geographic locations (see above).

-6 second instance geographic locations of general jurisdiction, of which 4 are located at the same geographic location as a first instance court.

-1 Supreme Court, located at a separate location.

-1 Central Appeals Tribunal, located at the same geographic location as a first instance court. Counted separately as it is not the same court.

-1 Administrative Jurisdiction Division of the Council of State, located at a separate location.

**(2021):** First instance: the first instance courts, and the Trade and Industry Appeals Tribunal are included.

All courts: first instance, second and highest instance courts of general jurisdiction are included, as well as the Trade and Industry Appeals Tribunal, Central Appeals Tribunal and Administrative Jurisdiction Division of the Council of State.

First instance geo.locations:

-33 first instance geo.location of general jurisdiction, with 4 locations only housing a Justice of the Peace.

-1 Trade and Industry Appeals Tribunal. Counted separately, although located at the same location as a first instance court of general jurisdiction, as it is not the same court, but a separate, specialized court (different than previous evaluation). See Q43 for why this is counted as a first instance court.

All courts geo.locations:

-34 first instance geo.locations (see above).

-6 second instance geo.locations of general jurisdiction, of which 4 are located at the same geo.location as a first instance court.

-1 Supreme Court, located at a separate location.

-1 Central Appeals Tribunal, located at the same geo.location as a first instance court. Counted separately as it is not the same court.

-1 Administrative Jurisdiction Division of the Council of State, located at a separate location.

**(2020):** In one case (of 43), a first instance court of general jurisdiction, a specialized first instance court, and a court of appeal are housed at the same site (adding 2 sites according to the explanatory note).

In 3 cases, a first instance court of gen.jur. and a court of appeal are housed at the same site (adding 3 sites according to the explanatory note).

In 1 case, a f.i. court of gen.jur. and a specialized second instance court are housed at the same site (adding 1 site according to the explanatory note).

Finally, the Supreme Court, 1 specialized second instance court, and 2 appeal courts are housed at unique locations (adding 4 sites according to the explanatory note).

**(2016):** Possibility of closing subdistrict court facility?

**(2014):** According to 2014 data, the reforms regarding the merging of courts mentioned on the occasion of the 2012 evaluation have been implemented.

**Poland**

**(2022):** The figure of 496 indicated in 2022 is the sum of the common, administrative and military courts of first and second instance and the Supreme Court by geographic location (i.e. including the subdivisions). To the number of courts of first instance by geographical location (item 44 in line 1 - all common, administrative, military courts of first instance with localised divisions: number of courts 434) was added the number of 62 courts: - regional courts: 47; - courts of appeal: 11; - military courts: 2; - Supreme Administrative Court: 1; - Supreme Court: 1;  
Total: 494 (434 + 62).

**(2020):** Regarding point 44, it should be noted that in the previous evaluation cycles (2016, 2017, 2018, 2019) the answer in terms of the number of all courts as geographical locations was 401, while in 2020 it is 494.

The figure of 494 indicated in 2020 is the sum of the common, administrative and military courts of first and second instance and the Supreme Court by geographic location (i.e. including the subdivisions). To the number of courts of first instance by geographical location (item 44 in line 1 - all common, administrative, military courts of first instance with localised divisions: number of courts 433) was added the number of 61 courts: - regional courts: 46; - courts of appeal: 11; - military courts: 2; - Supreme Administrative Court: 1; - Supreme Court: 1;  
Total: 494 (433 + 61).

The discrepancy is due to the adoption of a different method of data presentation in 2020 (by geographical location). In compliance with the Explanatory note, the 2020 data show first-instance courts (line 1), and further all courts (line 2) together with all seats in different locations, which in the realities of the Polish legal system should be understood as a necessity to show the number of courts together with local divisions.

**(2016):** It is considered to reduce the number of district courts which are responsible for land and mortgage registers or abolishing external branches in district courts.

## Portugal

**(2020):** The difference between 2019 and 2020 is justified by the increase in new buildings.

**(2018):** Law n.º 19/2019, 19th February.

The recent amendments to the Law of the Organization of the Judiciary System are intended to ensure the reciprocal proximity of justice and citizens in two key segments: criminal jurisdiction and family and minors jurisdiction.

These new amendments aim to facilitate people's access to courts and combat the desertification of the interior regions of the country.

**(2016):** Law n.40-A/2016, 22 December and Decree-Law n. 86/2016, 27 December.

On the 1st of January 2017, 20 extinct districts were reopened, as well as 23 of the so-called proximity sections, in which judicial acts may now be concluded.

## Romania

**(2022):** It should be mentioned that some of the first instance specialised courts share the location with „judecatorii”.

**(2020):** Law no. 304/2004 on the judicial organisation.

It should be mentioned that some of the first instance specialised courts share the location with „judecatorii”.

**(2014):** According to 2014 data, a bill on closing 30 courts and 30 attached prosecution offices with low volume of work was initiated by the Ministry of Justice with the support of the Superior Council of Magistracy of Romania. The bill was rejected by the Parliament. The Superior Council of Magistracy seeks for alternative solutions for the reallocation of the resources.

## Slovak Republic

**(2021):** The Constitutional court is not included in Q44.

**(2020):** The Constitutional Court is not included in the 44 answer.

**(2014):** According to 2014 data, on 1st July 2016, the new Civil Litigious Procedure Code will enter into force. It introduces the so called "causal jurisdiction" of first instance courts. It means that certain types of civil claims will belong to the jurisdiction of only some of the first instance courts. This will apply e.g. for individual labour disputes, arbitration disputes, disputes arisen from bill of exchange etc.

## Slovenia

**(General Comment):** First instance courts: first instance courts of general jurisdiction (55, see Q42.1) + first instance specialised courts (4 labour courts and social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of the Administrative court) =70

All courts: In addition to above also 4 higher courts of general jurisdiction + 1 higher labour and social court + the Supreme court = 76.

**(2018):** A change in the organisation of first instance courts (judicial map), as well as first instance judges' position is being prepared by the Ministry of Justice - see Q208.

**(2016):** Ministry of Justice is preparing court network reform. Existent first instance court network is considered as inefficient and insufficient. The main goal of this reform is to set up a system, which could assure better quality and efficiency of adjudication, specialization of judges and even allocation of cases. Furthermore, reform still should assure proper access to the courts and financial efficiency. Ministry of Justice is also taking in consideration different system of the nomination of judges, nomination of Supreme Court judges and president of the Supreme Court. Existent nomination procedure of judges is too rigid and does not enable taking prompt actions when the post is vacant.

**(2014):** According to 2014 data, discussions about the reorganization of the structure of courts have been initiated. Following the CEPEJ Guidelines on the creation of judicial maps to support access to justice within a quality judicial system (CEPEJ(2013)7) the change should be gradual. The reduction in the number of courts regarding geographical locations is not foreseen, but reorganization in the powers of local courts that are organizational units of district courts might be needed. There are local courts that have only a few (3-5) judges, which is not rational in the sense of court management. Such local courts might start dealing only with certain kinds of cases, with other local courts in the same district dealing with other kinds of cases, having de facto specialized local courts. Nevertheless, these changes are still in the initial debate phase, so no formal proposal can be presented yet.

## Spain

**(General Comment):** One building usually houses different courts. For example, in Madrid one building (Castilla Square) houses 47 unipersonal Courts.

**(2018):** The traditional structure of a Court includes a Judge (or Magistrate), a Judicial Counsellor, and several civil servants (the exact number depends on many circumstances). The New Judicial Office (Nueva Oficina Judicial) has been implemented in many territories and its development continues. The New Judicial Office (NOJ) has, as base, the called 'Procedural Unit of Direct Support' (UPAD), a small office with personnel necessary for the strict aid of the work of the Judge. On the other hand, and for the uniform processing of repetitive tasks, the called Common Procedural Services have been created. The Judicial Counsellor is the Director of these services, and is responsible of processing the phase of the judicial file of a strictly procedural nature.

**(2016):** The traditional structure of a Court includes a Judge (or Magistrate), a Lawyer of the Administration of Justice, and several civil servants (the exact number depends on many circumstances). The New Judicial Office (Nueva Oficina Judicial) has been implemented in many territories and its development continues. The New Judicial Office (NOJ) has, as base, the called 'Procedural Unit of Direct Support' (UPAD), a small office with personnel necessary for the strict aid of the work of the Judge. On the other hand, and for the uniform processing of repetitive tasks, the called Common Procedural Services have been created. The Lawyer of the Administration of Justice is the Director of these services, and is responsible of processing the phase of the judicial file of a strictly procedural nature.

**(2014):** On the occasion of the 2014 evaluation, the attention was drawn on the deployment in the entire country of the Judicial Office, the new model for organising courts of law and the creation of the Instance Courts (Tribunales de Instancia), a new model of collegial courts aimed at replacing local courts belonging to the same judicial district.

# Indicator 3: The performance of courts at all stages of the proceedings

- 1 First instance other than criminal cases by case categories and by case status
- 1 Evolution of first instance other than criminal cases for total, civil and commercial litigious and administrative cases
- 2 Clearance Rate and Disposition Time for first instance other than criminal cases
- 3 Variations of first instance other than criminal cases by case categories
- 4 Second instance other than criminal cases by case categories and by case status
- 4 Evolution of second instance other than criminal cases for total, civil and commercial litigious and administrative cases
- 5 Clearance rate and Disposition time for second instance other than criminal cases
- 6 Variations of second instance other than criminal cases by case categories
- 7 Supreme court other than criminal cases by case categories and by case status
- 7 Evolution of Supreme court other than criminal cases for total, civil and commercial litigious and administrative cases
- 8 Clearance rate and Disposition time for Supreme court other than criminal cases
- 9 Variations of Supreme court other than criminal cases by case categories
- 10 European Commission templates for first instance cases
- 11 First instance criminal cases by case categories and by case status
- 12 Evolution of the first instance total of criminal cases, severe criminal cases and misdemeanour and / or minor criminal cases
- 13 Clearance rate and Disposition time for first instance criminal cases
- 14 Variations for first instance main categories of the criminal cases
- 15 Second instance criminal cases by case categories and by case status
- 16 Evolution of the second instance total of criminal cases, severe criminal cases and misdemeanour and / or minor criminal cases
- 17 Clearance rate and Disposition time for second instance criminal cases
- 18 Variations for second instance main categories of the criminal cases
- 19 Supreme courts, criminal cases by case categories and by case status
- 20 Supreme courts, Evolution of the total of criminal cases, severe criminal cases and misdemeanour and / or minor criminal cases
- 21 Clearance rate and Disposition time for Supreme court criminal cases
- 22 Supreme courts, Variations for main categories of the criminal cases

**Other than criminal cases - First instance cases by case categories and by case status**

**Table 3.1.1.1a: First instance other than criminal cases - pending on 1st Jan. 2022**

**Absolute values (Q91)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	524 325	28 806	382 542	332 966	49 576	16 766	32 810	NAP	NAP	49 587	63 390
Belgium	NA	NA	NA	NAP	NAP	NAP	NA	NAP	NAP	14 669	NAP
Bulgaria	88 192	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	10 244	NA
Croatia	331 289	200 356	124 739	82 859	41 880	39 660	2 220	NAP	NAP	6 194	NAP
Cyprus	60 037	NA	NA	NA	NA	NA	NA	NA	NA	11 462	NA
Czech Republic	402 929	124 530	158 782	153 848	4 345	NAP	4 345	NAP	589	8 025	111 592
Denmark	130 431	28 515	70 058	55 931	10 962	485	10 477	NAP	3 165	NAP	31 858
Estonia	24 073	7 007	15 887	10 657	5 230	2 993	2 237	NAP	NAP	1 179	NAP
Finland	120 775	7 286	90 897	90 897	NAP	NAP	NAP	NAP	NAP	17 900	4 692
France	1 895 589	1 272 301	83 425	83 425	NAP	NAP	NAP	NAP	NAP	191 053	348 809
Germany	NA	720 556	NA	NA	NA	NA	1 928 536	NA	NA	694 517	NA
Greece	376 148	256 150	19 556	16 557	770	651	119	NA	2 229	98 916	1 526
Hungary	114 582	51 003	44 926	14 222	30 429	NAP	28 566	1 863	275	6 277	12 376
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	3 354 045	2 085 533	1 142 879	1 142 879	NAP	NAP	NAP	NAP	NAP	125 633	NAP
Latvia	31 451	16 792	13 422	8 530	4 892	4 892	NAP	NAP	NAP	1 237	NAP
Lithuania	33 002	26 883	797	429	NA	NA	NA	NA	368	4 622	700
Luxembourg	5 624	3 209	987	NAP	NAP	NAP	NAP	NAP	987	1 428	NAP
Malta	11 378	10 988	0	0	NAP	NAP	NAP	NAP	NAP	390	NAP
Netherlands	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NA	NAP
Poland	3 155 498	847 353	2 151 194	546 351	1 604 843	1 480 647	124 196	NAP	NAP	33 262	123 689
Portugal	NA	183 914	NA	NA	NAP	NAP	NAP	NAP	NAP	58 207	NAP
Romania	597 885	513 211	16 581	4 369	12 212	6 403	5 809	NAP	NAP	68 093	NAP
Slovak Republic	180 593	57 228	97 364	26 200	8 645	NAP	8 429	216	62 519	8 143	17 858
Slovenia	91 300	28 406	42 124	37 636	4 488	4 111	377	NAP	NAP	3 897	16 873
Spain	1 969 766	1 302 968	491 414	491 414	NAP	NAP	NAP	NAP	NAP	175 384	NAP
Sweden	89 194	26 763	7 601	7 601	NAP	NAP	NAP	NAP	NAP	51 434	3 396
<b>Average</b>	<b>617 641</b>	<b>354 534</b>	<b>247 759</b>	<b>163 514</b>	<b>148 189</b>	<b>172 956</b>	<b>179 010</b>	<b>1 040</b>	<b>10 019</b>	<b>68 406</b>	<b>61 397</b>
<b>Median</b>	<b>125 603</b>	<b>54 116</b>	<b>57 492</b>	<b>37 636</b>	<b>9 804</b>	<b>4 892</b>	<b>7 119</b>	<b>1 040</b>	<b>987</b>	<b>13 066</b>	<b>17 366</b>
<b>Minimum</b>	<b>5 624</b>	<b>3 209</b>	<b>0</b>	<b>0</b>	<b>770</b>	<b>485</b>	<b>119</b>	<b>216</b>	<b>275</b>	<b>390</b>	<b>700</b>
<b>Maximum</b>	<b>3 354 045</b>	<b>2 085 533</b>	<b>2 151 194</b>	<b>1 142 879</b>	<b>1 604 843</b>	<b>1 480 647</b>	<b>1 928 536</b>	<b>1 863</b>	<b>62 519</b>	<b>694 517</b>	<b>348 809</b>
<b>% of NA</b>	<b>19%</b>	<b>19%</b>	<b>26%</b>	<b>22%</b>	<b>11%</b>	<b>11%</b>	<b>11%</b>	<b>15%</b>	<b>7%</b>	<b>7%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>7%</b>	<b>44%</b>	<b>56%</b>	<b>44%</b>	<b>78%</b>	<b>67%</b>	<b>4%</b>	<b>44%</b>

**Table 3.1.1.1b: First instance other than criminal cases - pending on 1st Jan. 2022**

Per 100 inhabitants (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	5,76	0,32	4,20	3,66	0,54	0,18	0,36	NAP	NAP	0,54	0,70
Belgium	NA	NA	NA	NAP	NAP	NAP	NA	NAP	NAP	0,13	NAP
Bulgaria	1,37	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,16	NA
Croatia	8,60	5,20	3,24	2,15	1,09	1,03	0,06	NAP	NAP	0,16	NAP
Cyprus	6,52	NA	NA	NA	NA	NA	NA	NA	NA	1,24	NA
Czech Republic	3,71	1,15	1,46	1,42	0,04	NAP	0,04	NAP	0,01	0,07	1,03
Denmark	2,20	0,48	1,18	0,94	0,18	0,01	0,18	NAP	0,05	NAP	0,54
Estonia	1,81	0,53	1,20	0,80	0,39	0,23	0,17	NAP	NAP	0,09	NAP
Finland	2,17	0,13	1,63	1,63	NAP	NAP	NAP	NAP	NAP	0,32	0,08
France	2,79	1,87	0,12	0,12	NAP	NAP	NAP	NAP	NAP	0,28	0,51
Germany	NA	0,85	NA	NA	NA	NA	2,29	NA	NA	0,82	NA
Greece	3,52	2,40	0,18	0,16	0,01	0,01	0,00	NA	0,02	0,93	0,01
Hungary	1,19	0,53	0,47	0,15	0,32	NAP	0,30	0,02	0,00	0,07	0,13
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	5,70	3,54	1,94	1,94	NAP	NAP	NAP	NAP	NAP	0,21	NAP
Latvia	1,67	0,89	0,71	0,45	0,26	0,26	NAP	NAP	NAP	0,07	NAP
Lithuania	1,16	0,94	0,03	0,02	NA	NA	NA	NA	0,01	0,16	0,02
Luxembourg	0,85	0,49	0,15	NAP	NAP	NAP	NAP	NAP	0,15	0,22	NAP
Malta	2,19	2,11	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,07	NAP
Netherlands	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NA	NAP
Poland	8,36	2,24	5,70	1,45	4,25	3,92	0,33	NAP	NAP	0,09	0,33
Portugal	NA	1,76	NA	NA	NAP	NAP	NAP	NAP	NAP	0,56	NAP
Romania	3,14	2,69	0,09	0,02	0,06	0,03	0,03	NAP	NAP	0,36	NAP
Slovak Republic	3,33	1,05	1,79	0,48	0,16	NAP	0,16	0,00	1,15	0,15	0,33
Slovenia	4,31	1,34	1,99	1,78	0,21	0,19	0,02	NAP	NAP	0,18	0,80
Spain	4,10	2,71	1,02	1,02	NAP	NAP	NAP	NAP	NAP	0,36	NAP
Sweden	0,85	0,25	0,07	0,07	NAP	NAP	NAP	NAP	NAP	0,49	0,03
Average	3,42	1,52	1,36	0,96	0,63	0,65	0,33	0,01	0,20	0,32	0,38
Median	2,96	1,10	1,10	0,80	0,24	0,19	0,16	0,01	0,02	0,20	0,33
Minimum	0,85	0,13	0,00	0,00	0,01	0,01	0,00	0,00	0,00	0,07	0,01
Maximum	8,60	5,20	5,70	3,66	4,25	3,92	2,29	0,02	1,15	1,24	1,03
% of NA	19%	19%	26%	22%	11%	11%	11%	15%	7%	7%	11%
% of NAP	0%	0%	0%	7%	44%	56%	44%	78%	67%	4%	44%

**Table 3.1.1.2a: First instance other than criminal cases - incoming in 2022**  
**Absolute values (Q91)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	3 170 632	72 872	2 494 425	1 518 169	976 256	630 799	345 457	NAP	NAP	50 122	553 213
Belgium	975 493	669 454	286 303	NAP	286 303	NAP	286 303	NAP	NAP	19 736	NAP
Bulgaria	322 794	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	28 217	NA
Croatia	1 013 811	97 317	903 770	170 533	733 237	616 408	116 829	NAP	NAP	12 724	NAP
Cyprus	28 202	NA	NA	NA	NA	NA	NA	NA	NA	11 561	NA
Czech Republic	931 749	313 501	586 370	467 943	115 578	NAP	115 578	NAP	2 849	7 702	24 176
Denmark	2 884 662	47 020	2 623 082	274 683	2 342 932	2 323 512	19 420	NAP	5 467	NAP	214 560
Estonia	319 774	16 739	300 265	70 062	230 203	117 269	112 934	NAP	NAP	2 770	NAP
Finland	458 372	8 048	419 118	419 118	NAP	NAP	NAP	NAP	NAP	21 203	10 003
France	2 434 599	1 346 826	125 726	125 726	NAP	NAP	NAP	NAP	NAP	241 187	720 860
Germany	NA	1 001 693	NA	1 940 801	NA	5 326 736	144 187	NA	NA	492 802	NA
Greece	214 619	140 011	19 436	13 497	2 253	2 085	168	NA	3 686	52 463	2 709
Hungary	654 184	119 747	493 653	170 652	321 171	NAP	315 705	5 466	1 830	19 551	21 233
Ireland	183 615	102 921	80 694	80 694	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	3 074 970	1 313 157	1 710 237	1 710 237	NAP	NAP	NAP	NAP	NAP	51 576	NAP
Latvia	369 949	29 977	338 098	86 531	251 567	251 567	NAP	NAP	NAP	1 874	NAP
Lithuania	184 724	87 823	61 827	57 240	NA	NA	NA	NA	4 587	23 365	11 709
Luxembourg	11 983	6 808	4 024	607	NAP	NAP	NAP	NAP	3 417	1 151	NAP
Malta	13 656	10 457	3 058	3 058	NAP	NAP	NAP	NAP	NAP	141	NAP
Netherlands	1 088 809	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	92 752	NAP
Poland	10 117 066	886 821	8 882 540	3 452 358	5 430 182	4 637 698	792 484	NAP	NAP	77 737	269 968
Portugal	NA	262 708	NA	NA	NAP	NAP	NAP	NAP	NAP	24 212	NAP
Romania	1 446 296	1 332 192	30 665	25 005	5 660	4 726	934	NAP	NAP	83 439	NAP
Slovak Republic	782 082	99 685	431 415	121 586	230 627	NAP	218 233	12 394	79 202	5 148	245 834
Slovenia	579 770	29 285	423 244	139 409	283 835	240 892	42 943	NAP	NAP	2 718	124 523
Spain	2 834 976	1 372 020	1 279 083	1 279 083	NAP	NAP	NAP	NAP	NAP	183 873	NAP
Sweden	240 063	60 817	19 517	19 517	NAP	NAP	NAP	NAP	NAP	152 422	7 307
Average	1 373 474	392 829	978 025	552 114	862 293	1 415 169	193 167	8 930	14 434	66 418	183 841
Median	654 184	101 303	378 608	132 568	283 835	433 988	116 829	8 930	3 686	23 365	74 350
Minimum	11 983	6 808	3 058	607	2 253	2 085	168	5 466	1 830	141	2 709
Maximum	10 117 066	1 372 020	8 882 540	3 452 358	5 430 182	5 326 736	792 484	12 394	79 202	492 802	720 860
% of NA	7%	11%	19%	15%	11%	7%	7%	15%	7%	4%	11%
% of NAP	0%	0%	0%	4%	41%	56%	44%	78%	67%	4%	44%

**Table 3.1.1.2b: First instance other than criminal cases - incoming in 2022**  
Per 100 inhabitants (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	34,82	0,80	27,40	16,67	10,72	6,93	3,79	NAP	NAP	0,55	6,08
Belgium	8,34	5,72	2,45	NAP	2,45	NAP	2,45	NAP	NAP	0,17	NAP
Bulgaria	5,01	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,44	NA
Croatia	26,33	2,53	23,47	4,43	19,04	16,01	3,03	NAP	NAP	0,33	NAP
Cyprus	3,06	NA	NA	NA	NA	NA	NA	NA	NA	1,26	NA
Czech Republic	8,59	2,89	5,40	4,31	1,07	NAP	1,07	NAP	0,03	0,07	0,22
Denmark	48,66	0,79	44,25	4,63	39,52	39,19	0,33	NAP	0,09	NAP	3,62
Estonia	24,07	1,26	22,60	5,27	17,33	8,83	8,50	NAP	NAP	0,21	NAP
Finland	8,24	0,14	7,53	7,53	NAP	NAP	NAP	NAP	NAP	0,38	0,18
France	3,58	1,98	0,18	0,18	NAP	NAP	NAP	NAP	NAP	0,35	1,06
Germany	NA	1,19	NA	2,30	NA	6,31	0,17	NA	NA	0,58	NA
Greece	2,01	1,31	0,18	0,13	0,02	0,02	0,00	NA	0,03	0,49	0,03
Hungary	6,81	1,25	5,14	1,78	3,35	NAP	3,29	0,06	0,02	0,20	0,22
Ireland	3,57	2,00	1,57	1,57	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	5,23	2,23	2,91	2,91	NAP	NAP	NAP	NAP	NAP	0,09	NAP
Latvia	19,65	1,59	17,96	4,60	13,36	13,36	NAP	NAP	NAP	0,10	NAP
Lithuania	6,47	3,07	2,16	2,00	NA	NA	NA	NA	0,16	0,82	0,41
Luxembourg	1,81	1,03	0,61	0,09	NAP	NAP	NAP	NAP	0,52	0,17	NAP
Malta	2,63	2,01	0,59	0,59	NAP	NAP	NAP	NAP	NAP	0,03	NAP
Netherlands	6,11	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,52	NAP
Poland	26,79	2,35	23,52	9,14	14,38	12,28	2,10	NAP	NAP	0,21	0,71
Portugal	NA	2,51	NA	NA	NAP	NAP	NAP	NAP	NAP	0,23	NAP
Romania	7,59	6,99	0,16	0,13	0,03	0,02	0,00	NAP	NAP	0,44	NAP
Slovak Republic	14,41	1,84	7,95	2,24	4,25	NAP	4,02	0,23	1,46	0,09	4,53
Slovenia	27,39	1,38	19,99	6,59	13,41	11,38	2,03	NAP	NAP	0,13	5,88
Spain	5,90	2,85	2,66	2,66	NAP	NAP	NAP	NAP	NAP	0,38	NAP
Sweden	2,28	0,58	0,19	0,19	NAP	NAP	NAP	NAP	NAP	1,45	0,07
<b>Average</b>	<b>12,37</b>	<b>2,10</b>	<b>9,95</b>	<b>3,63</b>	<b>10,69</b>	<b>11,43</b>	<b>2,37</b>	<b>0,14</b>	<b>0,33</b>	<b>0,39</b>	<b>1,92</b>
<b>Median</b>	<b>6,81</b>	<b>1,91</b>	<b>4,02</b>	<b>2,48</b>	<b>10,72</b>	<b>10,10</b>	<b>2,10</b>	<b>0,14</b>	<b>0,09</b>	<b>0,33</b>	<b>0,56</b>
<b>Minimum</b>	<b>1,81</b>	<b>0,14</b>	<b>0,16</b>	<b>0,09</b>	<b>0,02</b>	<b>0,02</b>	<b>0,00</b>	<b>0,06</b>	<b>0,02</b>	<b>0,03</b>	<b>0,03</b>
<b>Maximum</b>	<b>48,66</b>	<b>6,99</b>	<b>44,25</b>	<b>16,67</b>	<b>39,52</b>	<b>39,19</b>	<b>8,50</b>	<b>0,23</b>	<b>1,46</b>	<b>1,45</b>	<b>6,08</b>
<b>% of NA</b>	<b>7%</b>	<b>11%</b>	<b>19%</b>	<b>15%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>15%</b>	<b>7%</b>	<b>4%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>4%</b>	<b>41%</b>	<b>56%</b>	<b>44%</b>	<b>78%</b>	<b>67%</b>	<b>4%</b>	<b>44%</b>

**Table 3.1.1.3a: First instance other than criminal cases - resolved in 2022**  
**Absolute values (Q91)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	3 159 103	73 270	2 479 155	1 500 671	978 484	632 407	346 077	NAP	NAP	56 023	550 655
Belgium	990 588	685 134	286 303	NAP	286 303	NAP	286 303	NAP	NAP	19 151	NAP
Bulgaria	323 177	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	28 442	NA
Croatia	1 058 054	141 052	903 413	176 378	727 035	610 459	116 576	NAP	NAP	13 589	NAP
Cyprus	28 598	NA	NA	NA	NA	NA	NA	NA	NA	10 176	NA
Czech Republic	950 250	320 347	591 078	471 731	116 489	NAP	116 489	NAP	2 858	9 729	29 096
Denmark	2 879 334	43 556	2 623 232	275 872	2 341 820	2 322 595	19 225	NAP	5 540	NAP	212 546
Estonia	318 878	16 509	299 633	68 144	231 489	118 240	113 249	NAP	NAP	2 736	NAP
Finland	451 783	8 086	412 306	412 306	NAP	NAP	NAP	NAP	NAP	22 094	9 297
France	2 355 029	1 380 745	116 443	116 443	NAP	NAP	NAP	NAP	NAP	232 332	625 509
Germany	NA	1 037 598	NA	NA	NA	NA	88 373	NA	NA	560 975	NA
Greece	215 909	130 171	16 733	12 110	1 181	1 007	174	NA	3 442	66 635	2 370
Hungary	655 585	124 822	496 189	171 326	323 007	NAP	317 637	5 370	1 856	19 226	15 348
Ireland	153 977	72 937	81 040	81 040	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	3 244 585	1 371 212	1 804 456	1 804 456	NAP	NAP	NAP	NAP	NAP	68 917	NAP
Latvia	367 478	29 759	335 711	84 100	251 611	251 611	NAP	NAP	NAP	2 008	NAP
Lithuania	183 381	87 018	61 573	56 938	NA	NA	NA	NA	4 635	23 006	11 784
Luxembourg	11 738	6 689	3 995	607	NAP	NAP	NAP	NAP	3 388	1 054	NAP
Malta	11 855	9 118	2 603	2 603	NAP	NAP	NAP	NAP	NAP	134	NAP
Netherlands	1 072 219	123 994	856 256	856 256	NAP	NAP	NAP	NAP	NAP	91 969	NAP
Poland	10 422 527	870 959	9 200 717	3 452 785	5 747 932	4 936 257	811 675	NAP	NAP	76 713	274 138
Portugal	NA	270 366	NA	NA	NAP	NAP	NAP	NAP	NAP	27 051	NAP
Romania	1 391 020	1 282 368	28 019	23 083	4 936	4 451	485	NAP	NAP	80 633	NAP
Slovak Republic	787 758	107 486	418 849	120 615	211 949	NAP	199 827	12 122	86 285	4 790	256 633
Slovenia	584 840	30 007	425 436	141 794	283 642	240 701	42 941	NAP	NAP	2 669	126 728
Spain	2 711 212	1 343 849	1 189 272	1 189 272	NAP	NAP	NAP	NAP	NAP	178 091	NAP
Sweden	246 209	61 807	19 541	19 541	NAP	NAP	NAP	NAP	NAP	157 642	7 219
Average	1 383 003	385 154	984 868	501 731	885 068	1 013 081	189 156	8 746	15 429	70 231	176 777
Median	655 585	123 994	412 306	131 205	283 642	251 611	116 489	8 746	3 442	23 006	77 912
Minimum	11 738	6 689	2 603	607	1 181	1 007	174	5 370	1 856	134	2 370
Maximum	10 422 527	1 380 745	9 200 717	3 452 785	5 747 932	4 936 257	811 675	12 122	86 285	560 975	625 509
% of NA	7%	7%	15%	15%	11%	11%	7%	15%	7%	4%	11%
% of NAP	0%	0%	0%	4%	41%	56%	44%	78%	67%	4%	44%

**Table 3.1.1.3b: First instance other than criminal cases - resolved in 2022**  
Per 100 inhabitants (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	34,70	0,80	27,23	16,48	10,75	6,95	3,80	NAP	NAP	0,62	6,05
Belgium	8,47	5,86	2,45	NAP	2,45	NAP	2,45	NAP	NAP	0,16	NAP
Bulgaria	5,01	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,44	NA
Croatia	27,48	3,66	23,46	4,58	18,88	15,85	3,03	NAP	NAP	0,35	NAP
Cyprus	3,11	NA	NA	NA	NA	NA	NA	NA	NA	1,11	NA
Czech Republic	8,76	2,95	5,45	4,35	1,07	NAP	1,07	NAP	0,03	0,09	0,27
Denmark	48,57	0,73	44,25	4,65	39,50	39,18	0,32	NAP	0,09	NAP	3,59
Estonia	24,00	1,24	22,56	5,13	17,43	8,90	8,52	NAP	NAP	0,21	NAP
Finland	8,12	0,15	7,41	7,41	NAP	NAP	NAP	NAP	NAP	0,40	0,17
France	3,46	2,03	0,17	0,17	NAP	NAP	NAP	NAP	NAP	0,34	0,92
Germany	NA	1,23	NA	NA	NA	NA	0,10	NA	NA	0,66	NA
Greece	2,02	1,22	0,16	0,11	0,01	0,01	0,00	NA	0,03	0,62	0,02
Hungary	6,83	1,30	5,17	1,78	3,36	NAP	3,31	0,06	0,02	0,20	0,16
Ireland	2,99	1,42	1,57	1,57	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	5,51	2,33	3,07	3,07	NAP	NAP	NAP	NAP	NAP	0,12	NAP
Latvia	19,52	1,58	17,83	4,47	13,36	13,36	NAP	NAP	NAP	0,11	NAP
Lithuania	6,42	3,05	2,15	1,99	NA	NA	NA	NA	0,16	0,81	0,41
Luxembourg	1,78	1,01	0,60	0,09	NAP	NAP	NAP	NAP	0,51	0,16	NAP
Malta	2,28	1,75	0,50	0,50	NAP	NAP	NAP	NAP	NAP	0,03	NAP
Netherlands	6,02	0,70	4,81	4,81	NAP	NAP	NAP	NAP	NAP	0,52	NAP
Poland	27,60	2,31	24,36	9,14	15,22	13,07	2,15	NAP	NAP	0,20	0,73
Portugal	NA	2,58	NA	NA	NAP	NAP	NAP	NAP	NAP	0,26	NAP
Romania	7,30	6,73	0,15	0,12	0,03	0,02	0,00	NAP	NAP	0,42	NAP
Slovak Republic	14,51	1,98	7,72	2,22	3,90	NAP	3,68	0,22	1,59	0,09	4,73
Slovenia	27,63	1,42	20,10	6,70	13,40	11,37	2,03	NAP	NAP	0,13	5,99
Spain	5,64	2,80	2,47	2,47	NAP	NAP	NAP	NAP	NAP	0,37	NAP
Sweden	2,34	0,59	0,19	0,19	NAP	NAP	NAP	NAP	NAP	1,50	0,07
Average	12,40	2,06	9,73	3,73	10,72	12,08	2,34	0,14	0,35	0,40	1,92
Median	6,83	1,58	4,81	2,77	10,75	11,37	2,15	0,14	0,09	0,34	0,57
Minimum	1,78	0,15	0,15	0,09	0,01	0,01	0,00	0,06	0,02	0,03	0,02
Maximum	48,57	6,73	44,25	16,48	39,50	39,18	8,52	0,22	1,59	1,50	6,05
% of NA	7%	7%	15%	15%	11%	11%	7%	15%	7%	4%	11%
% of NAP	0%	0%	0%	4%	41%	56%	44%	78%	67%	4%	44%

**Table 3.1.1.4a: First instance other than criminal cases - pending on 31st Dec. 2022**

**Absolute values (Q91)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	535 854	28 408	397 812	350 464	47 348	15 158	32 190	NAP	NAP	43 686	65 948
Belgium	NA	NA	NA	NAP	NA	NAP	NA	NAP	NAP	15 128	NAP
Bulgaria	87 809	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	10 019	NA
Croatia	279 259	158 445	115 489	77 077	38 412	35 941	2 471	NAP	NAP	5 325	NAP
Cyprus	59 641	NA	NA	NA	NA	NA	NA	NA	NA	12 847	NA
Czech Republic	384 428	117 684	154 074	150 060	3 434	NAP	3 434	NAP	580	5 998	106 672
Denmark	135 759	31 979	69 908	54 742	12 074	1 402	10 672	NAP	3 092	NAP	33 872
Estonia	24 795	7 146	16 406	12 474	3 932	2 010	1 922	NAP	NAP	1 243	NAP
Finland	127 364	7 248	97 709	97 709	NAP	NAP	NAP	NAP	NAP	17 009	5 398
France	1 914 487	1 258 249	89 190	89 190	NAP	NAP	NAP	NAP	NAP	200 093	366 957
Germany	NA	684 818	NA	NA	NA	NA	1 984 340	NA	NA	626 514	NA
Greece	374 858	265 990	22 259	17 944	1 842	1 729	113	NA	2 473	84 744	1 865
Hungary	113 181	45 928	42 390	13 548	28 593	NAP	26 634	1 959	249	6 602	18 261
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	3 184 430	2 027 478	1 048 660	1 048 660	NAP	NAP	NAP	NAP	NAP	108 292	NAP
Latvia	33 922	17 010	15 809	10 961	4 848	4 848	NAP	NAP	NAP	1 103	NAP
Lithuania	34 345	27 688	1 051	731	NAP	NAP	NAP	NAP	320	4 981	625
Luxembourg	5 869	3 328	1 016	NAP	NAP	NAP	NAP	NAP	1 016	1 525	NAP
Malta	13 112	12 260	455	455	NAP	NAP	NAP	NAP	NAP	397	NAP
Netherlands	239 632	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	64 877	NAP
Poland	2 850 037	863 215	1 833 017	545 924	1 287 093	1 182 088	105 005	NAP	NAP	34 286	119 519
Portugal	NA	176 256	NA	NA	NAP	NAP	NAP	NAP	NAP	55 368	NAP
Romania	653 161	563 035	19 227	6 291	12 936	6 678	6 258	NAP	NAP	70 899	NAP
Slovak Republic	174 917	49 427	109 930	27 171	27 323	NAP	26 835	488	55 436	8 501	7 059
Slovenia	86 107	27 684	39 809	35 129	4 680	4 301	379	NAP	NAP	3 946	14 668
Spain	2 091 634	1 323 049	588 327	588 327	NAP	NAP	NAP	NAP	NAP	180 258	NAP
Sweden	83 048	25 773	7 577	7 577	NAP	NAP	NAP	NAP	NAP	46 214	3 484
<b>Average</b>	<b>586 420</b>	<b>351 004</b>	<b>233 506</b>	<b>164 970</b>	<b>122 710</b>	<b>139 351</b>	<b>183 354</b>	<b>1 224</b>	<b>9 024</b>	<b>64 394</b>	<b>62 027</b>
<b>Median</b>	<b>135 759</b>	<b>47 678</b>	<b>56 149</b>	<b>35 129</b>	<b>12 505</b>	<b>4 848</b>	<b>8 465</b>	<b>1 224</b>	<b>1 016</b>	<b>15 128</b>	<b>16 465</b>
<b>Minimum</b>	<b>5 869</b>	<b>3 328</b>	<b>455</b>	<b>455</b>	<b>1 842</b>	<b>1 402</b>	<b>113</b>	<b>488</b>	<b>249</b>	<b>397</b>	<b>625</b>
<b>Maximum</b>	<b>3 184 430</b>	<b>2 027 478</b>	<b>1 833 017</b>	<b>1 048 660</b>	<b>1 287 093</b>	<b>1 182 088</b>	<b>1 984 340</b>	<b>1 959</b>	<b>55 436</b>	<b>626 514</b>	<b>366 957</b>
<b>% of NA</b>	<b>15%</b>	<b>19%</b>	<b>26%</b>	<b>22%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>11%</b>	<b>7%</b>	<b>4%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>7%</b>	<b>44%</b>	<b>59%</b>	<b>48%</b>	<b>81%</b>	<b>67%</b>	<b>4%</b>	<b>44%</b>

**Table 3.1.1.4b: First instance other than criminal cases - pending on 31st Dec. 2022**

Per 100 inhabitants (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	5,89	0,31	4,37	3,85	0,52	0,17	0,35	NAP	NAP	0,48	0,72
Belgium	NA	NA	NA	NAP	NA	NAP	NA	NAP	NAP	0,13	NAP
Bulgaria	1,36	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,16	NA
Croatia	7,25	4,11	3,00	2,00	1,00	0,93	0,06	NAP	NAP	0,14	NAP
Cyprus	6,48	NA	NA	NA	NA	NA	NA	NA	NA	1,40	NA
Czech Republic	3,54	1,08	1,42	1,38	0,03	NAP	0,03	NAP	0,01	0,06	0,98
Denmark	2,29	0,54	1,18	0,92	0,20	0,02	0,18	NAP	0,05	NAP	0,57
Estonia	1,87	0,54	1,23	0,94	0,30	0,15	0,14	NAP	NAP	0,09	NAP
Finland	2,29	0,13	1,76	1,76	NAP	NAP	NAP	NAP	NAP	0,31	0,10
France	2,81	1,85	0,13	0,13	NAP	NAP	NAP	NAP	NAP	0,29	0,54
Germany	NA	0,81	NA	NA	NA	NA	2,35	NA	NA	0,74	NA
Greece	3,51	2,49	0,21	0,17	0,02	0,02	0,00	NA	0,02	0,79	0,02
Hungary	1,18	0,48	0,44	0,14	0,30	NAP	0,28	0,02	0,00	0,07	0,19
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	5,41	3,45	1,78	1,78	NAP	NAP	NAP	NAP	NAP	0,18	NAP
Latvia	1,80	0,90	0,84	0,58	0,26	0,26	NAP	NAP	NAP	0,06	NAP
Lithuania	1,20	0,97	0,04	0,03	NAP	NAP	NAP	NAP	0,01	0,17	0,02
Luxembourg	0,89	0,50	0,15	NAP	NAP	NAP	NAP	NAP	0,15	0,23	NAP
Malta	2,52	2,36	0,09	0,09	NAP	NAP	NAP	NAP	NAP	0,08	NAP
Netherlands	1,35	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,36	NAP
Poland	7,55	2,29	4,85	1,45	3,41	3,13	0,28	NAP	NAP	0,09	0,32
Portugal	NA	1,68	NA	NA	NAP	NAP	NAP	NAP	NAP	0,53	NAP
Romania	3,43	2,96	0,10	0,03	0,07	0,04	0,03	NAP	NAP	0,37	NAP
Slovak Republic	3,22	0,91	2,02	0,50	0,50	NAP	0,49	0,01	1,02	0,16	0,13
Slovenia	4,07	1,31	1,88	1,66	0,22	0,20	0,02	NAP	NAP	0,19	0,69
Spain	4,35	2,75	1,22	1,22	NAP	NAP	NAP	NAP	NAP	0,38	NAP
Sweden	0,79	0,24	0,07	0,07	NAP	NAP	NAP	NAP	NAP	0,44	0,03
Average	3,26	1,48	1,34	0,98	0,57	0,55	0,35	0,01	0,18	0,32	0,36
Median	2,81	1,03	1,20	0,92	0,28	0,17	0,16	0,01	0,02	0,19	0,25
Minimum	0,79	0,13	0,04	0,03	0,02	0,02	0,00	0,01	0,00	0,06	0,02
Maximum	7,55	4,11	4,85	3,85	3,41	3,13	2,35	0,02	1,02	1,40	0,98
% of NA	15%	19%	26%	22%	11%	7%	7%	11%	7%	4%	11%
% of NAP	0%	0%	0%	7%	44%	59%	48%	81%	67%	4%	44%

**Table 3.1.1.5: First instance civil (and commercial) litigious and administrative cases - Pending more than 2 years in 2022**

Absolute values and as a percent (%) of the pending cases Dec 31st of the same category (Q91)

States	Civil (and commercial) litigious cases pending more than 2 years		Administrative law cases pending more than 2 years	
	Number	as a % of pending cases on 31 Dec	Number	as a % of pending cases on 31 Dec
Austria	NA	NA	16 878	38,63%
Belgium	NA	NA	1 392	9,20%
Bulgaria	NA	NA	NA	NA
Croatia	46 712	29,5%	281	5,28%
Cyprus	NA	NA	NA	NA
Czech Republic	NA	NA	NA	NA
Denmark	NA	NA	NAP	NAP
Estonia	612	8,6%	36	2,90%
Finland	NA	NA	NA	NA
France	NA	NA	20 694	10,34%
Germany	NA	NA	NA	NA
Greece	3 699	1,4%	NA	NA
Hungary	NA	NA	NA	NA
Ireland	NA	NA	NA	NA
Italy	NA	NA	52 394	48,38%
Latvia	763	4,5%	18	1,63%
Lithuania	987	3,6%	480	9,64%
Luxembourg	NA	NA	NA	NA
Malta	4 825	39,4%	225	56,68%
Netherlands	NA	NA	NA	NA
Poland	NA	NA	NA	NA
Portugal	36 126	20,5%	NA	NA
Romania	20 659	3,7%	2 399	3,38%
Slovak Republic	15 309	31,0%	2 455	28,88%
Slovenia	9 542	34,5%	943	23,90%
Spain	NA	NA	NA	NA
Sweden	529	2,1%	304	0,66%
<b>Average</b>	<b>12 706</b>	<b>16,2%</b>	<b>7 577</b>	<b>18,4%</b>
<b>Median</b>	<b>4 825</b>	<b>8,6%</b>	<b>943</b>	<b>9,6%</b>
<b>Minimum</b>	<b>529</b>	<b>1,4%</b>	<b>18</b>	<b>0,7%</b>
<b>Maximum</b>	<b>46 712</b>	<b>39,4%</b>	<b>52 394</b>	<b>56,7%</b>
<b>% of NA</b>	<b>59%</b>	<b>59%</b>	<b>48%</b>	<b>48%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>4%</b>	<b>4%</b>

**Romania:** Due to the peculiarity of the national statistical system, cases older than 3 years instead of 2 are communicated.

## **Evolution of first instance other than criminal cases**

**Table 3.1.2.1: Evolution of the first instance total of other than criminal cases - pending on 1st Jan. 2012 - 2022**

Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	5,97	6,10	NA	5,55	6,00	6,04	5,92	5,87	5,95	5,72	5,76
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	1,02	1,09	1,06	0,98	1,03	1,10	1,18	1,32	1,38	1,35	1,37
Croatia	10,10	9,79	9,27	8,46	7,99	7,64	7,30	6,34	8,21	7,80	8,60
Cyprus	4,87	NA	5,79	6,90	6,18	6,39	6,62	5,50	6,03	6,04	6,52
Czech Republic	4,97	2,82	3,57	5,18	4,89	4,40	4,19	3,98	3,82	4,05	3,71
Denmark	2,56	2,09	2,02	2,04	2,12	2,35	2,49	2,82	2,63	2,35	2,20
Estonia	5,15	NA	1,84	1,81	2,19	2,27	1,98	1,92	1,87	1,59	1,81
Finland	2,02	2,51	2,51	2,32	2,33	2,47	2,79	2,10	2,81	2,38	2,17
France	2,52	2,50	2,55	2,72	2,78	2,83	2,72	2,82	2,82	2,94	2,79
Germany	6,19	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	5,57	NA	NA	NA	NA	NA	NA	NA	NA	3,82	3,52
Hungary	NA	NA	1,65	1,53	1,51	1,40	1,81	1,34	1,28	1,42	1,19
Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	8,35	8,01	8,04	7,61	6,96	6,59	6,29	6,13	6,09	6,06	5,70
Latvia	2,38	2,05	1,79	1,90	1,64	1,51	1,32	1,30	1,26	1,53	1,67
Lithuania	1,18	1,15	1,44	1,58	1,55	1,37	1,18	1,11	1,02	1,25	1,16
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	0,77	0,85	0,85
Malta	2,32	2,28	2,47	2,35	2,05	NA	2,00	2,05	2,18	2,18	2,19
Netherlands	1,67	1,71	1,81	1,83	1,75	1,66	1,62	1,53	NA	NA	NA
Poland	3,71	-	4,47	-	4,11	6,22	6,05	6,29	9,84	8,71	8,36
Portugal	15,21	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	3,28	3,90	4,12	3,71	3,31	3,23	3,29	3,05	3,06	3,31	3,14
Slovak Republic	5,34	6,28	7,52	7,30	5,90	4,85	4,94	3,64	4,95	3,37	3,33
Slovenia	17,29	14,71	13,84	12,20	9,30	7,19	5,89	5,23	4,65	4,93	4,31
Spain	NA	-	3,17	-	2,97	2,74	3,03	3,41	3,74	4,24	4,10
Sweden	0,89	0,85	0,83	0,76	0,71	0,80	0,96	1,02	1,01	0,94	0,85
<b>Average</b>	5,12	4,24	3,99	4,04	3,68	3,65	3,50	3,27	3,59	3,49	3,42
<b>Median</b>	4,29	2,50	2,53	2,35	2,78	2,79	2,79	2,82	2,82	3,13	2,96
<b>Minimum</b>	0,89	0,85	0,83	0,76	0,71	0,80	0,96	1,02	0,77	0,85	0,85
<b>Maximum</b>	17,29	14,71	13,84	12,20	9,30	7,64	7,30	6,34	9,84	8,71	8,60
<b>% of NA</b>	19%	33%	26%	22%	22%	26%	22%	22%	22%	19%	19%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Table 3.1.2.2: Evolution of the first instance civil and commercial litigious cases - pending on 1st Jan. 2012 - 2022**  
Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,47	0,46	0,44	0,40	0,38	0,36	0,37	0,36	0,35	0,35	0,32
Belgium	NA	NA	NA	1,61	NA						
Bulgaria	NA										
Croatia	4,89	5,19	5,16	4,67	4,44	3,90	3,65	3,30	3,74	4,35	5,20
Cyprus	NA	5,16	NA								
Czech Republic	1,59	1,63	2,36	2,04	1,76	1,54	1,40	1,34	1,21	1,29	1,15
Denmark	0,47	0,42	0,38	0,37	0,36	0,36	0,35	0,40	0,48	0,45	0,48
Estonia	0,81	0,64	0,52	0,46	0,44	0,47	0,48	0,46	0,53	0,53	0,53
Finland	0,18	0,18	0,17	0,16	0,17	0,13	0,12	0,12	0,12	0,13	0,13
France	2,16	2,17	2,22	2,36	2,41	2,43	2,37	2,46	2,46	2,56	1,87
Germany	0,99	0,91	0,97	0,96	0,92	0,87	0,85	0,89	0,91	0,93	0,85
Greece	1,85	4,32	2,57	2,27	2,24	2,27	2,35	2,63	NA	2,54	2,40
Hungary	1,43	0,79	0,83	0,76	0,78	0,80	0,89	0,65	0,59	0,60	0,53
Ireland	NA										
Italy	6,36	5,77	5,04	4,93	4,44	4,10	3,86	3,83	3,77	3,76	3,54
Latvia	2,06	1,67	1,52	1,60	1,42	1,29	1,02	0,98	0,90	0,96	0,89
Lithuania	0,88	0,88	0,93	1,04	0,97	1,05	0,97	0,84	0,80	1,00	0,94
Luxembourg	0,97	0,91	0,22	0,25	0,19	0,19	0,21	0,26	0,40	0,49	0,49
Malta	2,24	2,15	2,30	2,19	1,96	NA	1,86	1,97	2,03	1,97	2,11
Netherlands	NA	NA	NA	0,31	NA						
Poland	0,99	-	1,74	-	1,86	1,89	2,10	2,38	2,39	2,30	2,24
Portugal	3,39	3,47	NA	3,57	3,03	2,64	2,24	1,97	1,80	1,84	1,76
Romania	2,66	2,90	3,56	3,35	3,04	2,92	3,00	2,83	2,83	2,85	2,69
Slovak Republic	2,37	2,78	3,44	3,67	2,92	1,73	2,02	1,31	1,10	1,13	1,05
Slovenia	2,75	2,69	2,61	2,34	2,20	2,04	1,86	1,65	1,48	1,47	1,34
Spain	2,82	-	1,80	-	1,81	1,70	2,01	2,33	2,48	2,83	2,71
Sweden	0,32	0,33	0,32	0,29	0,26	0,26	0,26	0,28	0,29	0,27	0,25
<b>Average</b>	1,94	2,16	1,86	1,80	1,73	1,57	1,56	1,51	1,46	1,57	1,52
<b>Median</b>	1,72	1,67	1,74	1,60	1,78	1,54	1,63	1,33	1,10	1,21	1,10
<b>Minimum</b>	0,18	0,18	0,17	0,16	0,17	0,13	0,12	0,12	0,12	0,13	0,13
<b>Maximum</b>	6,36	5,77	5,16	4,93	4,44	4,10	3,86	3,83	3,77	4,35	5,20
<b>% of NA</b>	19%	15%	22%	11%	19%	22%	19%	19%	22%	19%	19%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Table 3.1.2.3: Evolution of the first instance administrative cases - pending on 1st Jan. 2012 - 2022**

Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	NAP	NAP	0,55	0,65	0,81	0,89	0,82	0,68	0,54
Belgium	NA	NA	0,29	0,33	0,28	0,24	0,19	0,21	0,19	0,18	0,13
Bulgaria	0,12	0,15	0,12	0,12	0,12	0,11	0,13	0,14	0,14	0,15	0,16
Croatia	NA	0,17	0,28	0,33	0,36	0,33	0,26	0,21	0,18	0,17	0,16
Cyprus	0,56	0,63	0,95	0,95	0,91	0,88	0,92	0,64	0,57	0,62	1,24
Czech Republic	NAP	NAP	0,08	0,09	0,08	0,10	0,10	0,11	0,10	0,09	0,07
Denmark	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP	NAP
Estonia	0,09	0,07	0,08	0,10	0,09	0,07	0,07	0,06	0,07	0,08	0,09
Finland	0,35	0,35	0,37	0,38	0,28	0,42	0,38	0,32	0,33	0,33	0,32
France	0,26	0,23	0,23	0,24	0,24	0,24	0,24	0,25	0,26	0,27	0,28
Germany	0,86	0,80	0,82	0,81	0,78	0,85	1,02	1,04	0,97	0,90	0,82
Greece	3,72	3,47	NA	2,84	2,44	2,23	1,87	NA	1,31	1,06	0,93
Hungary	0,07	0,06	0,05	0,07	0,06	0,06	0,06	0,05	0,05	0,08	0,07
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	0,74	0,58	0,50	0,44	0,40	0,35	0,30	0,28	0,25	0,23	0,21
Latvia	0,27	0,22	0,13	0,07	0,07	0,07	0,07	0,07	0,06	0,06	0,07
Lithuania	0,10	0,11	0,32	0,38	0,38	0,15	0,10	0,16	0,14	0,15	0,16
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	0,19	0,21	0,22
Malta	0,08	0,13	0,17	0,15	0,09	0,09	0,08	0,08	0,07	0,07	0,07
Netherlands	0,29	0,30	0,29	0,30	0,28	0,31	0,27	0,30	NA	NA	NA
Poland	0,06	-	0,05	-	0,09	0,08	0,07	0,06	0,06	0,07	0,09
Portugal	NA	NA	NA	0,66	0,73	0,71	0,70	0,67	0,64	0,59	0,56
Romania	0,39	0,67	0,49	0,31	0,21	0,26	0,24	0,16	0,16	0,38	0,36
Slovak Republic	0,15	0,33	0,34	0,30	0,12	0,10	0,09	0,10	0,12	0,13	0,15
Slovenia	0,12	0,09	0,09	0,08	0,08	0,10	0,16	0,17	0,19	0,18	0,18
Spain	0,73	-	0,49	-	0,38	0,34	0,32	0,33	0,36	0,36	0,36
Sweden	0,45	0,39	0,38	0,35	0,34	0,42	0,58	0,63	0,59	0,55	0,49
<b>Average</b>	0,49	0,48	0,31	0,44	0,39	0,38	0,38	0,30	0,33	0,32	0,32
<b>Median</b>	0,27	0,26	0,29	0,31	0,28	0,25	0,24	0,21	0,19	0,19	0,20
<b>Minimum</b>	0,06	0,06	0,05	0,07	0,06	0,06	0,06	0,05	0,05	0,06	0,07
<b>Maximum</b>	3,72	3,47	0,95	2,84	2,44	2,23	1,87	1,04	1,31	1,06	1,24
<b>% of NA</b>	<b>15%</b>	<b>11%</b>	<b>11%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>
<b>% of NAP</b>	<b>15%</b>	<b>15%</b>	<b>11%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>

**Table 3.1.3.1: Evolution of the first instance total of other than criminal cases - incoming 2012 - 2022**  
Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	41,28	39,91	NA	37,78	37,58	36,72	37,03	36,21	34,97	34,71	34,82
Belgium	NA	NA	NA	NA	8,75	4,38	9,28	8,6	8,56	8,39	8,34
Bulgaria	5,39	4,88	4,43	4,83	4,79	5,64	5,41	5,43	4,51	5,1	5,01
Croatia	25,76	25,58	22,22	21,56	23,2	22,9	21,65	24,63	22,05	26,75	26,33
Cyprus	4,26	NA	2,79	3,5	2,4	1,77	2,39	2,34	2,4	3,14	3,06
Czech Republic	9,96	16,5	9,11	10,76	9,83	9,52	8,8	9,	8,69	8,57	8,59
Denmark	46,92	41,19	40,44	45,43	38,84	39,54	39,22	49,28	47,51	46,12	48,66
Estonia	20,62	NA	18,12	17,95	24,71	20,35	22,58	22,7	23,39	24,33	24,07
Finland	9,66	9,52	8,05	8,05	8,2	9,01	9,05	9,47	8,46	8,82	8,24
France	3,33	3,48	3,45	3,43	3,36	3,18	2,81	2,69	2,08	2,22	3,58
Germany	NA	NA	NA								
Greece	6,41	NA	2,43	2,01							
Hungary	11,4	11,79	8,61	9,18	8,88	8,58	7,5	6,79	6,41	6,39	6,81
Ireland	NA	NA	5,41	5,26	4,99	4,7	4,61	4,68	3,6	2,7	3,57
Italy	6,72	6,99	6,58	5,74	6,04	5,71	5,83	5,72	4,51	5,12	5,23
Latvia	3,55	3,8	3,59	15,69	16,19	16,39	16,52	18,72	19,28	18,26	19,65
Lithuania	9,35	10,08	10,7	11,13	11,72	9,52	7,54	7,18	6,96	6,56	6,47
Luxembourg	NA	NA	NA	NA	1,85	1,79	1,93	2,27	2,1	2,03	1,81
Malta	1,07	,99	1,54	1,55	1,46	2,29	2,49	2,65	2,12	2,58	2,63
Netherlands	7,5	7,35	7,46	7,39	7,29	7,24	6,94	6,98	6,44	6,18	6,11
Poland	26,07	-	25,96	-	28,04	30,26	28,59	35,61	27,6	27,55	26,79
Portugal	6,85	NA	NA	NA							
Romania	8,63	8,02	7,33	7,31	7,53	7,46	6,98	7,27	6,68	6,98	7,59
Slovak Republic	11,8	12,75	11,33	9,87	16,98	15,72	10,88	14,71	12,42	14,53	14,41
Slovenia	45,14	44,7	42,3	38,77	34,39	32,16	30,66	30,07	26,17	28,54	27,39
Spain	NA	-	4,64	-	4,24	4,59	4,94	5,3	4,93	5,63	5,9
Sweden	2,07	2,08	2,03	1,92	2,32	2,5	2,54	2,66	2,74	2,57	2,28
<b>Average</b>	14,26	14,68	11,72	13,36	13,07	12,58	12,34	13,37	12,27	12,25	12,37
<b>Median</b>	8,99	9,52	7,46	8,62	8,47	8,02	7,52	7,22	6,82	6,56	6,81
<b>Minimum</b>	1,07	,99	1,54	1,55	1,46	1,77	1,93	2,27	2,08	2,03	1,81
<b>Maximum</b>	46,92	44,7	42,3	45,43	38,84	39,54	39,22	49,28	47,51	46,12	48,66
<b>% of NA</b>	<b>19%</b>	<b>30%</b>	<b>22%</b>	<b>19%</b>	<b>11%</b>	<b>11%</b>	<b>11%</b>	<b>11%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>								

**Table 3.1.3.2: Evolution of the first instance civil and commercial litigious cases - incoming 2012 - 2022**

Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	1,23	1,19	1,11	1,05	0,97	0,96	0,95	0,94	0,83	0,83	0,80
Belgium	6,83	6,69	6,72	6,81	6,42	1,89	6,71	6,13	6,06	5,87	5,72
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	4,29	4,80	3,92	3,83	3,26	3,15	2,86	3,18	2,73	4,19	2,53
Cyprus	NA	4,48	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	3,45	4,46	4,57	3,77	3,14	3,41	3,25	3,33	2,85	2,96	2,89
Denmark	0,82	0,78	0,74	0,74	0,72	0,71	0,72	0,84	0,70	0,74	0,79
Estonia	1,27	1,35	1,28	1,15	1,25	1,23	1,17	1,40	1,43	1,32	1,26
Finland	0,19	0,20	0,20	0,20	0,16	0,15	0,15	0,15	0,17	0,16	0,14
France	2,58	2,72	2,64	2,61	2,54	2,47	2,24	2,09	1,59	1,68	1,98
Germany	1,96	1,76	1,78	1,74	1,59	1,51	1,52	1,54	1,47	1,30	1,19
Greece	5,83	6,23	2,23	2,12	1,36	1,86	1,99	1,92	NA	1,73	1,31
Hungary	4,36	1,83	1,83	1,79	1,89	1,81	1,38	1,37	1,29	1,25	1,25
Ireland	3,93	4,24	3,11	2,97	2,73	2,69	2,70	2,75	2,67	2,09	2,00
Italy	2,61	2,69	2,61	2,55	2,57	2,47	2,55	2,44	1,92	2,13	2,23
Latvia	2,16	2,01	2,25	2,01	1,99	1,47	1,45	1,58	1,53	1,52	1,59
Lithuania	3,58	3,63	3,97	3,56	4,39	4,05	3,55	3,32	3,32	3,26	3,07
Luxembourg	0,90	0,84	0,90	0,81	0,77	0,76	0,85	1,22	1,21	1,19	1,03
Malta	0,98	0,92	1,51	1,54	1,44	1,61	1,82	1,81	1,44	1,88	2,01
Netherlands	NA	NA	0,99	0,95	0,94	0,86	0,78	0,80	0,73	NA	NA
Poland	2,77	-	3,19	-	3,11	3,52	3,45	3,27	2,47	2,38	2,35
Portugal	3,52	3,09	NA	3,06	3,00	2,92	2,89	3,14	2,47	2,52	2,51
Romania	5,18	4,16	6,85	6,85	6,80	6,55	6,39	6,68	6,12	6,40	6,99
Slovak Republic	2,99	3,01	2,79	2,05	3,70	3,54	2,33	2,14	1,97	1,79	1,84
Slovenia	3,05	3,09	2,91	2,77	2,50	2,17	1,96	1,76	1,52	1,50	1,38
Spain	3,83	-	2,16	-	2,15	2,54	2,73	2,73	2,55	2,85	2,85
Sweden	0,68	0,68	0,66	0,61	0,60	0,61	0,63	0,66	0,60	0,61	0,58
<b>Average</b>	2,87	2,82	2,54	2,42	2,40	2,20	2,28	2,29	2,07	2,17	2,10
<b>Median</b>	2,88	2,72	2,24	2,05	2,15	1,89	1,99	1,92	1,56	1,76	1,91
<b>Minimum</b>	0,19	0,20	0,20	0,20	0,16	0,15	0,15	0,15	0,17	0,16	0,14
<b>Maximum</b>	6,83	6,69	6,85	6,85	6,80	6,55	6,71	6,68	6,12	6,40	6,99
<b>% of NA</b>	<b>11%</b>	<b>7%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>11%</b>	<b>11%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Table 3.1.3.3: Evolution of the first instance administrative cases - incoming 2012 - 2022**

Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	NAP	NAP	0,65	0,84	0,81	0,62	0,51	0,52	0,55
Belgium	NA	NA	0,22	0,20	0,17	0,17	0,15	0,15	0,15	0,15	0,17
Bulgaria	0,39	0,36	0,34	0,37	0,35	0,44	0,44	0,50	0,42	0,42	0,44
Croatia	0,28	0,33	0,33	0,34	0,35	0,29	0,33	0,32	0,30	0,35	0,33
Cyprus	0,24	0,78	0,19	0,20	0,18	0,22	0,22	0,21	0,32	1,19	1,26
Czech Republic	NAP	NAP	0,09	0,09	0,11	0,10	0,11	0,10	0,09	0,09	0,07
Denmark	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP	NAP
Estonia	0,22	0,22	0,29	0,26	0,22	0,23	0,19	0,19	0,21	0,23	0,21
Finland	0,51	0,52	0,52	0,49	0,71	0,50	0,45	0,46	0,45	0,39	0,38
France	0,27	0,27	0,29	0,29	0,29	0,29	0,32	0,34	0,31	0,36	0,35
Germany	0,86	0,82	0,81	0,80	0,90	1,05	0,90	0,82	0,70	0,66	0,58
Greece	0,58	0,65	NA	0,50	0,50	0,56	0,56	NA	0,42	0,44	0,49
Hungary	0,13	0,16	0,18	0,18	0,20	0,17	0,18	0,17	0,30	0,21	0,20
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	0,09	0,09	0,10	0,10	0,09	0,08	0,08	0,08	0,07	0,08	0,09
Latvia	0,20	0,14	0,12	0,11	0,12	0,11	0,10	0,10	0,09	0,10	0,10
Lithuania	0,27	0,61	0,49	0,59	0,52	0,42	0,53	0,51	0,51	0,58	0,82
Luxembourg	0,31	0,25	0,24	0,22	0,20	0,20	0,20	0,23	0,17	0,17	0,17
Malta	0,08	0,08	0,03	0,02	0,02	0,02	0,03	0,03	0,03	0,03	0,03
Netherlands	0,68	0,66	0,65	0,59	0,66	0,58	0,58	0,61	0,57	0,50	0,52
Poland	0,19	-	0,22	-	0,20	0,19	0,17	0,18	0,18	0,23	0,21
Portugal	NA	NA	NA	0,34	0,25	0,24	0,24	0,27	0,20	0,25	0,23
Romania	1,08	0,98	0,35	0,33	0,60	0,75	0,43	0,43	0,41	0,42	0,44
Slovak Republic	0,35	0,21	0,21	0,20	0,16	0,09	0,09	0,10	0,09	0,10	0,09
Slovenia	0,24	0,25	0,26	0,23	0,14	0,19	0,17	0,15	0,14	0,13	0,13
Spain	0,43	-	0,39	-	0,35	0,35	0,37	0,42	0,33	0,39	0,38
Sweden	1,09	1,10	1,09	1,03	1,44	1,62	1,63	1,72	1,85	1,70	1,45
<b>Average</b>	0,40	0,45	0,34	0,34	0,38	0,39	0,37	0,36	0,35	0,39	0,39
<b>Median</b>	0,28	0,33	0,27	0,27	0,25	0,24	0,24	0,25	0,30	0,35	0,33
<b>Minimum</b>	0,08	0,08	0,03	0,02	0,02	0,02	0,03	0,03	0,03	0,03	0,03
<b>Maximum</b>	1,09	1,10	1,09	1,03	1,44	1,62	1,63	1,72	1,85	1,70	1,45
<b>% of NA</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>7%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>
<b>% of NAP</b>	<b>15%</b>	<b>15%</b>	<b>11%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>

**Table 3.1.4.1: Evolution of the first instance total of other than criminal cases - resolved 2012 - 2022**  
Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	41,13	40,21	NA	37,86	37,74	36,94	37,12	36,36	34,87	34,64	34,70
Belgium	NA	NA	NA	NA	8,94	NA	10,06	8,67	8,42	8,77	8,47
Bulgaria	5,32	4,92	4,52	4,78	4,73	5,49	5,28	5,38	4,55	5,16	5,01
Croatia	26,27	26,14	22,92	21,90	23,61	23,29	22,64	22,85	22,85	26,04	27,48
Cyprus	3,71	NA	2,47	3,15	2,55	2,01	2,99	2,30	2,12	2,55	3,11
Czech Republic	11,33	15,98	8,86	11,01	10,33	9,61	9,00	9,07	8,53	8,80	8,76
Denmark	47,42	41,31	40,43	45,42	38,70	39,44	39,06	49,55	47,87	46,27	48,57
Estonia	22,98	NA	17,79	25,07	24,15	21,17	22,69	22,71	23,71	24,08	24,00
Finland	9,16	9,52	8,23	7,95	8,04	8,68	9,60	8,97	8,89	9,03	8,12
France	3,34	3,41	3,27	3,36	3,31	3,30	2,71	2,67	1,94	2,34	3,46
Germany	4,85	NA	NA	NA							
Greece	4,20	NA	2,22	2,02							
Hungary	11,87	11,50	8,85	9,30	9,07	8,51	7,95	6,84	6,30	6,62	6,83
Ireland	NA	NA	3,94	4,03	3,79	3,84	3,62	3,53	2,01	2,04	2,99
Italy	7,28	7,46	7,19	6,41	6,31	5,88	6,00	5,90	4,63	5,47	5,51
Latvia	3,99	4,01	3,61	15,85	16,35	16,57	16,56	18,71	19,09	18,30	19,52
Lithuania	9,39	9,81	10,57	11,18	11,92	9,71	7,62	7,26	6,74	6,63	6,42
Luxembourg	NA	NA	NA	NA	1,88	1,77	1,84	2,10	2,00	2,01	1,78
Malta	1,15	1,04	1,57	1,72	1,57	2,20	2,41	2,42	1,93	2,30	2,28
Netherlands	7,41	7,25	7,39	7,43	7,31	7,20	6,99	6,95	6,34	6,40	6,02
Poland	26,21	-	26,44	-	26,06	30,43	28,31	32,11	28,78	28,02	27,60
Portugal	6,57	NA	NA	NA							
Romania	8,25	8,83	8,14	7,75	7,62	7,42	7,23	7,28	6,46	7,15	7,30
Slovak Republic	10,73	11,57	11,55	10,37	18,02	17,08	12,12	13,40	14,03	14,58	14,51
Slovenia	47,67	45,56	43,91	41,65	36,48	33,41	31,28	30,60	25,89	29,13	27,63
Spain	NA	-	4,69	-	4,43	4,31	4,54	4,96	4,43	5,73	5,64
Sweden	2,10	2,09	2,09	1,99	2,22	2,34	2,47	2,67	2,80	2,66	2,34
<b>Average</b>	14,02	14,74	11,83	13,91	13,13	13,07	12,50	13,05	12,30	12,28	12,40
<b>Median</b>	8,25	9,52	8,14	8,63	8,49	8,51	7,78	7,27	6,60	6,63	6,83
<b>Minimum</b>	1,15	1,04	1,57	1,72	1,57	1,77	1,84	2,10	1,93	2,01	1,78
<b>Maximum</b>	47,67	45,56	43,91	45,42	38,70	39,44	39,06	49,55	47,87	46,27	48,57
<b>% of NA</b>	<b>15%</b>	<b>30%</b>	<b>22%</b>	<b>19%</b>	<b>11%</b>	<b>15%</b>	<b>11%</b>	<b>11%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>								

**Table 3.1.4.2: Evolution of the first instance civil and commercial litigious cases - resolved 2012 - 2022**

Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	1,24	1,20	1,14	1,07	0,99	0,95	0,95	0,94	0,82	0,86	0,80
Belgium	NA	NA	6,57	6,74	6,58	2,12	7,55	6,18	5,99	6,20	5,86
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	4,07	4,86	4,45	4,10	3,86	3,42	3,21	2,78	2,32	3,38	3,66
Cyprus	NA	3,51	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	3,41	4,03	4,79	4,05	3,46	3,46	3,30	3,38	2,80	3,06	2,95
Denmark	0,90	0,84	0,75	0,75	0,73	0,73	0,68	0,77	0,78	0,72	0,73
Estonia	1,43	1,45	1,33	1,18	1,22	1,22	1,17	1,32	1,42	1,32	1,24
Finland	0,20	0,21	0,20	0,19	0,19	0,17	0,15	0,15	0,16	0,16	0,15
France	2,56	2,65	2,49	2,55	2,51	2,53	2,14	2,09	1,47	1,80	2,03
Germany	1,97	1,75	1,78	1,78	1,63	1,52	1,48	1,52	1,44	1,37	1,23
Greece	3,37	4,99	2,52	2,15	1,35	1,79	1,71	1,66	NA	1,43	1,22
Hungary	4,59	1,79	1,91	1,78	1,86	1,74	1,61	1,43	1,29	1,32	1,30
Ireland	NA	NA	1,73	1,88	1,61	1,96	1,70	1,73	1,37	1,50	1,42
Italy	3,43	3,18	3,11	3,06	2,91	2,63	2,62	2,55	2,00	2,32	2,33
Latvia	2,54	2,20	2,22	2,18	2,14	1,75	1,50	1,62	1,47	1,56	1,58
Lithuania	3,60	3,59	3,87	3,65	4,32	4,14	3,68	3,37	3,12	3,30	3,05
Luxembourg	1,55	1,53	0,87	0,85	0,77	0,74	0,80	1,07	1,12	1,18	1,01
Malta	1,12	1,00	1,53	1,65	1,55	1,56	1,70	1,66	1,31	1,47	1,75
Netherlands	0,95	0,94	0,99	0,96	0,95	0,85	0,79	0,80	0,73	0,74	0,70
Poland	2,45	-	3,16	-	3,08	3,30	3,18	3,24	2,60	2,46	2,31
Portugal	3,44	3,19	NA	3,56	3,36	3,30	3,15	3,30	2,42	2,57	2,58
Romania	5,12	4,66	7,44	7,17	6,94	6,50	6,56	6,70	6,13	6,55	6,73
Slovak Republic	2,44	2,43	2,56	2,73	4,89	4,57	3,04	2,35	1,97	1,86	1,98
Slovenia	3,09	3,16	3,17	2,91	2,66	2,34	2,15	1,93	1,53	1,61	1,42
Spain	3,81	-	2,12	-	2,22	2,23	2,37	2,56	2,20	2,91	2,80
Sweden	0,68	0,69	0,68	0,64	0,59	0,61	0,61	0,64	0,62	0,63	0,59
<b>Average</b>	2,52	2,45	2,56	2,50	2,49	2,25	2,31	2,23	1,96	2,09	2,06
<b>Median</b>	2,54	2,31	2,17	2,15	2,14	1,96	1,71	1,73	1,47	1,56	1,58
<b>Minimum</b>	0,20	0,21	0,20	0,19	0,19	0,17	0,15	0,15	0,16	0,16	0,15
<b>Maximum</b>	5,12	4,99	7,44	7,17	6,94	6,50	7,55	6,70	6,13	6,55	6,73
<b>% of NA</b>	<b>15%</b>	<b>11%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Table 3.1.4.3: Evolution of the first instance administrative cases - resolved 2012 - 2022**

Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	NAP	NAP	0,59	0,67	0,73	0,68	0,65	0,65	0,62
Belgium	NA	NA	0,20	0,23	0,21	0,18	0,17	0,17	0,16	0,20	0,16
Bulgaria	0,36	0,40	0,35	0,37	0,37	0,42	0,44	0,49	0,42	0,42	0,44
Croatia	0,12	0,21	0,28	0,32	0,38	0,36	0,38	0,35	0,32	0,35	0,35
Cyprus	0,18	0,45	0,19	0,24	0,21	0,16	0,49	0,36	0,26	0,55	1,11
Czech Republic	NAP	NAP	0,08	0,08	0,09	0,10	0,10	0,11	0,11	0,11	0,09
Denmark	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP	NAP	NAP
Estonia	0,23	0,20	0,26	0,27	0,24	0,23	0,19	0,18	0,19	0,21	0,21
Finland	0,51	0,49	0,50	0,50	0,56	0,54	0,50	0,46	0,44	0,40	0,40
France	0,29	0,28	0,28	0,28	0,29	0,30	0,31	0,33	0,30	0,34	0,34
Germany	0,87	0,82	0,81	0,82	0,83	0,88	0,88	0,89	0,77	0,72	0,66
Greece	0,83	0,99	NA	0,92	0,74	0,93	0,92	NA	0,69	0,57	0,62
Hungary	0,14	0,17	0,17	0,19	0,20	0,17	0,18	0,17	0,26	0,23	0,20
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	0,24	0,17	0,16	0,14	0,14	0,13	0,11	0,11	0,10	0,10	0,12
Latvia	0,25	0,23	0,17	0,12	0,11	0,11	0,10	0,10	0,10	0,09	0,11
Lithuania	0,26	0,40	0,44	0,58	0,76	0,47	0,47	0,53	0,50	0,57	0,81
Luxembourg	0,21	0,23	0,23	0,20	0,20	0,19	0,17	0,17	0,15	0,15	0,16
Malta	0,03	0,03	0,04	0,07	0,02	0,03	0,03	0,03	0,03	0,02	0,03
Netherlands	0,67	0,66	0,64	0,61	0,63	0,61	0,55	0,57	0,49	0,54	0,52
Poland	0,19	-	0,21	-	0,21	0,20	0,18	0,18	0,17	0,21	0,20
Portugal	NA	NA	NA	0,27	0,28	0,26	0,26	0,28	0,25	0,26	0,26
Romania	0,84	1,28	0,57	0,44	0,55	0,77	0,51	0,43	0,20	0,45	0,42
Slovak Republic	0,16	0,18	0,27	0,25	0,18	0,11	0,09	0,08	0,08	0,08	0,09
Slovenia	0,26	0,26	0,27	0,24	0,13	0,13	0,16	0,13	0,15	0,12	0,13
Spain	0,53	-	0,44	-	0,40	0,37	0,37	0,39	0,33	0,38	0,37
Sweden	1,14	1,11	1,12	1,07	1,35	1,45	1,58	1,74	1,89	1,76	1,50
<b>Average</b>	0,40	0,45	0,35	0,37	0,39	0,39	0,39	0,37	0,36	0,38	0,40
<b>Median</b>	0,26	0,28	0,27	0,27	0,28	0,26	0,31	0,31	0,26	0,34	0,34
<b>Minimum</b>	0,03	0,03	0,04	0,07	0,02	0,03	0,03	0,03	0,03	0,02	0,03
<b>Maximum</b>	1,14	1,28	1,12	1,07	1,35	1,45	1,58	1,74	1,89	1,76	1,50
<b>% of NA</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>7%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>
<b>% of NAP</b>	<b>15%</b>	<b>15%</b>	<b>11%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>

**Table 3.1.5.1: Evolution of the first instance total of other than criminal cases - pending on 31st Dec. 2012 - 2022**

Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	6,12	5,79	NA	5,47	5,84	5,95	5,84	5,84	6,04	5,79	5,89
Belgium	NA										
Bulgaria	1,08	1,05	0,97	1,03	1,09	1,25	1,31	1,37	1,34	1,29	1,36
Croatia	9,59	9,23	8,39	7,92	7,55	7,25	6,31	8,16	7,48	8,56	7,25
Cyprus	5,42	NA	6,11	7,25	6,03	6,15	6,02	5,55	6,32	6,62	6,48
Czech Republic	3,60	3,34	3,81	4,94	4,39	4,30	3,98	3,91	3,98	3,83	3,54
Denmark	2,14	2,04	2,09	2,10	2,26	2,43	2,58	2,55	2,27	2,19	2,29
Estonia	2,76	NA	1,62	2,68	2,67	1,41	1,84	1,96	1,61	1,81	1,87
Finland	2,52	2,52	2,33	2,42	2,49	2,80	2,25	2,59	2,37	2,17	2,29
France	2,52	2,56	2,73	2,80	2,83	2,71	2,82	2,84	2,95	2,82	2,81
Germany	NA										
Greece	7,79	NA	4,03	3,51							
Hungary	NA	NA	1,52	1,49	1,41	1,47	1,37	1,30	1,39	1,18	1,18
Ireland	NA										
Italy	7,79	7,55	7,42	6,90	6,69	6,42	6,13	5,94	5,98	5,71	5,41
Latvia	2,03	1,83	1,77	1,64	1,49	1,30	1,29	1,30	1,45	1,50	1,80
Lithuania	1,13	1,43	1,57	1,53	1,35	1,18	1,11	1,02	1,25	1,18	1,20
Luxembourg	NA	0,87	0,87	0,89							
Malta	2,23	2,24	2,40	2,10	1,92	2,00	2,13	2,28	2,18	2,20	2,52
Netherlands	1,70	1,82	1,84	1,76	1,67	1,63	1,54	1,52	1,58	1,32	1,35
Poland	3,57	-	3,98	-	6,10	6,05	6,34	9,78	8,67	8,24	7,55
Portugal	15,49	NA									
Romania	3,65	3,09	3,31	3,27	3,21	3,27	3,05	3,03	3,29	3,14	3,43
Slovak Republic	6,41	7,46	7,30	6,80	4,86	5,02	3,70	4,95	3,34	3,32	3,22
Slovenia	14,73	13,83	12,22	9,31	7,20	5,93	5,26	4,69	4,93	4,33	4,07
Spain	NA	-	3,12	-	2,76	3,04	3,43	3,73	4,23	4,15	4,35
Sweden	0,86	0,84	0,76	0,69	0,81	0,97	1,03	1,01	0,95	0,85	0,79
<b>Average</b>	4,91	4,16	3,76	3,79	3,55	3,45	3,30	3,59	3,38	3,35	3,26
<b>Median</b>	3,57	2,54	2,57	2,68	2,76	2,80	2,82	2,84	2,66	2,82	2,81
<b>Minimum</b>	0,86	0,84	0,76	0,69	0,81	0,97	1,03	1,01	0,87	0,85	0,79
<b>Maximum</b>	15,49	13,83	12,22	9,31	7,55	7,25	6,34	9,78	8,67	8,56	7,55
<b>% of NA</b>	<b>22%</b>	<b>33%</b>	<b>26%</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>	<b>19%</b>	<b>15%</b>	<b>15%</b>
<b>% of NAP</b>	<b>0%</b>										

**Table 3.1.5.2: Evolution of the first instance civil and commercial litigious cases - pending on 31st Dec.2012 - 2022**

Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,46	0,45	0,41	0,38	0,36	0,37	0,36	0,35	0,35	0,32	0,31
Belgium	NA	NA	NA	1,60	NA						
Bulgaria	NA										
Croatia	5,10	5,13	4,63	4,40	3,84	3,63	3,29	3,72	4,17	5,17	4,11
Cyprus	NA	6,13	NA								
Czech Republic	1,63	2,07	2,14	1,76	1,45	1,49	1,34	1,29	1,26	1,18	1,08
Denmark	0,41	0,38	0,37	0,36	0,35	0,34	0,39	0,47	0,40	0,47	0,54
Estonia	0,65	0,52	0,46	0,44	0,46	0,47	0,46	0,53	0,53	0,53	0,54
Finland	0,17	0,16	0,16	0,17	0,13	0,12	0,11	0,12	0,13	0,13	0,13
France	2,18	2,24	2,37	2,42	2,43	2,36	2,47	2,47	2,57	2,44	1,85
Germany	0,99	0,92	0,97	0,92	0,88	0,85	0,89	0,91	0,93	0,87	0,81
Greece	4,32	5,56	2,28	2,23	2,25	2,35	2,63	2,89	NA	2,84	2,49
Hungary	1,21	0,83	0,75	0,77	0,81	0,86	0,67	0,59	0,58	0,53	0,48
Ireland	NA										
Italy	5,54	5,29	4,54	4,41	4,10	3,94	3,79	3,72	3,69	3,56	3,45
Latvia	1,67	1,49	1,55	1,42	1,27	1,00	0,97	0,94	0,96	0,92	0,90
Lithuania	0,87	0,92	1,03	0,96	1,04	0,97	0,84	0,80	1,00	0,96	0,97
Luxembourg	0,31	0,22	0,25	0,20	0,19	0,22	0,27	0,41	0,49	0,50	0,50
Malta	2,10	2,06	2,25	2,01	1,83	1,86	2,04	2,11	1,97	2,13	2,36
Netherlands	NA	NA	0,36	0,30	0,32	0,29	0,24	0,24	0,25	NA	NA
Poland	1,31	-	1,76	-	1,89	2,10	2,38	2,40	2,26	2,22	2,29
Portugal	3,47	3,37	NA	3,07	2,66	2,26	1,98	1,81	1,85	1,78	1,68
Romania	2,71	2,39	2,97	3,02	2,91	2,98	2,83	2,80	2,83	2,70	2,96
Slovak Republic	2,92	3,36	3,67	3,00	1,74	2,14	1,31	1,10	1,10	1,05	0,91
Slovenia	2,70	2,61	2,35	2,21	2,04	1,87	1,66	1,49	1,47	1,36	1,31
Spain	2,76	-	1,85	-	1,71	2,02	2,35	2,48	2,82	2,75	2,75
Sweden	0,33	0,32	0,29	0,27	0,27	0,27	0,28	0,29	0,27	0,26	0,24
<b>Average</b>	1,99	2,21	1,70	1,65	1,52	1,51	1,46	1,48	1,45	1,58	1,48
<b>Median</b>	1,65	2,06	1,66	1,51	1,45	1,49	1,31	1,10	1,05	1,12	1,03
<b>Minimum</b>	0,17	0,16	0,16	0,17	0,13	0,12	0,11	0,12	0,13	0,13	0,13
<b>Maximum</b>	5,54	6,13	4,63	4,41	4,10	3,94	3,79	3,72	4,17	5,17	4,11
<b>% of NA</b>	<b>19%</b>	<b>15%</b>	<b>19%</b>	<b>11%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>19%</b>	<b>19%</b>	<b>19%</b>
<b>% of NAP</b>	<b>0%</b>										

**Table 3.1.5.3: Evolution of the first instance administrative cases - pending on 31st Dec. 2012 - 2022**

Per 100 inhabitants (Q1, Q91)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	NAP	NAP	0,61	0,82	0,90	0,82	0,69	0,55	0,48
Belgium	NA	NA	0,34	0,28	0,24	0,24	0,18	0,19	0,18	0,13	0,13
Bulgaria	0,15	0,12	0,12	0,12	0,11	0,13	0,14	0,14	0,14	0,14	0,16
Croatia	0,17	0,28	0,33	0,36	0,33	0,26	0,21	0,18	0,16	0,16	0,14
Cyprus	0,62	0,95	0,94	0,91	0,89	0,94	0,65	0,49	0,63	1,27	1,40
Czech Republic	NAP	NAP	0,09	0,10	0,10	0,11	0,11	0,10	0,09	0,08	0,06
Denmark	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP	NAP	NAP
Estonia	0,07	0,08	0,10	0,09	0,07	0,07	0,06	0,07	0,07	0,09	0,09
Finland	0,35	0,37	0,38	0,37	0,43	0,38	0,32	0,32	0,33	0,32	0,31
France	0,24	0,22	0,24	0,24	0,25	0,24	0,24	0,26	0,27	0,28	0,29
Germany	0,84	0,80	0,82	0,79	0,85	1,02	1,04	0,97	0,90	0,83	0,74
Greece	3,47	3,12	NA	2,43	2,20	1,87	1,51	NA	1,04	0,93	0,79
Hungary	0,06	0,05	0,07	0,06	0,06	0,06	0,05	0,05	0,08	0,06	0,07
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	0,58	0,50	0,44	0,40	0,35	0,30	0,27	0,25	0,23	0,21	0,18
Latvia	0,21	0,13	0,07	0,07	0,07	0,07	0,07	0,06	0,06	0,07	0,06
Lithuania	0,10	0,32	0,37	0,38	0,15	0,10	0,16	0,14	0,15	0,16	0,17
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	0,21	0,22	0,23
Malta	0,13	0,18	0,16	0,09	0,09	0,08	0,08	0,07	0,07	0,08	0,08
Netherlands	0,30	0,30	0,30	0,28	0,31	0,28	0,30	0,34	0,41	0,39	0,36
Poland	0,06	-	0,08	-	0,08	0,07	0,06	0,06	0,07	0,09	0,09
Portugal	NA	NA	NA	0,73	0,70	0,69	0,67	0,65	0,59	0,57	0,53
Romania	0,63	0,37	0,28	0,20	0,26	0,24	0,16	0,16	0,38	0,36	0,37
Slovak Republic	0,33	0,36	0,29	0,25	0,10	0,09	0,10	0,12	0,13	0,15	0,16
Slovenia	0,09	0,09	0,08	0,08	0,10	0,16	0,17	0,19	0,18	0,18	0,19
Spain	0,62	-	0,44	-	0,34	0,33	0,33	0,36	0,36	0,37	0,38
Sweden	0,39	0,38	0,35	0,31	0,43	0,59	0,63	0,60	0,55	0,49	0,44
<b>Average</b>	0,47	0,48	0,30	0,41	0,38	0,38	0,35	0,29	0,32	0,33	0,32
<b>Median</b>	0,27	0,31	0,29	0,28	0,25	0,24	0,19	0,19	0,21	0,21	0,19
<b>Minimum</b>	0,06	0,05	0,07	0,06	0,06	0,06	0,05	0,05	0,06	0,06	0,06
<b>Maximum</b>	3,47	3,12	0,94	2,43	2,20	1,87	1,51	0,97	1,04	1,27	1,40
<b>% of NA</b>	<b>11%</b>	<b>11%</b>	<b>11%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>	<b>11%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>
<b>% of NAP</b>	<b>15%</b>	<b>15%</b>	<b>11%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>	<b>4%</b>

**Table 3.1.6.1: Evolution of the first instance total of other than criminal cases - pending more than 2 years 2012 - Per 100 inhabitants (Q1, Q91)**

States	2016	2017	2018	2019	2020	2021	2022
Austria	0,25	0,27	NA	NA	NA	NA	NA
Belgium	NA						
Bulgaria	NA						
Croatia	NA						
Cyprus	NA						
Czech Republic	NA						
Denmark	NA						
Estonia	0,02	0,02	0,03	0,03	0,04	0,05	0,06
Finland	NA						
France	NA						
Germany	NA						
Greece	NA	NA	NA	NA	NA	NA	0,04
Hungary	NA						
Ireland	NA						
Italy	NA						
Latvia	NA	NA	0,14	0,21	0,11	0,07	0,04
Lithuania	0,08	0,06	0,06	0,05	0,06	0,06	0,05
Luxembourg	NA						
Malta	NA						
Netherlands	NA						
Poland	NA						
Portugal	NA						
Romania	0,14	0,14	0,12	0,12	0,15	0,17	0,15
Slovak Republic	NA	NA	NA	NA	0,49	0,51	0,48
Slovenia	4,03	3,04	2,13	1,47	1,11	1,06	1,09
Spain	NA						
Sweden	0,01	0,01	0,01	0,01	0,02	0,01	0,01
<b>Average</b>	0,75	0,59	0,41	0,32	0,28	0,28	0,24
<b>Median</b>	0,11	0,10	0,09	0,09	0,11	0,07	0,05
<b>Minimum</b>	0,01	0,01	0,01	0,01	0,02	0,01	0,01
<b>Maximum</b>	4,03	3,04	2,13	1,47	1,11	1,06	1,09
<b>% of NA</b>	78%	78%	78%	78%	74%	74%	70%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%

**Table 3.1.6.2: Evolution of the first instance civil and commercial litigious cases - pending more than 2 years 2016 - Per 100 inhabitants (Q1, Q91)**

States	2016	2017	2018	2019	2020	2021	2022
Austria	0,05	0,05	NA	NA	NA	NA	NA
Belgium	NA						
Bulgaria	NA						
Croatia	1,26	1,20	1,16	1,07	1,16	1,62	1,21
Cyprus	NA						
Czech Republic	NA						
Denmark	NA						
Estonia	0,02	0,02	0,02	0,03	0,04	0,04	0,05
Finland	NA						
France	NA						
Germany	NA						
Greece	NA	NA	NA	NA	NA	0,04	0,03
Hungary	NA						
Ireland	NA						
Italy	NA						
Latvia	NA	NA	0,14	0,20	0,10	0,07	0,04
Lithuania	0,07	0,05	0,05	0,04	0,04	0,05	0,03
Luxembourg	NA						
Malta	NA	NA	0,87	NA	0,77	0,90	0,93
Netherlands	NA						
Poland	NA						
Portugal	0,79	0,62	0,46	0,33	0,33	0,34	0,35
Romania	0,13	0,13	0,09	0,09	0,11	0,12	0,11
Slovak Republic	NA	NA	NA	NA	0,34	0,33	0,28
Slovenia	0,47	0,51	0,51	0,46	0,40	0,42	0,45
Spain	NA						
Sweden	0,01	0,01	0,01	0,01	0,01	0,01	0,01
<b>Average</b>	0,35	0,32	0,37	0,28	0,33	0,36	0,32
<b>Median</b>	0,10	0,09	0,14	0,15	0,22	0,12	0,11
<b>Minimum</b>	0,01	0,01	0,01	0,01	0,01	0,01	0,01
<b>Maximum</b>	1,26	1,20	1,16	1,07	1,16	1,62	1,21
<b>% of NA</b>	70%	70%	67%	70%	63%	59%	59%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%

**Table 3.1.6.3: Evolution of the first instance administrative cases - pending more than 2 years 2016 - 2022**  
Per 100 inhabitants (Q1, Q91)

States	2016	2017	2018	2019	2020	2021	2022
Austria	0,15	0,19	0,22	0,27	0,26	0,24	0,19
Belgium	NA	NA	NA	NA	0,01	0,01	0,01
Bulgaria	NA						
Croatia	NA	NA	NA	NA	NA	0,01	0,01
Cyprus	NA						
Czech Republic	NA						
Denmark	NAP	NA	NA	NA	NAP	NAP	NAP
Estonia	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Finland	NA						
France	NA	NA	0,04	0,02	0,02	0,03	0,03
Germany	NA						
Greece	NA						
Hungary	NA						
Ireland	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	NA	NA	0,14	0,12	0,13	0,12	0,09
Latvia	NA	NA	0,00	0,01	0,00	0,00	0,00
Lithuania	0,01	0,00	0,00	0,00	0,01	0,02	0,02
Luxembourg	NA						
Malta	0,06	0,06	0,05	0,04	0,04	0,04	0,04
Netherlands	NA						
Poland	NA						
Portugal	NA						
Romania	0,01	0,01	0,01	0,01	0,01	0,02	0,01
Slovak Republic	NA	NA	NA	NA	0,03	0,04	0,05
Slovenia	0,00	0,00	0,00	0,00	0,02	0,02	0,04
Spain	NA						
Sweden	0,00	0,00	0,00	0,00	0,01	0,00	0,00
<b>Average</b>	0,03	0,04	0,05	0,05	0,05	0,04	0,04
<b>Median</b>	0,01	0,00	0,01	0,01	0,02	0,02	0,02
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,15	0,19	0,22	0,27	0,26	0,24	0,19
<b>% of NA</b>	67%	70%	59%	59%	52%	48%	48%
<b>% of NAP</b>	7%	4%	4%	4%	4%	4%	4%

## **Clearance Rate and Disposition Time for first instance other than criminal cases**

**Table 3.2.1.1: Clearance rate for first instance other than criminal cases in 2022 (Q91)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	99,6%	100,5%	99,4%	98,8%	100,2%	100,3%	100,2%	NAP	NAP	111,8%	99,5%
Belgium	101,5%	102,3%	100,0%	NAP	100,0%	NAP	100,0%	NAP	NAP	97,0%	NAP
Bulgaria	100,1%	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	100,8%	NA
Croatia	104,4%	144,9%	100,0%	103,4%	99,2%	99,0%	99,8%	NAP	NAP	106,8%	NAP
Cyprus	101,4%	NA	NA	NA	NA	NA	NA	NA	NA	88,0%	NA
Czech Republic	102,0%	102,2%	100,8%	100,8%	100,8%	NAP	100,8%	NAP	100,3%	126,3%	120,4%
Denmark	99,8%	92,6%	100,0%	100,4%	100,0%	100,0%	99,0%	NAP	101,3%	NAP	99,1%
Estonia	99,7%	98,6%	99,8%	97,3%	100,6%	100,8%	100,3%	NAP	NAP	98,8%	NAP
Finland	98,6%	100,5%	98,4%	98,4%	NAP	NAP	NAP	NAP	NAP	104,2%	92,9%
France	96,7%	102,5%	92,6%	92,6%	NAP	NAP	NAP	NAP	NAP	96,3%	86,8%
Germany	NA	103,6%	NA	NA	NA	NA	61,3%	NA	NA	113,8%	NA
Greece	100,6%	93,0%	86,1%	89,7%	52,4%	48,3%	103,6%	NA	93,4%	127,0%	87,5%
Hungary	100,2%	104,2%	100,5%	100,4%	100,6%	NAP	100,6%	98,2%	101,4%	98,3%	72,3%
Ireland	83,9%	70,9%	100,4%	100,4%	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	105,5%	104,4%	105,5%	105,5%	NAP	NAP	NAP	NAP	NAP	133,6%	NAP
Latvia	99,3%	99,3%	99,3%	97,2%	100,0%	100,0%	NAP	NAP	NAP	107,2%	NAP
Lithuania	99,3%	99,1%	99,6%	99,5%	NA	NA	NA	NA	101,0%	98,5%	100,6%
Luxembourg	98,0%	98,3%	99,3%	100,0%	NAP	NAP	NAP	NAP	99,2%	91,6%	NAP
Malta	86,8%	87,2%	85,1%	85,1%	NAP	NAP	NAP	NAP	NAP	95,0%	NAP
Netherlands	98,5%	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	99,2%	NAP
Poland	103,0%	98,2%	103,6%	100,0%	105,9%	106,4%	102,4%	NAP	NAP	98,7%	101,5%
Portugal	NA	102,9%	NA	NA	NAP	NAP	NAP	NAP	NAP	111,7%	NAP
Romania	96,2%	96,3%	91,4%	92,3%	87,2%	94,2%	51,9%	NAP	NAP	96,6%	NAP
Slovak Republic	100,7%	107,8%	97,1%	99,2%	91,9%	NAP	91,6%	97,8%	108,9%	93,0%	104,4%
Slovenia	100,9%	102,5%	100,5%	101,7%	99,9%	99,9%	100,0%	NAP	NAP	98,2%	101,8%
Spain	95,6%	97,9%	93,0%	93,0%	NAP	NAP	NAP	NAP	NAP	96,9%	NAP
Sweden	102,6%	101,6%	100,1%	100,1%	NAP	NAP	NAP	NAP	NAP	103,4%	98,8%
Average	99,0%	100,5%	97,8%	97,9%	95,3%	94,3%	93,2%	98,0%	100,8%	103,7%	97,1%
Median	99,8%	100,5%	99,7%	99,5%	100,0%	100,0%	100,0%	98,0%	101,0%	98,8%	99,3%
Minimum	83,9%	70,9%	85,1%	85,1%	52,4%	48,3%	51,9%	97,8%	93,4%	88,0%	72,3%
Maximum	105,5%	144,9%	105,5%	105,5%	105,9%	106,4%	103,6%	98,2%	108,9%	133,6%	120,4%
% of NA	7%	11%	19%	19%	11%	11%	7%	15%	7%	4%	11%
% of NAP	0%	0%	0%	4%	41%	56%	44%	78%	67%	4%	44%

Ireland: CR and number of resolved cases show lower values because many cases discontinued or settled out of courts are not registered as resolved.

**Table 3.2.1.2: Disposition time for first instance other than criminal cases in in 2022 (Q91)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	62	142	59	85	18	9	34	NAP	NAP	285	44
Belgium	NA	NA	NA	NAP	NA	NAP	NA	NAP	NAP	288	NAP
Bulgaria	99	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	129	NA
Croatia	96	410	47	160	19	21	8	NAP	NAP	143	NAP
Cyprus	761	NA	NA	NA	NA	NA	NA	NA	NA	461	NA
Czech Republic	148	134	95	116	11	NAP	11	NAP	74	225	1338
Denmark	17	268	10	72	2	0	203	NAP	204	NAP	58
Estonia	28	158	20	67	6	6	6	NAP	NAP	166	NAP
Finland	103	327	86	86	NAP	NAP	NAP	NAP	NAP	281	212
France	297	333	280	280	NAP	NAP	NAP	NAP	NAP	314	214
Germany	NA	241	NA	NA	NA	NA	8196	NA	NA	408	NA
Greece	634	746	486	541	569	627	237	NA	262	464	287
Hungary	63	134	31	29	32	NAP	31	133	49	125	434
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	358	540	212	212	NAP	NAP	NAP	NAP	NAP	574	NAP
Latvia	34	209	17	48	7	7	NAP	NAP	NAP	200	NAP
Lithuania	68	116	6	5	NAP	NAP	NAP	NAP	25	79	19
Luxembourg	183	182	93	NAP	NAP	NAP	NAP	NAP	109	528	NAP
Malta	404	491	64	64	NAP	NAP	NAP	NAP	NAP	1081	NAP
Netherlands	82	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	257	NAP
Poland	100	362	73	58	82	87	47	NAP	NAP	163	159
Portugal	NA	238	NA	NA	NAP	NAP	NAP	NAP	NAP	747	NAP
Romania	171	160	250	99	957	548	4710	NAP	NAP	321	NAP
Slovak Republic	81	168	96	82	47	NAP	49	15	235	648	10
Slovenia	54	337	34	90	6	7	3	NAP	NAP	540	42
Spain	282	359	181	181	NAP	NAP	NAP	NAP	NAP	369	NAP
Sweden	123	152	142	142	NAP	NAP	NAP	NAP	NAP	107	176
<b>Average</b>	<b>185</b>	<b>282</b>	<b>114</b>	<b>127</b>	<b>146</b>	<b>146</b>	<b>1 128</b>	<b>74</b>	<b>137</b>	<b>356</b>	<b>250</b>
<b>Median</b>	<b>100</b>	<b>239</b>	<b>80</b>	<b>86</b>	<b>18</b>	<b>9</b>	<b>41</b>	<b>74</b>	<b>109</b>	<b>288</b>	<b>168</b>
<b>Minimum</b>	<b>17</b>	<b>116</b>	<b>6</b>	<b>5</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>15</b>	<b>25</b>	<b>79</b>	<b>10</b>
<b>Maximum</b>	<b>761</b>	<b>746</b>	<b>486</b>	<b>541</b>	<b>957</b>	<b>627</b>	<b>8 196</b>	<b>133</b>	<b>262</b>	<b>1 081</b>	<b>1 338</b>
<b>% of NA</b>	<b>15%</b>	<b>19%</b>	<b>26%</b>	<b>22%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>11%</b>	<b>7%</b>	<b>4%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>7%</b>	<b>44%</b>	<b>59%</b>	<b>48%</b>	<b>81%</b>	<b>67%</b>	<b>4%</b>	<b>44%</b>

**Table 3.2.2.1: Evolution of the Clearance rate of first instance total of other than criminal cases 2012 - 2022 (Q091)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	100%	101%	NA	100%	100%	101%	100%	100%	100%	100%	100%
Belgium	NA	NA	NA	NA	102%	NA	108%	101%	98%	105%	102%
Bulgaria	99%	101%	102%	99%	99%	97%	98%	99%	101%	101%	100%
Croatia	102%	102%	103%	102%	102%	102%	105%	93%	104%	97%	104%
Cyprus	87%	NA	88%	90%	106%	113%	125%	98%	88%	81%	101%
Czech Republic	114%	97%	97%	102%	105%	101%	102%	101%	98%	103%	102%
Denmark	101%	100%	100%	100%	100%	100%	100%	101%	101%	100%	100%
Estonia	111%	NA	98%	140%	98%	104%	101%	100%	101%	99%	100%
Finland	95%	100%	102%	99%	98%	96%	106%	95%	105%	102%	99%
France	100%	98%	95%	98%	98%	104%	96%	99%	94%	105%	97%
Germany	NA	NA	NA								
Greece	65%	NA	91%	101%							
Hungary	104%	98%	103%	101%	102%	99%	106%	101%	98%	104%	100%
Ireland	NA	NA	73%	77%	76%	82%	79%	75%	56%	75%	84%
Italy	108%	107%	109%	112%	105%	103%	103%	103%	103%	107%	106%
Latvia	112%	106%	100%	101%	101%	101%	100%	100%	99%	100%	99%
Lithuania	101%	97%	99%	100%	102%	102%	101%	101%	97%	101%	99%
Luxembourg	NA	NA	NA	NA	102%	99%	96%	93%	95%	99%	98%
Malta	108%	104%	102%	111%	107%	96%	97%	91%	91%	89%	87%
Netherlands	99%	99%	99%	101%	100%	100%	101%	100%	98%	103%	98%
Poland	101%	-	102%	-	93%	101%	99%	90%	104%	102%	103%
Portugal	96%	NA	NA	NA							
Romania	96%	110%	111%	106%	101%	99%	104%	100%	97%	102%	96%
Slovak Republic	91%	91%	102%	105%	106%	109%	111%	91%	113%	100%	101%
Slovenia	106%	102%	104%	107%	106%	104%	102%	102%	99%	102%	101%
Spain	NA	-	101%	-	105%	94%	92%	94%	90%	102%	96%
Sweden	102%	101%	103%	103%	96%	93%	97%	100%	102%	103%	103%
<b>Average</b>	100%	101%	100%	103%	100%	100%	101%	97%	97%	99%	99%
<b>Median</b>	101%	101%	102%	101%	101%	101%	101%	100%	99%	101%	100%
<b>Minimum</b>	65%	91%	73%	77%	76%	82%	79%	75%	56%	75%	84%
<b>Maximum</b>	114%	110%	111%	140%	107%	113%	125%	103%	113%	107%	106%
<b>% of NA</b>	<b>19%</b>	<b>30%</b>	<b>22%</b>	<b>19%</b>	<b>11%</b>	<b>15%</b>	<b>11%</b>	<b>11%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>								

Ireland: CR and number of resolved cases show lower values because many cases discontinued or settled out of courts are not registered as resolved.

**Table 3.2.2.2: Evolution of the Disposition time of first instance total of other than criminal cases 2012 - 2022 (Q091)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	54	53	NA	53	57	59	57	59	63	61	62
Belgium	NA										
Bulgaria	74	78	78	78	84	83	91	93	107	91	99
Croatia	133	129	134	132	117	114	102	130	120	120	96
Cyprus	534	NA	903	839	862	1118	737	882	1087	947	761
Czech Republic	116	76	157	164	155	163	162	158	170	159	148
Denmark	17	18	19	17	21	22	24	19	17	17	17
Estonia	44	NA	33	39	40	24	30	32	25	27	28
Finland	101	97	103	111	113	118	86	105	97	88	103
France	275	274	304	304	312	300	381	388	554	440	297
Germany	NA										
Greece	677	NA	664	634							
Hungary	NA	NA	63	59	57	63	63	69	80	65	63
Ireland	NA										
Italy	391	369	377	393	387	399	373	367	471	381	358
Latvia	186	167	179	38	33	29	28	25	28	30	34
Lithuania	44	53	54	50	41	44	53	52	68	65	68
Luxembourg	NA	158	158	183							
Malta	707	789	558	447	446	331	322	344	414	350	404
Netherlands	84	91	91	87	83	83	80	80	91	76	82
Poland	50	-	55	-	85	73	82	111	110	107	100
Portugal	860	NA									
Romania	161	128	148	154	154	161	154	152	186	160	171
Slovak Republic	218	235	231	240	98	107	111	135	87	83	81
Slovenia	113	111	102	82	72	65	61	56	69	54	54
Spain	NA	-	242	-	227	258	276	274	349	265	282
Sweden	149	146	133	126	133	151	152	138	123	117	123
<b>Average</b>	237	176	198	179	170	179	163	175	203	197	185
<b>Median</b>	133	119	133	111	98	107	91	111	109	107	100
<b>Minimum</b>	17	18	19	17	21	22	24	19	17	17	17
<b>Maximum</b>	860	789	903	839	862	1118	737	882	1087	947	761
<b>% of NA</b>	<b>22%</b>	<b>33%</b>	<b>26%</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>	<b>19%</b>	<b>15%</b>	<b>15%</b>
<b>% of NAP</b>	<b>0%</b>										

**Table 3.2.3.1: Evolution of the Clearance rate of first instance civil and commercial litigious cases 2012 - 2022 (Q091)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	101%	101%	103%	102%	102%	99%	101%	100%	100%	104%	101%
Belgium	NA	NA	98%	99%	102%	112%	112%	101%	99%	106%	102%
Bulgaria	NA										
Croatia	95%	101%	113%	107%	118%	109%	112%	87%	85%	81%	145%
Cyprus	NA	78%	NA								
Czech Republic	99%	90%	105%	107%	110%	101%	102%	101%	98%	103%	102%
Denmark	109%	107%	102%	102%	101%	102%	95%	92%	111%	98%	93%
Estonia	112%	108%	104%	102%	98%	99%	101%	94%	100%	100%	99%
Finland	103%	106%	105%	94%	125%	111%	102%	100%	94%	100%	100%
France	99%	98%	94%	98%	99%	103%	96%	100%	93%	107%	103%
Germany	100%	99%	100%	102%	103%	101%	97%	99%	98%	105%	104%
Greece	58%	80%	113%	102%	99%	96%	86%	86%	NA	82%	93%
Hungary	105%	98%	104%	99%	98%	96%	116%	104%	100%	106%	104%
Ireland	NA	NA	56%	63%	59%	73%	63%	63%	51%	72%	71%
Italy	131%	118%	119%	120%	113%	106%	103%	104%	104%	109%	104%
Latvia	118%	109%	98%	109%	107%	119%	103%	102%	96%	103%	99%
Lithuania	101%	99%	97%	102%	98%	102%	104%	101%	94%	101%	99%
Luxembourg	173%	182%	97%	105%	100%	96%	93%	88%	93%	99%	98%
Malta	114%	110%	101%	107%	107%	97%	93%	92%	91%	78%	87%
Netherlands	NA	NA	99%	100%	101%	99%	101%	100%	100%	NA	NA
Poland	89%	-	99%	-	99%	94%	92%	99%	105%	103%	98%
Portugal	98%	103%	NA	116%	112%	113%	109%	105%	98%	102%	103%
Romania	99%	112%	109%	105%	102%	99%	103%	100%	100%	102%	96%
Slovak Republic	82%	81%	92%	133%	132%	129%	131%	110%	100%	104%	108%
Slovenia	101%	102%	109%	105%	106%	108%	110%	109%	101%	107%	102%
Spain	100%	-	98%	-	103%	88%	87%	94%	86%	102%	98%
Sweden	99%	101%	104%	104%	99%	100%	97%	97%	103%	103%	102%
<b>Average</b>	104%	104%	101%	104%	104%	102%	100%	97%	96%	99%	100%
<b>Median</b>	100%	101%	102%	102%	102%	101%	101%	100%	98%	103%	101%
<b>Minimum</b>	58%	78%	56%	63%	59%	73%	63%	63%	51%	72%	71%
<b>Maximum</b>	173%	182%	119%	133%	132%	129%	131%	110%	111%	109%	145%
<b>% of NA</b>	19%	15%	11%	7%	7%	7%	7%	7%	11%	11%	11%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Ireland: CR and number of resolved cases show lower values because many cases discontinued or settled out of courts are not registered as resolved.

**Table 3.2.3.2: Evolution of the Disposition time of first instance civil and commercial litigious cases 2012 - 2022 (Q091)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	135	135	130	131	133	141	138	137	156	135	142
Belgium	NA	NA	NA	87	NA						
Bulgaria	NA										
Croatia	457	386	380	391	364	387	374	488	655	559	410
Cyprus	NA	638	NA								
Czech Republic	174	187	163	159	153	157	149	140	165	141	134
Denmark	165	164	177	174	176	172	207	222	190	238	268
Estonia	167	130	125	136	139	140	143	147	135	146	158
Finland	325	288	289	332	252	258	273	280	300	305	327
France	311	308	348	346	353	341	420	432	637	495	333
Germany	183	192	198	190	196	204	220	217	237	231	241
Greece	469	407	330	378	610	479	559	637	NA	728	746
Hungary	97	169	144	159	159	181	151	152	165	145	134
Ireland	NA										
Italy	590	608	532	527	514	548	527	532	674	560	540
Latvia	241	247	255	238	217	208	236	213	239	216	209
Lithuania	88	94	97	96	88	85	84	87	117	106	116
Luxembourg	73	53	103	86	91	108	123	139	161	154	182
Malta	685	750	536	445	432	435	440	465	550	529	491
Netherlands	NA	NA	132	115	121	124	110	110	127	NA	NA
Poland	195	-	203	-	225	232	273	270	317	330	362
Portugal	369	386	NA	315	289	250	229	200	280	253	238
Romania	193	187	146	154	153	167	157	152	168	150	160
Slovak Republic	437	505	524	401	130	171	157	170	204	206	168
Slovenia	318	301	270	277	280	292	283	281	350	309	337
Spain	264	-	318	-	282	329	362	353	468	344	359
Sweden	179	171	157	152	164	159	166	167	161	148	152
<b>Average</b>	278	300	253	240	240	242	251	261	294	292	282
<b>Median</b>	218	247	201	182	196	204	220	213	221	234	239
<b>Minimum</b>	73	53	97	86	88	85	84	87	117	106	116
<b>Maximum</b>	685	750	536	527	610	548	559	637	674	728	746
<b>% of NA</b>	<b>19%</b>	<b>15%</b>	<b>19%</b>	<b>11%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>19%</b>	<b>19%</b>	<b>19%</b>
<b>% of NAP</b>	<b>0%</b>										

**Table 3.2.4.1: Evolution of the Clearance rate of first instance administrative cases 2012 - 2022 (Q091)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	NAP	NAP	91%	80%	90%	111%	126%	125%	112%
Belgium	NA	NA	88%	117%	121%	101%	119%	112%	108%	131%	97%
Bulgaria	92%	109%	101%	99%	104%	95%	100%	99%	100%	100%	101%
Croatia	41%	64%	86%	93%	109%	126%	116%	109%	107%	102%	107%
Cyprus	74%	58%	103%	120%	113%	74%	219%	170%	84%	46%	88%
Czech Republic	NAP	NAP	91%	92%	80%	92%	88%	107%	113%	119%	126%
Denmark	NAP	NA	NAP	NAP	NAP						
Estonia	106%	91%	90%	105%	106%	99%	100%	94%	92%	90%	99%
Finland	101%	95%	97%	102%	79%	107%	112%	100%	99%	102%	104%
France	107%	104%	96%	98%	99%	102%	98%	97%	95%	97%	96%
Germany	102%	100%	100%	103%	92%	84%	97%	109%	110%	110%	114%
Greece	143%	153%	NA	183%	148%	166%	164%	NA	163%	130%	127%
Hungary	108%	104%	92%	105%	100%	102%	102%	103%	89%	108%	98%
Ireland	NAP	NA	NA	NA							
Italy	280%	190%	156%	142%	153%	156%	136%	131%	136%	125%	134%
Latvia	130%	163%	144%	106%	95%	100%	105%	105%	107%	93%	107%
Lithuania	98%	65%	89%	100%	144%	113%	88%	105%	97%	98%	98%
Luxembourg	70%	94%	94%	91%	98%	94%	86%	75%	87%	92%	92%
Malta	40%	40%	149%	411%	114%	147%	91%	121%	106%	70%	95%
Netherlands	98%	100%	99%	103%	95%	105%	95%	94%	86%	108%	99%
Poland	100%	-	97%	-	103%	107%	105%	99%	95%	93%	99%
Portugal	NA	NA	NA	80%	112%	105%	111%	106%	126%	107%	112%
Romania	78%	130%	161%	133%	92%	102%	118%	100%	48%	105%	97%
Slovak Republic	47%	85%	125%	124%	112%	118%	96%	81%	87%	80%	93%
Slovenia	110%	102%	103%	101%	87%	67%	91%	89%	107%	95%	98%
Spain	124%	-	113%	-	112%	104%	100%	92%	99%	99%	97%
Sweden	105%	101%	103%	104%	94%	90%	97%	102%	102%	103%	103%
<b>Average</b>	103%	103%	108%	123%	106%	105%	109%	105%	103%	101%	104%
<b>Median</b>	101%	100%	100%	103%	103%	102%	100%	102%	100%	102%	99%
<b>Minimum</b>	40%	40%	86%	80%	79%	67%	86%	75%	48%	46%	88%
<b>Maximum</b>	280%	190%	161%	411%	153%	166%	219%	170%	163%	131%	134%
<b>% of NA</b>	7%	7%	7%	0%	0%	0%	0%	7%	4%	4%	4%
<b>% of NAP</b>	15%	15%	11%	11%	7%	7%	7%	4%	4%	4%	4%

**Table 3.2.4.2: Evolution of the Disposition time of first instance administrative cases 2012 - 2022 (Q091)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	NAP	NAP	380	446	449	440	388	312	285
Belgium	NA	NA	625	444	429	497	370	418	399	235	288
Bulgaria	150	110	124	122	108	116	112	107	124	125	129
Croatia	523	493	426	413	319	258	197	187	179	166	143
Cyprus	1270	775	1775	1391	1582	2162	487	495	863	844	461
Czech Republic	NAP	NAP	415	437	421	408	412	356	317	265	225
Denmark	NAP	NA	NAP	NAP	NAP						
Estonia	108	139	141	117	108	108	119	136	142	162	166
Finland	248	277	280	271	279	255	235	254	274	296	281
France	302	284	305	313	314	290	285	284	333	299	314
Germany	354	357	367	349	375	421	435	397	426	422	408
Greece	1520	1148	NA	964	1086	735	601	NA	551	595	464
Hungary	147	115	148	110	109	116	109	103	110	103	125
Ireland	NAP	NA	NA	NA							
Italy	886	1043	984	1008	925	887	889	821	862	756	574
Latvia	300	203	155	200	228	249	248	225	220	256	200
Lithuania	144	290	310	236	72	76	129	96	112	106	79
Luxembourg	NA	513	524	528							
Malta	1457	2036	1408	495	1464	1147	1057	839	924	1356	1081
Netherlands	163	164	171	168	178	165	200	215	304	265	257
Poland	112	-	139	-	143	121	118	123	150	151	163
Portugal	NA	NA	NA	989	911	988	928	846	847	792	747
Romania	272	106	179	170	170	114	117	138	690	293	321
Slovak Republic	733	746	397	374	203	317	401	518	585	679	648
Slovenia	130	126	112	122	282	448	406	516	443	546	540
Spain	427	-	361	-	312	322	331	338	406	352	369
Sweden	126	126	114	105	115	147	146	125	107	102	107
<b>Average</b>	469	474	426	419	438	450	366	347	411	400	356
<b>Median</b>	286	281	305	313	297	303	308	284	388	296	288
<b>Minimum</b>	108	106	112	105	72	76	109	96	107	102	79
<b>Maximum</b>	1520	2036	1775	1391	1582	2162	1057	846	924	1356	1081
<b>% of NA</b>	11%	11%	11%	4%	4%	4%	4%	11%	4%	4%	4%
<b>% of NAP</b>	15%	15%	11%	11%	7%	7%	7%	4%	4%	4%	4%

# **Variations of first instance other than criminal cases by case categories**

**Table 3.3.1: First instance courts, variation of other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percentage (Q91)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	-9,1%	-30,2%	NAP	1,7%	-2,7%	8,3%
Belgium	NA	-12,2%	NA	0,5%	-1,4%	13,8%
Bulgaria	-17,7%	NA	-1,8%	-7,4%	NA	-2,4%
Croatia	-7,7%	-46,7%	5,9%	-2,1%	-40,1%	-5,1%
Cyprus	-23,5%	NA	452,1%	-0,6%	NA	7,1%
Czech Republic	-11,0%	-13,7%	NAP	3,4%	0,7%	-17,2%
Denmark	9,7%	1,7%	NAP	6,5%	7,9%	NAP
Estonia	20,5%	2,5%	-3,0%	-1,2%	-4,5%	-11,2%
Finland	-12,6%	-22,0%	-23,1%	-6,4%	-7,1%	-2,7%
France	11,4%	-20,3%	35,1%	62,1%	18,5%	-0,1%
Germany	NA	-36,3%	-28,3%	NA	-7,6%	-9,9%
Greece	-69,8%	-78,3%	-18,4%	-17,4%	-24,2%	12,2%
Hungary	-42,1%	-72,3%	55,2%	5,7%	-1,5%	-5,0%
Ireland	NA	-42,9%	NA	32,6%	-4,1%	NA
Italy	-23,3%	-15,8%	0,4%	1,8%	4,5%	7,2%
Latvia	409,9%	-32,0%	-53,0%	8,0%	5,3%	-1,6%
Lithuania	-34,2%	-18,3%	189,6%	0,4%	-3,9%	44,3%
Luxembourg	NA	44,3%	-28,7%	-8,4%	-11,5%	6,9%
Malta	203,0%	151,3%	-59,2%	2,7%	7,6%	-6,6%
Netherlands	-13,5%	NA	-19,3%	0,6%	NA	6,6%
Poland	0,7%	-16,9%	7,7%	-3,6%	-2,2%	-9,9%
Portugal	NA	-28,8%	NA	NA	0,7%	-4,7%
Romania	-21,3%	20,8%	-63,7%	8,9%	9,4%	3,4%
Slovak Republic	22,5%	-38,3%	-72,6%	-1,0%	2,6%	-5,9%
Slovenia	-37,6%	-53,3%	-44,9%	-3,6%	-7,1%	-1,2%
Spain	NA	-22,1%	-6,7%	6,1%	1,6%	-0,4%
Sweden	21,6%	-7,0%	46,9%	-10,8%	-5,4%	-14,4%
<b>Average</b>	17,9%	-16,1%	17,6%	3,1%	-2,7%	0,5%
<b>Median</b>	-11,0%	-21,1%	-6,7%	0,5%	-1,8%	-1,6%
<b>Minimum</b>	-69,8%	-78,3%	-72,6%	-17,4%	-40,1%	-17,2%
<b>Maximum</b>	409,9%	151,3%	452,1%	62,1%	18,5%	44,3%
<b>% of NA</b>	22%	11%	11%	7%	11%	4%
<b>% of NAP</b>	0%	0%	11%	0%	0%	4%

**Table 3.3.2: First instance courts, variation of resolved other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percentage (Q91)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	-9,1%	-30,2%	NAP	1,6%	-5,6%	-3,4%
Belgium	NA	NA	NA	-2,4%	-4,5%	-15,8%
Bulgaria	-16,7%	NA	7,5%	-8,5%	NA	-1,7%
Croatia	-5,5%	-18,8%	175,3%	4,9%	7,9%	-0,4%
Cyprus	-10,9%	NA	556,5%	23,9%	NA	105,3%
Czech Republic	-20,2%	-10,7%	NAP	2,7%	-0,6%	-12,1%
Denmark	8,4%	-13,5%	NAP	5,9%	2,4%	NAP
Estonia	7,8%	-10,1%	-9,2%	-0,4%	-5,8%	-2,1%
Finland	-9,1%	-24,1%	-20,7%	-9,8%	-7,0%	-0,3%
France	7,6%	-17,6%	22,0%	48,9%	13,4%	-0,4%
Germany	NA	-34,3%	-19,7%	NA	-8,9%	-6,7%
Greece	-53,5%	-65,0%	-27,6%	-8,8%	-14,5%	9,9%
Hungary	-44,3%	-72,5%	41,4%	2,1%	-2,7%	-13,4%
Ireland	NA	NA	NA	47,5%	-5,1%	NA
Italy	-25,3%	-33,0%	-52,0%	0,6%	0,1%	15,0%
Latvia	350,8%	-42,7%	-61,4%	7,1%	1,8%	13,9%
Lithuania	-35,0%	-19,5%	190,7%	-1,4%	-6,0%	44,9%
Luxembourg	NA	-18,0%	-6,5%	-9,5%	-12,2%	6,0%
Malta	143,2%	92,5%	-3,6%	0,0%	20,2%	27,6%
Netherlands	-13,8%	-22,1%	-18,0%	-4,3%	-4,5%	-2,3%
Poland	3,2%	-7,8%	6,7%	-2,4%	-7,0%	-4,1%
Portugal	NA	-25,0%	NA	NA	1,5%	-0,3%
Romania	-20,9%	17,5%	-55,0%	2,2%	2,8%	-5,0%
Slovak Republic	35,7%	-18,5%	-46,0%	-0,6%	6,2%	9,4%
Slovenia	-40,4%	-52,9%	-50,8%	-4,7%	-11,3%	2,5%
Spain	NA	-23,4%	-26,9%	-0,2%	-2,8%	-2,1%
Sweden	22,6%	-4,4%	45,0%	-11,5%	-6,3%	-14,3%
<b>Average</b>	13,1%	-19,7%	30,8%	3,3%	-1,9%	6,0%
<b>Median</b>	-9,1%	-19,5%	-9,2%	-0,2%	-4,5%	-0,4%
<b>Minimum</b>	-53,5%	-72,5%	-61,4%	-11,5%	-14,5%	-15,8%
<b>Maximum</b>	350,8%	92,5%	556,5%	48,9%	20,2%	105,3%
<b>% of NA</b>	<b>22%</b>	<b>15%</b>	<b>11%</b>	<b>7%</b>	<b>7%</b>	<b>4%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>11%</b>	<b>0%</b>	<b>0%</b>	<b>4%</b>

**Table 3.3.3: First instance courts, variation of pending 31 Dec. other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percentage (Q91)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	3,6%	-27,0%	NAP	3,1%	-1,4%	-11,9%
Belgium	NA	NA	NA	NA	NA	3,1%
Bulgaria	11,2%	NA	-8,0%	-0,6%	NA	1,1%
Croatia	-31,7%	-27,2%	-24,7%	-15,7%	-20,9%	-14,0%
Cyprus	27,0%	NA	138,1%	-0,5%	NA	12,1%
Czech Republic	1,5%	-31,2%	NAP	-4,6%	-5,5%	-25,2%
Denmark	13,0%	40,2%	NAP	5,4%	15,5%	NAP
Estonia	-30,3%	-14,9%	39,7%	2,9%	2,2%	0,2%
Finland	-7,0%	-23,7%	-10,1%	5,7%	-0,2%	-5,2%
France	16,0%	-11,9%	27,1%	0,3%	-23,8%	4,7%
Germany	NA	-13,6%	-7,5%	NA	-5,0%	-9,8%
Greece	-56,5%	-44,4%	-77,9%	-12,9%	-12,4%	-14,3%
Hungary	NA	-61,8%	20,5%	-1,2%	-10,0%	5,2%
Ireland	NA	NA	NA	NA	NA	NA
Italy	-31,5%	-38,7%	-69,0%	-5,4%	-3,5%	-12,8%
Latvia	-18,3%	-50,3%	-74,2%	20,7%	-1,6%	-10,8%
Lithuania	1,3%	6,5%	59,2%	4,1%	3,0%	7,8%
Luxembourg	NA	103,5%	NA	4,4%	3,7%	6,8%
Malta	38,9%	38,0%	-28,5%	15,2%	11,6%	1,8%
Netherlands	-16,0%	NA	29,7%	3,3%	NA	-5,1%
Poland	107,2%	70,9%	54,9%	-9,1%	2,0%	3,8%
Portugal	NA	-51,6%	NA	NA	-4,4%	-5,9%
Romania	-16,0%	-2,6%	-46,9%	9,2%	9,7%	4,1%
Slovak Republic	-49,6%	-68,7%	-52,3%	-3,1%	-13,6%	4,4%
Slovenia	-71,6%	-50,1%	103,8%	-5,7%	-3,3%	1,2%
Spain	NA	4,1%	-36,8%	6,2%	1,5%	2,8%
Sweden	1,4%	-18,7%	22,7%	-6,9%	-3,6%	-10,1%
<b>Average</b>	-5,4%	-12,4%	3,0%	0,6%	-2,7%	-2,6%
<b>Median</b>	-2,8%	-21,2%	-7,7%	0,3%	-2,5%	1,1%
<b>Minimum</b>	-71,6%	-68,7%	-77,9%	-15,7%	-23,8%	-25,2%
<b>Maximum</b>	107,2%	103,5%	138,1%	20,7%	15,5%	12,1%
<b>% of NA</b>	<b>26%</b>	<b>19%</b>	<b>15%</b>	<b>15%</b>	<b>19%</b>	<b>4%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>11%</b>	<b>0%</b>	<b>0%</b>	<b>4%</b>

**Table 3.3.4: First instance courts, variation of Clearance rate of other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percent points (Q91)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	0,00	-0,04	NAP	-0,16	-3,12	-13,47
Belgium	NA	NA	NA	-3,00	-3,36	-34,08
Bulgaria	1,26	NA	8,68	-1,12	NA	0,72
Croatia	2,38	49,90	65,70	7,03	64,39	5,03
Cyprus	14,36	NA	14,00	20,08	NA	42,11
Czech Republic	-11,72	3,34	NAP	-0,64	-1,31	7,39
Denmark	-1,25	-16,34	NAP	-0,52	-4,99	NAP
Estonia	-11,73	-13,83	-6,76	0,72	-1,40	9,16
Finland	3,77	-2,75	3,21	-3,78	0,14	2,46
France	-3,43	3,29	-10,33	-8,57	-4,69	-0,30
Germany	NA	3,22	12,15	NA	-1,50	3,98
Greece	35,16	35,28	-16,20	9,43	10,60	-2,70
Hungary	-3,98	-0,83	-9,63	-3,48	-1,30	-9,49
Ireland	NA	NA	NA	8,46	-0,73	NA
Italy	-2,85	-26,83	-146,16	-1,30	-4,66	9,02
Latvia	-13,04	-18,47	-23,33	-0,83	-3,42	14,60
Lithuania	-1,25	-1,42	0,37	-1,81	-2,15	0,44
Luxembourg	NA	-74,60	21,79	-1,15	-0,76	-0,72
Malta	-21,35	-26,62	54,86	-2,41	9,14	25,50
Netherlands	-0,35	NA	1,61	-5,02	NA	-8,97
Poland	2,47	9,68	-0,91	1,31	-5,09	5,91
Portugal	NA	5,21	NA	NA	0,75	4,92
Romania	0,50	-2,72	18,55	-6,26	-6,15	-8,55
Slovak Republic	9,80	26,25	45,88	0,38	3,64	12,99
Slovenia	-4,73	0,99	-11,82	-1,19	-4,77	3,54
Spain	NA	-1,70	-26,86	-6,03	-4,42	-1,67
Sweden	0,87	2,80	-1,37	-0,85	-1,06	0,05
<b>Average</b>	-0,24	-2,10	-0,31	-0,03	1,41	2,71
<b>Median</b>	-0,35	-0,44	0,37	-1,12	-1,45	2,46
<b>Minimum</b>	-21,35	-74,60	-146,16	-8,57	-6,15	-34,08
<b>Maximum</b>	35,16	49,90	65,70	20,08	64,39	42,11
<b>% of NA</b>	<b>22%</b>	<b>19%</b>	<b>11%</b>	<b>7%</b>	<b>11%</b>	<b>4%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>11%</b>	<b>0%</b>	<b>0%</b>	<b>4%</b>

**Table 3.3.5: First instance courts, variation of Disposition time of other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percentage (Q91)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	14,0%	4,6%	NAP	1,5%	4,5%	-8,8%
Belgium	NA	NA	NA	NA	NA	22,5%
Bulgaria	33,4%	NA	-14,4%	8,6%	NA	2,9%
Croatia	-27,7%	-10,4%	-72,7%	-19,7%	-26,7%	-13,7%
Cyprus	42,5%	NA	-63,7%	-19,7%	NA	-45,4%
Czech Republic	27,1%	-23,0%	NAP	-7,1%	-4,9%	-15,0%
Denmark	4,3%	62,1%	NAP	-0,5%	12,8%	NAP
Estonia	-35,3%	-5,3%	53,8%	3,4%	8,5%	2,4%
Finland	2,4%	0,6%	13,3%	17,2%	7,3%	-4,9%
France	7,8%	6,9%	4,1%	-32,6%	-32,7%	5,1%
Germany	NA	31,5%	15,2%	NA	4,3%	-3,3%
Greece	-6,4%	59,1%	-69,5%	-4,5%	2,5%	-22,0%
Hungary	NA	39,1%	-14,8%	-3,3%	-7,4%	21,4%
Ireland	NA	NA	NA	NA	NA	NA
Italy	-8,3%	-8,5%	-35,3%	-6,0%	-3,6%	-24,2%
Latvia	-81,9%	-13,3%	-33,2%	12,7%	-3,4%	-21,7%
Lithuania	55,9%	32,3%	-45,2%	5,6%	9,5%	-25,6%
Luxembourg	NA	148,2%	NA	15,3%	18,1%	0,7%
Malta	-42,9%	-28,3%	-25,8%	15,3%	-7,2%	-20,2%
Netherlands	-2,6%	NA	58,1%	7,9%	NA	-2,9%
Poland	100,8%	85,4%	45,1%	-7,0%	9,6%	8,3%
Portugal	NA	-35,5%	NA	NA	-5,8%	-5,6%
Romania	6,1%	-17,1%	18,1%	6,8%	6,7%	9,6%
Slovak Republic	-62,8%	-61,6%	-11,7%	-2,6%	-18,7%	-4,6%
Slovenia	-52,3%	5,9%	314,2%	-1,0%	9,0%	-1,2%
Spain	NA	36,0%	-13,4%	6,4%	4,4%	4,9%
Sweden	-17,3%	-14,9%	-15,4%	5,2%	2,9%	4,9%
<b>Average</b>	-2,2%	13,4%	5,3%	0,1%	-0,5%	-5,5%
<b>Median</b>	-0,1%	2,6%	-13,9%	1,5%	3,6%	-3,3%
<b>Minimum</b>	-81,9%	-61,6%	-72,7%	-32,6%	-32,7%	-45,4%
<b>Maximum</b>	100,8%	148,2%	314,2%	17,2%	18,1%	22,5%
<b>% of NA</b>	<b>26%</b>	<b>19%</b>	<b>15%</b>	<b>15%</b>	<b>19%</b>	<b>4%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>11%</b>	<b>0%</b>	<b>0%</b>	<b>4%</b>

**Second instance other than criminal cases by case categories and by case status**

**Table 3.4.1.1a: Second instance other than criminal cases - pending cases on 1st Jan. in 2022**

**Absolute values (Q97)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	5 205	3 575	1 630	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	19 082	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	2 230	NAP
Croatia	27 434	NA	NA	NA	565	556	9	NAP	NA	2 111	NAP
Cyprus	4 899	3 722	NA	NA	NA	NA	NA	NA	NA	1 167	NA
Czech Republic	9 645	8 849	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	796
Denmark	2 410	2 410	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	1 516	775	283	283	NAP	NAP	NAP	NAP	NAP	458	NAP
Finland	1 346	1 202	144	144	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	285 452	245 214	1 699	1 699	NAP	NAP	NAP	NAP	NAP	30 514	7 647
Germany	NA	98 940	NA	NA	NA	NA	NA	NA	NA	54 278	20 172
Greece	46 263	11 032	224	152	23	23	NAP	NAP	49	34 970	37
Hungary	6 352	3 207	2 798	2 685	81	NAP	66	15	32	5	342
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	272 703	267 397	5 306	5 306	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	1 670	1 102	22	10	12	12	NAP	NAP	NAP	546	NAP
Lithuania	5 068	1 993	NA	NA	NAP	NAP	NAP	NAP	NA	2 898	177
Luxembourg	NA	1 617	NA	NA	NAP	NAP	NAP	NAP	NA	182	NA
Malta	1 576	1 576	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NA	NAP
Poland	134 819	64 343	4 968	4 808	160	NAP	160	NAP	NAP	37 314	28 194
Portugal	14 242	4 335	NAP	NAP	NAP	NAP	NAP	NAP	NAP	9 907	NAP
Romania	85 675	84 489	1 186	355	831	831	NAP	NAP	NAP	NAP	NAP
Slovak Republic	11 803	7 187	2 510	2 510	NA	NAP	NA	NAP	NAP	2 106	NAP
Slovenia	1 454	1 029	425	399	26	23	3	NAP	NAP	NAP	NAP
Spain	171 921	134 329	NA	NA	NA	NA	NA	NA	NA	37 592	NAP
Sweden	13 219	969	NAP	NAP	NAP	NAP	NAP	NAP	NAP	9 548	2 702
Average	51 080	43 150	1 766	1 668	243	289	60	15	41	14 114	7 508
Median	10 724	3 649	1 408	399	81	23	38	15	41	2 564	1 749
Minimum	1 346	775	22	10	12	12	3	15	32	5	37
Maximum	285 452	267 397	5 306	5 306	831	831	160	15	49	54 278	28 194
% of NA	19%	19%	30%	33%	19%	15%	19%	15%	26%	11%	11%
% of NAP	0%	0%	26%	26%	56%	67%	67%	81%	67%	30%	59%

**Cyprus, Malta** have a two tier system therefore the Supreme Court is the second, highest and final instance court.

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Malta:** In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**Poland:** The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.1.1b: Second instance other than criminal cases - pending cases on 1st Jan. in 2022**

Per 100 inhabitants (Q1, Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	0,06	0,04	0,02	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	0,30	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,03	NAP
Croatia	0,71	NA	NA	NA	0,01	0,01	0,00	NAP	NA	0,05	NAP
Cyprus	0,53	0,40	NA	NA	NA	NA	NA	NA	NA	0,13	NA
Czech Republic	0,09	0,08	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,01
Denmark	0,04	0,04	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	0,11	0,06	0,02	0,02	NAP	NAP	NAP	NAP	NAP	0,03	NAP
Finland	0,02	0,02	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	0,42	0,36	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,04	0,01
Germany	NA	0,12	NA	NA	NA	NA	NA	NA	NA	0,06	0,02
Greece	0,43	0,10	0,00	0,00	0,00	0,00	NAP	NAP	0,00	0,33	0,00
Hungary	0,07	0,03	0,03	0,03	0,00	NAP	0,00	0,00	0,00	0,00	0,00
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	0,46	0,45	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	0,09	0,06	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,03	NAP
Lithuania	0,18	0,07	NA	NA	NAP	NAP	NAP	NAP	NA	0,10	0,01
Luxembourg	NA	0,24	NA	NA	NAP	NAP	NAP	NAP	NA	0,03	NA
Malta	0,30	0,30	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NA	NAP
Poland	0,36	0,17	0,01	0,01	0,00	NAP	0,00	NAP	NAP	0,10	0,07
Portugal	0,14	0,04	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,09	NAP
Romania	0,45	0,44	0,01	0,00	0,00	0,00	NAP	NAP	NAP	NAP	NAP
Slovak Republic	0,22	0,13	0,05	0,05	NA	NAP	NA	NAP	NAP	0,04	NAP
Slovenia	0,07	0,05	0,02	0,02	0,00	0,00	0,00	NAP	NAP	NAP	NAP
Spain	0,36	0,28	NA	NA	NA	NA	NA	NA	NA	0,08	NAP
Sweden	0,13	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,09	0,03
Average	0,25	0,16	0,01	0,01	0,00	0,00	0,00	0,00	0,00	0,08	0,02
Median	0,20	0,09	0,01	0,01	0,00	0,00	0,00	0,00	0,00	0,06	0,01
Minimum	0,02	0,01	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Maximum	0,71	0,45	0,05	0,05	0,01	0,01	0,00	0,00	0,00	0,33	0,07
% of NA	19%	19%	30%	33%	19%	15%	19%	15%	26%	11%	11%
% of NAP	0%	0%	26%	26%	56%	67%	67%	81%	67%	30%	59%

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

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Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Table 3.4.1.2a: Second instance other than criminal cases - incoming in 2022**

Absolute values (Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	23 899	14 183	9 716	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	22 025	22 025	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	50 579	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	12 225	NAP
Croatia	56 431	NA	NA	NA	1 789	1 650	139	NAP	NA	5 562	NAP
Cyprus	1 185	930	NA	NA	NA	NA	NA	NA	NA	255	NA
Czech Republic	51 837	48 043	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 794
Denmark	4 622	4 622	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	4 157	1 750	1 042	1 042	NAP	NAP	NAP	NAP	NAP	1 365	NAP
Finland	2 411	1 916	495	495	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	226 490	164 891	1 693	1 693	NAP	NAP	NAP	NAP	NAP	30 446	29 677
Germany	NA	103 840	NA	NA	NA	NA	NA	NA	NA	36 171	35 025
Greece	33 565	15 637	512	396	81	81	NAP	NAP	35	17 305	111
Hungary	30 541	10 026	18 835	18 054	537	NAP	425	112	244	4	1 676
Ireland	1 337	1 337	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	101 420	93 851	7 569	7 569	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	4 439	3 385	123	37	86	86	NAP	NAP	NAP	931	NAP
Lithuania	15 101	9 200	NA	NA	NAP	NAP	NAP	NAP	NA	4 695	1 206
Luxembourg	NA	1 182	NA	NA	NAP	NAP	NAP	NAP	NA	270	NA
Malta	1 128	1 128	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	23 897	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	13 271	NAP
Poland	201 896	132 176	14 974	14 656	318	NAP	318	NAP	NAP	23 488	31 258
Portugal	25 241	20 455	NAP	NAP	NAP	NAP	NAP	NAP	NAP	4 786	NAP
Romania	189 186	186 349	2 837	1 120	1 717	1 717	NAP	NAP	NAP	NAP	NAP
Slovak Republic	25 081	14 930	8 136	8 136	NA	NAP	NA	NAP	NAP	2 015	NAP
Slovenia	10 690	6 575	4 115	3 807	308	265	43	NAP	NAP	NAP	NAP
Spain	235 486	209 783	NA	NA	NA	NA	NA	NA	NA	25 703	NAP
Sweden	55 765	3 133	NAP	NAP	NAP	NAP	NAP	NAP	NAP	33 970	18 662
<b>Average</b>	<b>55 936</b>	<b>44 639</b>	<b>5 837</b>	<b>5 182</b>	<b>691</b>	<b>760</b>	<b>231</b>	<b>112</b>	<b>140</b>	<b>12 498</b>	<b>15 176</b>
<b>Median</b>	<b>25 081</b>	<b>12 105</b>	<b>3 476</b>	<b>1 693</b>	<b>318</b>	<b>265</b>	<b>229</b>	<b>112</b>	<b>140</b>	<b>5 562</b>	<b>11 228</b>
<b>Minimum</b>	<b>1 128</b>	<b>930</b>	<b>123</b>	<b>37</b>	<b>81</b>	<b>81</b>	<b>43</b>	<b>112</b>	<b>35</b>	<b>4</b>	<b>111</b>
<b>Maximum</b>	<b>235 486</b>	<b>209 783</b>	<b>18 835</b>	<b>18 054</b>	<b>1 789</b>	<b>1 717</b>	<b>425</b>	<b>112</b>	<b>244</b>	<b>36 171</b>	<b>35 025</b>
<b>% of NA</b>	<b>7%</b>	<b>11%</b>	<b>30%</b>	<b>33%</b>	<b>19%</b>	<b>15%</b>	<b>19%</b>	<b>15%</b>	<b>26%</b>	<b>7%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>26%</b>	<b>26%</b>	<b>56%</b>	<b>67%</b>	<b>67%</b>	<b>81%</b>	<b>67%</b>	<b>30%</b>	<b>59%</b>

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

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Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Table 3.4.1.2b: Second instance other than criminal cases - incoming cases in 2022**

Per 100 inhabitants (Q1, Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	0,26	0,16	0,11	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	0,19	0,19	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	0,78	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,19	NAP
Croatia	1,47	NA	NA	NA	0,05	0,04	0,00	NAP	NA	0,14	NAP
Cyprus	0,13	0,10	NA	NA	NA	NA	NA	NA	NA	0,03	NA
Czech Republic	0,48	0,44	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,03
Denmark	0,08	0,08	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	0,31	0,13	0,08	0,08	NAP	NAP	NAP	NAP	NAP	0,10	NAP
Finland	0,04	0,03	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	0,33	0,24	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,04	0,04
Germany	NA	0,12	NA	NA	NA	NA	NA	NA	NA	0,04	0,04
Greece	0,31	0,15	0,00	0,00	0,00	0,00	NAP	NAP	0,00	0,16	0,00
Hungary	0,32	0,10	0,20	0,19	0,01	NAP	0,00	0,00	0,00	0,00	0,02
Ireland	0,03	0,03	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	0,17	0,16	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	0,24	0,18	0,01	0,00	0,00	0,00	NAP	NAP	NAP	0,05	NAP
Lithuania	0,53	0,32	NA	NA	NAP	NAP	NAP	NAP	NA	0,16	0,04
Luxembourg	NA	0,18	NA	NA	NAP	NAP	NAP	NAP	NA	0,04	NA
Malta	0,22	0,22	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	0,13	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,07	NAP
Poland	0,53	0,35	0,04	0,04	0,00	NAP	0,00	NAP	NAP	0,06	0,08
Portugal	0,24	0,20	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,05	NAP
Romania	0,99	0,98	0,01	0,01	0,01	0,01	NAP	NAP	NAP	NAP	NAP
Slovak Republic	0,46	0,28	0,15	0,15	NA	NAP	NA	NAP	NAP	0,04	NAP
Slovenia	0,50	0,31	0,19	0,18	0,01	0,01	0,00	NAP	NAP	NAP	NAP
Spain	0,49	0,44	NA	NA	NA	NA	NA	NA	NA	0,05	NAP
Sweden	0,53	0,03	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,32	0,18
Average	0,39	0,23	0,07	0,06	0,01	0,01	0,00	0,00	0,00	0,09	0,06
Median	0,31	0,18	0,03	0,01	0,01	0,01	0,00	0,00	0,00	0,05	0,04
Minimum	0,03	0,03	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Maximum	1,47	0,98	0,20	0,19	0,05	0,04	0,00	0,00	0,00	0,32	0,18
% of NA	7%	11%	30%	33%	19%	15%	19%	15%	26%	7%	11%
% of NAP	0%	0%	26%	26%	56%	67%	67%	81%	67%	30%	59%

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**Table 3.4.1.3a: Second instance other than criminal cases - resolved cases in 2022**

Absolute values (Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	24 303	14 405	9 898	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	24 076	24 076	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	52 031	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	12 506	NAP
Croatia	54 738	NA	NA	NA	1 662	1 526	136	NAP	NA	5 034	NAP
Cyprus	1 004	810	NA	NA	NA	NA	NA	NA	NA	194	NA
Czech Republic	51 663	47 714	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 949
Denmark	4 670	4 670	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	4 012	1 714	1 011	1 011	NAP	NAP	NAP	NAP	NAP	1 287	NAP
Finland	2 440	1 951	489	489	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	237 784	175 555	1 600	1 600	NAP	NAP	NAP	NAP	NAP	31 981	29 923
Germany	NA	97 890	NA	NA	NA	NA	NA	NA	NA	40 065	36 309
Greece	31 464	12 364	395	287	74	74	NAP	NAP	34	18 601	104
Hungary	31 019	10 251	19 045	18 223	558	NAP	447	111	264	9	1 714
Ireland	1 212	1 212	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	126 094	117 895	8 199	8 199	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	4 288	3 243	115	46	69	69	NAP	NAP	NAP	930	NAP
Lithuania	15 782	9 359	NA	NA	NAP	NAP	NAP	NAP	NA	5 180	1 243
Luxembourg	NA	1 232	NA	NA	NAP	NAP	NAP	NAP	NA	278	NA
Malta	1 078	1 078	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	22 832	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	11 306	NAP
Poland	191 111	120 234	15 521	15 176	345	NAP	345	NAP	NAP	21 923	33 433
Portugal	23 436	19 683	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 753	NAP
Romania	175 381	172 693	2 688	1 142	1 546	1 546	NAP	NAP	NAP	NAP	NAP
Slovak Republic	24 733	14 126	8 718	8 718	NA	NAP	NA	NAP	NAP	1 889	NAP
Slovenia	10 354	6 213	4 141	3 830	311	266	45	NAP	NAP	NAP	NAP
Spain	210 961	177 497	NA	NA	NA	NA	NA	NA	NA	33 464	NAP
Sweden	58 160	3 211	NAP	NAP	NAP	NAP	NAP	NAP	NAP	35 972	18 977
<b>Average</b>	<b>55 385</b>	<b>43 295</b>	<b>5 985</b>	<b>5 338</b>	<b>652</b>	<b>696</b>	<b>243</b>	<b>111</b>	<b>149</b>	<b>13 198</b>	<b>15 707</b>
<b>Median</b>	<b>24 303</b>	<b>11 308</b>	<b>3 415</b>	<b>1 600</b>	<b>345</b>	<b>266</b>	<b>241</b>	<b>111</b>	<b>149</b>	<b>5 180</b>	<b>11 463</b>
<b>Minimum</b>	<b>1 004</b>	<b>810</b>	<b>115</b>	<b>46</b>	<b>69</b>	<b>69</b>	<b>45</b>	<b>111</b>	<b>34</b>	<b>9</b>	<b>104</b>
<b>Maximum</b>	<b>237 784</b>	<b>177 497</b>	<b>19 045</b>	<b>18 223</b>	<b>1 662</b>	<b>1 546</b>	<b>447</b>	<b>111</b>	<b>264</b>	<b>40 065</b>	<b>36 309</b>
<b>% of NA</b>	<b>7%</b>	<b>11%</b>	<b>30%</b>	<b>33%</b>	<b>19%</b>	<b>15%</b>	<b>19%</b>	<b>15%</b>	<b>26%</b>	<b>7%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>26%</b>	<b>26%</b>	<b>56%</b>	<b>67%</b>	<b>67%</b>	<b>81%</b>	<b>67%</b>	<b>30%</b>	<b>59%</b>

**Cyprus, Malta** have a two tier system therefore the Supreme Court is the second, highest and final instance court.

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

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**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.1.3b: Second instance other than criminal cases - resolved cases per 100 inhabitants in 2022**

Per 100 inhabitants (Q1, Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	0,27	0,16	0,11	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	0,21	0,21	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	0,81	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,19	NAP
Croatia	1,42	NA	NA	NA	0,04	0,04	0,00	NAP	NA	0,13	NAP
Cyprus	0,11	0,09	NA	NA	NA	NA	NA	NA	NA	0,02	NA
Czech Republic	0,48	0,44	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,04
Denmark	0,08	0,08	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	0,30	0,13	0,08	0,08	NAP	NAP	NAP	NAP	NAP	0,10	NAP
Finland	0,04	0,04	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	0,35	0,26	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,05	0,04
Germany	NA	0,12	NA	NA	NA	NA	NA	NA	NA	0,05	0,04
Greece	0,29	0,12	0,00	0,00	0,00	0,00	NAP	NAP	0,00	0,17	0,00
Hungary	0,32	0,11	0,20	0,19	0,01	NAP	0,00	0,00	0,00	0,00	0,02
Ireland	0,02	0,02	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	0,21	0,20	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	0,23	0,17	0,01	0,00	0,00	0,00	NAP	NAP	NAP	0,05	NAP
Lithuania	0,55	0,33	NA	NA	NAP	NAP	NAP	NAP	NA	0,18	0,04
Luxembourg	NA	0,19	NA	NA	NAP	NAP	NAP	NAP	NA	0,04	NA
Malta	0,21	0,21	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	0,13	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,06	NAP
Poland	0,51	0,32	0,04	0,04	0,00	NAP	0,00	NAP	NAP	0,06	0,09
Portugal	0,22	0,19	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,04	NAP
Romania	0,92	0,91	0,01	0,01	0,01	0,01	NAP	NAP	NAP	NAP	NAP
Slovak Republic	0,46	0,26	0,16	0,16	NA	NAP	NA	NAP	NAP	0,03	NAP
Slovenia	0,49	0,29	0,20	0,18	0,01	0,01	0,00	NAP	NAP	NAP	NAP
Spain	0,44	0,37	NA	NA	NA	NA	NA	NA	NA	0,07	NAP
Sweden	0,55	0,03	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,34	0,18
Average	0,38	0,22	0,07	0,06	0,01	0,01	0,00	0,00	0,00	0,09	0,06
Median	0,30	0,19	0,03	0,01	0,01	0,01	0,00	0,00	0,00	0,06	0,04
Minimum	0,02	0,02	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Maximum	1,42	0,91	0,20	0,19	0,04	0,04	0,00	0,00	0,00	0,34	0,18
% of NA	7%	11%	30%	33%	19%	15%	19%	15%	26%	7%	11%
% of NAP	0%	0%	26%	26%	56%	67%	67%	81%	67%	30%	59%

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**Table 3.4.1.4a: Second instance other than criminal cases - pending cases on 31 Dec. 2022**

Absolute values (Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	4 801	3 353	1 448	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	17 630	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	1 949	NAP
Croatia	29 188	NA	NA	NA	692	680	12	NAP	NA	2 639	NAP
Cyprus	5 080	3 852	NA	NA	NA	NA	NA	NA	NA	1 228	NA
Czech Republic	9 819	9 178	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	641
Denmark	2 362	2 362	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	1 659	810	313	313	NAP	NAP	NAP	NAP	NAP	536	NAP
Finland	1 317	1 167	150	150	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	274 827	234 993	1 810	1 810	NAP	NAP	NAP	NAP	NAP	28 845	7 569
Germany	NA	104 883	NA	NA	NA	NA	NA	NA	NA	50 443	18 875
Greece	48 364	14 305	341	261	30	30	NAP	NAP	50	33 674	44
Hungary	5 874	2 982	2 588	2 516	60	NAP	44	16	12	0	304
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	248 029	243 353	4 676	4 676	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	1 821	1 244	30	1	29	29	NAP	NAP	NAP	547	NAP
Lithuania	4 387	1 834	NA	NAP	NAP	NAP	NAP	NAP	NA	2 413	140
Luxembourg	NA	1 567	NA	NA	NAP	NAP	NAP	NAP	NA	174	NA
Malta	1 662	1 662	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	27 122	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	15 126	NAP
Poland	145 604	76 285	4 421	4 288	133	NAP	133	NAP	NAP	38 879	26 019
Portugal	16 047	5 107	NAP	NAP	NAP	NAP	NAP	NAP	NAP	10 940	NAP
Romania	99 480	98 145	1 335	333	1 002	1 002	NAP	NAP	NAP	NAP	NAP
Slovak Republic	12 151	7 991	1 928	1 928	NA	NAP	NA	NAP	NAP	2 232	NAP
Slovenia	1 789	1 391	398	376	22	21	1	NAP	NAP	NAP	NAP
Spain	196 470	166 663	NA	NA	NA	NA	NA	NA	NA	29 807	NAP
Sweden	10 824	891	NAP	NAP	NAP	NAP	NAP	NAP	NAP	7 546	2 387
Average	50 709	44 728	1 620	1 514	281	352	48	16	31	13 352	6 997
Median	10 824	3 603	1 392	376	60	30	28	16	31	2 639	1 514
Minimum	1 317	810	30	1	22	21	1	16	12	0	44
Maximum	274 827	243 353	4 676	4 676	1 002	1 002	133	16	50	50 443	26 019
% of NA	15%	19%	30%	30%	19%	15%	19%	15%	26%	7%	11%
% of NAP	0%	0%	26%	30%	56%	67%	67%	81%	67%	30%	59%

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Malta: In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Table 3.4.1.4b: Second instance other than criminal cases - pending cases on 31 Dec. in2022**

Per 100 inhabitants (Q1, Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	0,05	0,04	0,02	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	0,27	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,03	NAP
Croatia	0,76	NA	NA	NA	0,02	0,02	0,00	NAP	NA	0,07	NAP
Cyprus	0,55	0,42	NA	NA	NA	NA	NA	NA	NA	0,13	NA
Czech Republic	0,09	0,08	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,01
Denmark	0,04	0,04	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	0,12	0,06	0,02	0,02	NAP	NAP	NAP	NAP	NAP	0,04	NAP
Finland	0,02	0,02	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	0,40	0,35	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,04	0,01
Germany	NA	0,12	NA	NA	NA	NA	NA	NA	NA	0,06	0,02
Greece	0,45	0,13	0,00	0,00	0,00	0,00	NAP	NAP	0,00	0,32	0,00
Hungary	0,06	0,03	0,03	0,03	0,00	NAP	0,00	0,00	0,00	0,00	0,00
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	0,42	0,41	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	0,10	0,07	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,03	NAP
Lithuania	0,15	0,06	NA	NAP	NAP	NAP	NAP	NAP	NA	0,08	0,00
Luxembourg	NA	0,24	NA	NA	NAP	NAP	NAP	NAP	NA	0,03	NA
Malta	0,32	0,32	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	0,15	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	0,08	NAP
Poland	0,39	0,20	0,01	0,01	0,00	NAP	0,00	NAP	NAP	0,10	0,07
Portugal	0,15	0,05	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,10	NAP
Romania	0,52	0,52	0,01	0,00	0,01	0,01	NAP	NAP	NAP	NAP	NAP
Slovak Republic	0,22	0,15	0,04	0,04	NA	NAP	NA	NAP	NAP	0,04	NAP
Slovenia	0,08	0,07	0,02	0,02	0,00	0,00	0,00	NAP	NAP	NAP	NAP
Spain	0,41	0,35	NA	NA	NA	NA	NA	NA	NA	0,06	NAP
Sweden	0,10	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,07	0,02
<b>Average</b>	<b>0,25</b>	<b>0,17</b>	<b>0,01</b>	<b>0,01</b>	<b>0,00</b>	<b>0,01</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,08</b>	<b>0,02</b>
<b>Median</b>	<b>0,15</b>	<b>0,10</b>	<b>0,01</b>	<b>0,01</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,06</b>	<b>0,01</b>
<b>Minimum</b>	<b>0,02</b>	<b>0,01</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>
<b>Maximum</b>	<b>0,76</b>	<b>0,52</b>	<b>0,04</b>	<b>0,04</b>	<b>0,02</b>	<b>0,02</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,32</b>	<b>0,07</b>
<b>% of NA</b>	<b>15%</b>	<b>19%</b>	<b>30%</b>	<b>30%</b>	<b>19%</b>	<b>15%</b>	<b>19%</b>	<b>15%</b>	<b>26%</b>	<b>7%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>26%</b>	<b>30%</b>	<b>56%</b>	<b>67%</b>	<b>67%</b>	<b>81%</b>	<b>67%</b>	<b>30%</b>	<b>59%</b>

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Malta: In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Table 3.4.1.5: Second instance civil (and commercial) litigious and administrative cases - pending more than 2 years in 2022**

Absolute values and as a percent (%) of the pending cases Dec 31st of the same category (Q97)

States	Civil (and commercial) litigious cases pending more than 2 years		Administrative law cases pending more than 2 years	
	Number	as a % of pending cases on 31 Dec	Number	as a % of pending cases on 31 Dec
Austria	25	0,7%	NAP	NAP
Belgium	NA	NA	NAP	NAP
Bulgaria	NA	NA	NAP	NAP
Croatia	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA
Czech Republic	NA	NA	NAP	NAP
Denmark	NA	NA	NAP	NAP
Estonia	8	1,0%	1	0,2%
Finland	NA	NA	NAP	NAP
France	NA	NA	1 341	4,6%
Germany	NA	NA	NA	NA
Greece	1 850	12,9%	NA	NA
Hungary	NA	NA	NA	NA
Ireland	NA	NA	NA	NA
Italy	100 552	41,3%	NAP	NAP
Latvia	24	1,9%	3	0,5%
Lithuania	13	0,7%	18	0,7%
Luxembourg	NA	NA	NA	NA
Malta	1 173	70,6%	NA	NA
Netherlands	NA	NA	NA	NA
Poland	NA	NA	NA	NA
Portugal	NA	NA	NA	NA
Romania	2 091	2,1%	NAP	NAP
Slovak Republic	601	7,5%	103	4,6%
Slovenia	3	0,2%	NAP	NAP
Spain	NA	NA	NA	NA
Sweden	20	2,2%	29	0,4%
<b>Average</b>	<b>9 669</b>	<b>12,8%</b>	<b>249</b>	<b>1,9%</b>
<b>Median</b>	<b>25</b>	<b>2,1%</b>	<b>24</b>	<b>0,6%</b>
<b>Minimum</b>	<b>3</b>	<b>0,2%</b>	<b>1</b>	<b>0,2%</b>
<b>Maximum</b>	<b>100 552</b>	<b>70,6%</b>	<b>1 341</b>	<b>4,6%</b>
<b>% of NA</b>	<b>59%</b>	<b>59%</b>	<b>44%</b>	<b>44%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>33%</b>	<b>33%</b>

**Cyprus, Malta** have a two tier system therefore the Supreme Court is the second, highest and final instance court.

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Malta:** In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**Romania:** Cases older than 3 years are presented.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

## **Evolution of second instance other than criminal cases**

**Table 3.4.2.1: Evolution of the second instance total of other than criminal cases - pending on 1st Jan. 2012 - 2022**  
Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,074	0,066	0,062	0,060	0,060	0,057	0,057	0,053	0,052	0,048	0,057
Belgium	NA	NA	NA	0,392	NA						
Bulgaria	0,212	0,213	0,226	0,207	0,180	0,177	0,179	0,196	0,230	0,274	0,296
Croatia	2,373	2,253	2,126	1,940	1,763	1,562	1,346	1,159	0,971	0,760	0,712
Cyprus	0,222	NA	0,291	0,338	0,381	0,446	0,478	0,475	0,492	0,534	0,532
Czech Republic	0,548	NA	0,194	0,188	0,171	0,157	0,133	0,124	0,106	0,108	0,089
Denmark	0,049	0,057	0,058	0,054	0,045	0,037	0,033	0,037	0,042	0,043	0,041
Estonia	0,100	NA	0,115	0,103	0,109	0,092	0,086	0,075	0,087	0,086	0,114
Finland	0,032	0,025	0,034	0,035	0,035	0,025	0,026	0,023	0,025	0,023	0,024
France	0,403	0,404	0,443	0,442	0,458	0,473	0,463	0,452	0,438	0,428	0,420
Germany	NA										
Greece	0,812	NA	0,452	0,433							
Hungary	0,148	0,144	0,150	0,126	0,116	0,119	0,130	0,110	0,087	0,070	0,066
Ireland	NA										
Italy	0,890	0,837	0,724	0,700	0,659	0,637	0,602	0,565	0,520	0,500	0,463
Latvia	0,285	0,275	0,222	0,160	0,157	0,138	0,113	0,096	0,115	0,091	0,089
Lithuania	0,292	0,255	0,220	0,222	0,273	0,279	0,308	0,286	0,262	0,193	0,177
Luxembourg	NA										
Malta	0,268	0,367	0,419	0,432	NA	0,404	0,378	0,395	0,363	0,341	0,303
Netherlands	0,168	NA	0,165	0,154	0,161	0,163	0,162	0,161	NA	NA	NA
Poland	0,113	-	0,197	-	0,224	0,245	0,254	0,271	0,343	0,323	0,357
Portugal	0,052	NA	0,048	0,107	0,114	0,125	0,137	0,144	0,145	0,135	0,136
Romania	0,059	0,059	0,138	0,392	0,465	0,402	0,432	0,376	0,380	0,411	0,450
Slovak Republic	0,323	0,396	0,480	0,678	0,574	0,399	0,353	0,319	0,249	0,213	0,217
Slovenia	0,330	0,315	0,299	0,233	0,204	0,200	0,163	0,134	0,115	0,056	0,069
Spain	NA	-	0,210	-	0,204	0,211	0,238	0,294	0,347	0,300	0,358
Sweden	0,149	0,122	0,114	0,137	0,152	0,157	0,105	0,133	0,154	0,115	0,126
<b>Average</b>	0,359	0,386	0,315	0,338	0,310	0,296	0,281	0,267	0,263	0,250	0,251
<b>Median</b>	0,217	0,255	0,204	0,207	0,180	0,189	0,171	0,178	0,230	0,203	0,197
<b>Minimum</b>	0,032	0,025	0,034	0,035	0,035	0,025	0,026	0,023	0,025	0,023	0,024
<b>Maximum</b>	2,373	2,253	2,126	1,940	1,763	1,562	1,346	1,159	0,971	0,760	0,712
<b>% of NA</b>	19%	37%	19%	15%	22%	19%	19%	19%	22%	19%	19%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.2.2: Evolution of the second instance civil and commercial litigious cases - pending on 1st Jan. 2012 - 2022**  
Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	0,034	0,031	0,039							
Belgium	NA	NA	NA	0,392	NA						
Bulgaria	NA										
Croatia	1,608	1,455	1,409	1,477	1,450	1,267	1,052	0,858	0,695	0,496	NA
Cyprus	0,133	NA	0,415	0,404							
Czech Republic	0,138	0,159	0,187	0,174	0,157	0,143	0,124	0,115	0,098	0,102	0,082
Denmark	0,049	0,057	0,058	0,054	0,045	0,037	0,033	0,037	0,042	0,043	0,041
Estonia	0,041	0,040	0,056	0,045	0,046	0,038	0,042	0,046	0,048	0,044	0,058
Finland	0,022	0,018	NA	0,030	0,029	0,021	0,023	0,020	0,021	0,020	0,022
France	0,343	0,346	0,384	0,382	0,397	0,411	0,401	0,389	0,368	0,356	0,360
Germany	NA	0,081	0,081	NA	0,083	0,081	0,078	0,080	0,101	0,098	0,117
Greece	0,345	NA	0,362	0,350	0,355	0,402	0,363	0,386	NA	0,150	0,103
Hungary	0,084	0,082	0,080	0,060	0,057	0,056	0,060	0,050	0,038	0,032	0,033
Ireland	NA										
Italy	0,885	0,833	0,720	0,691	0,649	0,627	0,593	0,556	0,511	0,490	0,454
Latvia	0,114	0,145	0,118	0,064	0,084	0,087	0,080	0,069	0,079	0,064	0,059
Lithuania	0,172	0,197	0,147	0,138	0,148	0,147	0,170	0,140	0,118	0,077	0,070
Luxembourg	0,282	0,334	0,354	0,375	0,357	0,338	0,295	0,269	0,260	0,247	0,245
Malta	0,268	0,367	0,419	0,432	0,438	0,404	0,378	0,395	0,363	0,341	0,303
Netherlands	NA										
Poland	0,043	-	0,075	-	0,089	0,103	0,117	0,134	0,174	0,160	0,170
Portugal	NA	0,050	NA	0,046	0,056	0,062	0,064	0,060	0,056	0,044	0,041
Romania	0,057	0,056	0,132	0,385	0,458	0,395	0,424	0,370	0,375	0,405	0,443
Slovak Republic	NA	NA	NA	NA	0,430	0,266	0,270	0,248	0,206	0,162	0,132
Slovenia	0,189	0,190	0,190	0,152	0,140	0,139	0,115	0,095	0,077	0,038	0,049
Spain	0,183	-	0,160	-	0,159	0,166	0,193	0,245	0,274	0,224	0,280
Sweden	0,010	0,010	0,011	0,009	0,008	0,007	0,008	0,007	0,008	0,009	0,009
<b>Average</b>	0,261	0,260	0,275	0,292	0,268	0,248	0,233	0,218	0,188	0,176	0,160
<b>Median</b>	0,138	0,145	0,154	0,163	0,148	0,143	0,124	0,134	0,101	0,102	0,092
<b>Minimum</b>	0,010	0,010	0,011	0,009	0,008	0,007	0,008	0,007	0,008	0,009	0,009
<b>Maximum</b>	1,608	1,455	1,409	1,477	1,450	1,267	1,052	0,858	0,695	0,496	0,454
<b>% of NA</b>	30%	30%	33%	26%	22%	22%	22%	22%	22%	15%	19%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Table 3.4.2.3: Evolution of the second instance administrative cases - pending on 1st Jan. 2012 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NA	NAP	NAP	NAP						
Belgium	NA	NA	NAP								
Bulgaria	0,050	0,050	0,055	0,045	0,041	0,038	0,036	0,035	0,033	0,033	0,035
Croatia	0,764	0,439	0,191	0,037	0,017	0,034	0,047	0,068	0,082	0,074	0,055
Cyprus	0,071	NA	0,093	0,103	0,104	0,112	0,104	0,106	0,108	0,119	0,127
Czech Republic	0,081	0,085	NAP								
Denmark	NAP										
Estonia	0,049	0,055	0,049	0,049	0,054	0,047	0,035	0,024	0,022	0,026	0,034
Finland	NAP										
France	0,043	0,042	0,041	0,041	0,042	0,043	0,043	0,044	0,046	0,045	0,045
Germany	0,061	0,069	0,069	NA	0,061	0,063	0,065	0,069	0,070	0,066	0,064
Greece	0,467	NA	NA	0,437	0,403	0,393	0,339	NA	0,266	0,299	0,327
Hungary	0,005	0,003	0,004	0,005	0,004	0,005	0,005	0,006	0,004	0,000	0,000
Ireland	NAP	NA	NA	NA							
Italy	NAP										
Latvia	0,107	0,126	0,099	0,095	0,073	0,050	0,034	0,026	0,035	0,025	0,029
Lithuania	0,070	0,043	0,057	0,070	0,110	0,121	0,132	0,139	0,137	0,111	0,101
Luxembourg	0,017	0,031	0,030	0,030	0,027	0,025	0,026	0,025	0,026	0,037	0,028
Malta	NA										
Netherlands	0,078	NA	0,085	0,084	0,088	0,085	0,085	0,080	NA	NA	NA
Poland	0,034	-	0,050	-	0,067	0,072	0,069	0,072	0,074	0,070	0,099
Portugal	NA	NA	NA	0,061	0,059	0,063	0,073	0,084	0,088	0,091	0,095
Romania	NAP										
Slovak Republic	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,039
Slovenia	NAP										
Spain	0,071	-	0,049	-	0,046	0,045	0,045	0,049	0,073	0,076	0,078
Sweden	0,123	0,095	0,085	0,110	0,124	0,133	0,076	0,108	0,120	0,081	0,091
<b>Average</b>	0,123	0,087	0,064	0,083	0,078	0,078	0,071	0,058	0,074	0,072	0,078
<b>Median</b>	0,070	0,053	0,055	0,055	0,059	0,050	0,047	0,059	0,071	0,068	0,060
<b>Minimum</b>	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
<b>Maximum</b>	0,764	0,439	0,191	0,437	0,403	0,393	0,339	0,139	0,266	0,299	0,327
<b>% of NA</b>	11%	22%	11%	7%	4%	4%	4%	11%	11%	11%	11%
<b>% of NAP</b>	26%	26%	33%	33%	33%	33%	33%	30%	30%	30%	30%

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to

Slovak Republic: In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.3.1: Evolution of the second instance total of other than criminal cases - incoming 2012 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,354	0,343	0,330	0,320	0,313	0,300	0,289	0,287	0,258	0,278	0,262
Belgium	NA	NA	NA	0,247	0,227	0,206	0,224	0,211	0,193	0,205	0,188
Bulgaria	0,909	0,940	0,893	0,843	0,835	0,830	0,818	0,862	0,819	0,807	0,784
Croatia	2,102	2,252	2,078	1,992	1,912	1,662	1,604	1,531	1,427	1,590	1,465
Cyprus	0,124	NA	0,101	0,093	0,108	0,092	0,096	0,105	0,114	0,127	0,129
Czech Republic	1,645	NA	0,899	0,806	0,798	0,645	0,599	0,556	0,497	0,484	0,478
Denmark	0,139	0,131	0,112	0,091	0,088	0,083	0,083	0,086	0,090	0,083	0,078
Estonia	0,322	NA	0,349	0,360	0,335	0,336	0,320	0,288	0,305	0,343	0,313
Finland	0,066	0,065	0,070	0,069	0,056	0,052	0,050	0,051	0,045	0,048	0,043
France	0,404	0,418	0,426	0,420	0,422	0,407	0,393	0,392	0,299	0,360	0,333
Germany	NA										
Greece	0,484	NA	0,269	0,314							
Hungary	0,530	0,540	0,531	0,482	0,524	0,498	0,491	0,411	0,337	0,348	0,318
Ireland	NA	0,045	0,050	0,057	0,057	0,056	0,058	0,055	0,028	0,028	0,026
Italy	0,269	0,261	0,222	0,209	0,223	0,221	0,210	0,192	0,164	0,178	0,172
Latvia	0,474	0,440	0,377	0,350	0,354	0,335	0,293	0,276	0,239	0,240	0,236
Lithuania	0,777	0,805	0,806	0,881	0,809	0,735	0,656	0,611	0,563	0,586	0,529
Luxembourg	NA										
Malta	0,234	0,193	0,184	0,171	NA	0,147	0,167	0,141	0,111	0,161	0,217
Netherlands	0,160	0,166	0,157	0,164	0,172	0,150	0,136	0,132	0,111	0,132	0,134
Poland	0,559	-	0,588	-	0,610	0,603	0,592	0,625	0,473	0,548	0,535
Portugal	0,182	NA	0,176	0,235	0,240	0,252	0,242	0,238	0,195	0,217	0,241
Romania	0,089	0,213	0,636	0,986	1,044	1,054	1,017	0,984	0,882	1,043	0,993
Slovak Republic	1,021	1,278	1,617	1,616	1,254	0,862	0,781	0,630	0,495	0,432	0,462
Slovenia	1,090	1,094	1,080	0,996	0,904	0,800	0,711	0,636	0,530	0,531	0,505
Spain	NA	-	0,327	-	0,396	0,408	0,440	0,473	0,375	0,496	0,490
Sweden	0,435	0,409	0,433	0,407	0,506	0,562	0,622	0,625	0,600	0,584	0,530
<b>Average</b>	0,562	0,564	0,541	0,536	0,530	0,471	0,454	0,433	0,381	0,405	0,391
<b>Median</b>	0,420	0,409	0,377	0,355	0,396	0,372	0,356	0,340	0,302	0,343	0,314
<b>Minimum</b>	0,066	0,045	0,050	0,057	0,056	0,052	0,050	0,051	0,028	0,028	0,026
<b>Maximum</b>	2,102	2,252	2,078	1,992	1,912	1,662	1,604	1,531	1,427	1,590	1,465
<b>% of NA</b>	19%	30%	15%	11%	15%	11%	11%	11%	11%	7%	7%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.3.2: Evolution of the second instance civil and commercial litigious cases - incoming 2012 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	0,144	0,161	0,156							
Belgium	0,274	0,263	0,253	0,247	0,227	0,206	0,224	0,211	0,193	0,205	0,188
Bulgaria	NA										
Croatia	2,009	1,476	1,242	1,248	1,197	1,007	0,915	0,853	0,728	0,934	NA
Cyprus	0,059	NA	0,102	0,101							
Czech Republic	0,851	0,789	0,860	0,758	0,748	0,599	0,554	0,511	0,463	0,446	0,443
Denmark	0,139	0,131	0,112	0,091	0,088	0,083	0,083	0,086	0,090	0,083	0,078
Estonia	0,142	0,162	0,154	0,147	0,136	0,144	0,146	0,139	0,131	0,143	0,132
Finland	0,032	0,031	NA	0,051	0,043	0,041	0,039	0,040	0,033	0,037	0,034
France	0,315	0,327	0,332	0,323	0,324	0,303	0,290	0,284	0,204	0,253	0,242
Germany	NA	0,126	0,126	NA	0,121	0,111	0,112	0,146	0,131	0,141	0,123
Greece	0,229	NA	0,246	0,233	0,169	0,191	0,209	0,216	NA	0,087	0,146
Hungary	0,237	0,228	0,174	0,167	0,171	0,161	0,156	0,121	0,092	0,105	0,104
Ireland	NA	0,045	0,050	0,057	0,057	0,056	0,058	0,055	0,028	0,028	0,026
Italy	0,263	0,255	0,216	0,193	0,208	0,207	0,196	0,177	0,152	0,164	0,159
Latvia	0,225	0,288	0,259	0,280	0,290	0,273	0,233	0,219	0,181	0,178	0,180
Lithuania	0,487	0,485	0,503	0,519	0,513	0,496	0,447	0,410	0,386	0,362	0,322
Luxembourg	0,242	0,236	0,224	0,228	0,214	0,200	0,183	0,191	0,175	0,187	0,179
Malta	0,234	0,193	0,184	0,171	0,188	0,147	0,167	0,141	0,111	0,161	0,217
Netherlands	NA										
Poland	0,335	-	0,362	-	0,375	0,370	0,367	0,404	0,294	0,339	0,350
Portugal	NA	0,186	NA	0,200	0,203	0,211	0,201	0,195	0,154	0,170	0,195
Romania	0,084	0,192	0,626	0,973	1,031	1,037	1,002	0,970	0,868	1,028	0,978
Slovak Republic	NA	NA	NA	NA	0,643	0,506	0,466	0,388	0,287	0,239	0,275
Slovenia	0,570	0,584	0,627	0,579	0,523	0,452	0,410	0,365	0,310	0,312	0,311
Spain	0,344	-	0,282	-	0,344	0,356	0,384	0,386	0,309	0,429	0,437
Sweden	0,029	0,030	0,029	0,028	0,026	0,027	0,027	0,028	0,028	0,030	0,030
<b>Average</b>	0,355	0,317	0,343	0,342	0,341	0,312	0,299	0,284	0,239	0,253	0,225
<b>Median</b>	0,239	0,228	0,249	0,228	0,214	0,207	0,209	0,211	0,175	0,170	0,179
<b>Minimum</b>	0,029	0,030	0,029	0,028	0,026	0,027	0,027	0,028	0,028	0,028	0,026
<b>Maximum</b>	2,009	1,476	1,242	1,248	1,197	1,037	1,002	0,970	0,868	1,028	0,978
<b>% of NA</b>	26%	22%	26%	22%	15%	15%	15%	15%	15%	7%	11%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Table 3.4.3.3: Evolution of the second instance administrative cases - incoming 2012 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NA	NAP	NAP	NAP						
Belgium	NA	NA	NAP								
Bulgaria	0,250	0,278	0,244	0,209	0,218	0,210	0,210	0,207	0,184	0,196	0,190
Croatia	0,093	0,062	0,043	0,082	0,121	0,123	0,148	0,156	0,145	0,141	0,144
Cyprus	0,033	NA	0,021	0,016	0,007	0,014	0,022	0,026	0,023	0,025	0,028
Czech Republic	0,078	0,077	NAP								
Denmark	NAP										
Estonia	0,110	0,095	0,126	0,136	0,125	0,118	0,099	0,084	0,094	0,112	0,103
Finland	NAP										
France	0,043	0,044	0,045	0,046	0,047	0,047	0,050	0,053	0,045	0,050	0,045
Germany	0,055	0,086	0,086	NA	0,053	0,058	0,061	0,061	0,054	0,051	0,043
Greece	0,254	NA	NA	0,175	0,146	0,171	0,178	NA	0,167	0,171	0,162
Hungary	0,018	0,018	0,018	0,017	0,022	0,020	0,024	0,023	0,009	0,000	0,000
Ireland	NAP	NA	NA	NA							
Italy	NAP										
Latvia	0,135	0,124	0,095	0,070	0,063	0,061	0,060	0,058	0,048	0,051	0,049
Lithuania	0,116	0,145	0,135	0,195	0,157	0,147	0,139	0,132	0,118	0,150	0,164
Luxembourg	0,056	0,063	0,062	0,048	0,041	0,048	0,040	0,035	0,045	0,037	0,041
Malta	NA										
Netherlands	0,066	0,072	0,073	0,082	0,087	0,071	0,062	0,061	0,047	0,064	0,075
Poland	0,039	-	0,046	-	0,049	0,046	0,053	0,044	0,038	0,071	0,062
Portugal	NA	NA	NA	0,035	0,037	0,042	0,041	0,042	0,041	0,047	0,046
Romania	NAP										
Slovak Republic	0,001	0,001	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,037
Slovenia	NAP										
Spain	0,057	-	0,045	-	0,052	0,052	0,055	0,088	0,066	0,067	0,053
Sweden	0,266	0,237	0,255	0,237	0,341	0,386	0,446	0,431	0,395	0,371	0,323
<b>Average</b>	0,098	0,100	0,086	0,096	0,092	0,095	0,099	0,094	0,089	0,094	0,092
<b>Median</b>	0,066	0,077	0,062	0,076	0,053	0,058	0,060	0,059	0,048	0,064	0,053
<b>Minimum</b>	0,001	0,001	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
<b>Maximum</b>	0,266	0,278	0,255	0,237	0,341	0,386	0,446	0,431	0,395	0,371	0,323
<b>% of NA</b>	11%	19%	11%	7%	4%	4%	4%	11%	7%	7%	7%
<b>% of NAP</b>	26%	26%	33%	33%	33%	33%	33%	30%	30%	30%	30%

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to

Slovak Republic: In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.4.1: Evolution of the second instance total of other than criminal cases - resolved 2012 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,362	0,347	0,332	0,319	0,315	0,300	0,291	0,287	0,263	0,267	0,267
Belgium	NA	NA	NA	0,260	0,250	0,227	0,233	0,233	0,200	0,216	0,206
Bulgaria	0,909	0,928	0,913	0,865	0,840	0,829	0,803	0,829	0,778	0,802	0,807
Croatia	2,217	2,377	2,280	2,184	2,131	1,888	1,796	1,722	1,669	1,645	1,421
Cyprus	0,083	NA	0,051	0,050	0,054	0,062	0,084	0,091	0,088	0,117	0,109
Czech Republic	1,451	NA	0,908	0,823	0,813	0,668	0,608	0,574	0,496	0,500	0,476
Denmark	0,131	0,129	0,116	0,100	0,096	0,088	0,080	0,081	0,089	0,085	0,079
Estonia	0,315	NA	0,362	0,353	0,352	0,340	0,321	0,283	0,302	0,315	0,302
Finland	0,070	0,065	0,069	0,069	0,066	0,051	0,053	0,049	0,047	0,046	0,044
France	0,402	0,398	0,403	0,402	0,406	0,419	0,403	0,395	0,308	0,377	0,349
Germany	0,263	NA									
Greece	0,354	NA	0,240	0,295							
Hungary	0,534	0,539	0,545	0,493	0,521	0,490	0,509	0,432	0,355	0,353	0,323
Ireland	NA	0,040	0,038	0,048	0,047	0,037	0,044	0,051	0,029	0,021	0,024
Italy	0,282	0,332	0,264	0,251	0,246	0,257	0,249	0,246	0,185	0,217	0,214
Latvia	0,492	0,491	0,377	0,352	0,366	0,362	0,307	0,270	0,264	0,242	0,228
Lithuania	0,818	0,842	0,806	0,834	0,807	0,707	0,679	0,635	0,632	0,598	0,552
Luxembourg	NA										
Malta	0,128	0,132	0,160	0,164	NA	0,173	0,134	0,158	0,144	0,196	0,207
Netherlands	0,163	0,162	0,166	0,156	0,171	0,153	0,145	0,135	0,121	0,127	0,128
Poland	0,521	-	0,579	-	0,589	0,593	0,568	0,566	0,480	0,519	0,506
Portugal	0,184	NA	0,179	0,247	0,230	0,240	0,235	0,237	0,203	0,214	0,224
Romania	0,093	0,141	0,427	0,915	1,110	1,027	1,072	0,985	0,854	1,004	0,921
Slovak Republic	0,948	1,194	1,419	1,585	1,429	1,044	0,814	0,700	0,533	0,466	0,456
Slovenia	1,105	1,110	1,145	1,026	0,908	0,837	0,739	0,654	0,589	0,518	0,489
Spain	NA	-	0,347	-	0,389	0,379	0,384	0,422	0,423	0,435	0,439
Sweden	0,460	0,417	0,409	0,398	0,499	0,613	0,593	0,603	0,638	0,572	0,553
<b>Average</b>	0,534	0,567	0,534	0,540	0,549	0,491	0,464	0,443	0,404	0,404	0,385
<b>Median</b>	0,362	0,398	0,377	0,353	0,389	0,371	0,352	0,341	0,305	0,315	0,302
<b>Minimum</b>	0,070	0,040	0,038	0,048	0,047	0,037	0,044	0,049	0,029	0,021	0,024
<b>Maximum</b>	2,217	2,377	2,280	2,184	2,131	1,888	1,796	1,722	1,669	1,645	1,421
<b>% of NA</b>	15%	30%	15%	11%	15%	11%	11%	11%	11%	7%	7%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.4.2: Evolution of the second instance civil and commercial litigious cases - resolved 2012 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	0,147	0,152	0,158							
Belgium	NA	NA	0,260	0,260	0,250	0,227	0,233	0,233	0,200	0,216	0,206
Bulgaria	NA										
Croatia	1,796	1,395	1,190	1,298	1,395	1,231	1,113	1,017	0,942	0,915	NA
Cyprus	0,038	NA	0,102	0,088							
Czech Republic	0,830	0,793	0,873	0,775	0,762	0,618	0,563	0,527	0,462	0,464	0,440
Denmark	0,131	0,129	0,116	0,100	0,096	0,088	0,080	0,081	0,089	0,085	0,079
Estonia	0,142	0,148	0,165	0,146	0,144	0,139	0,142	0,135	0,134	0,128	0,129
Finland	0,035	0,032	NA	0,052	0,051	0,039	0,042	0,038	0,035	0,036	0,035
France	0,312	0,309	0,310	0,306	0,309	0,314	0,303	0,290	0,215	0,267	0,258
Germany	0,039	0,126	0,126	NA	0,122	0,113	0,111	0,124	0,135	0,120	0,116
Greece	0,178	NA	0,252	0,218	0,126	0,216	0,203	0,219	NA	0,089	0,116
Hungary	0,239	0,230	0,194	0,170	0,171	0,159	0,165	0,133	0,098	0,104	0,107
Ireland	NA	0,040	0,038	0,048	0,047	0,037	0,044	0,051	0,029	0,021	0,024
Italy	0,275	0,325	0,258	0,236	0,230	0,242	0,234	0,232	0,174	0,202	0,200
Latvia	0,249	0,311	0,262	0,300	0,280	0,283	0,243	0,217	0,196	0,183	0,172
Lithuania	0,466	0,535	0,513	0,511	0,516	0,474	0,477	0,432	0,427	0,368	0,328
Luxembourg	0,250	0,243	0,194	0,228	0,227	0,236	0,210	0,197	0,184	0,183	0,186
Malta	0,128	0,132	0,160	0,164	0,199	0,173	0,134	0,158	0,144	0,196	0,207
Netherlands	NA										
Poland	0,316	-	0,351	-	0,360	0,358	0,352	0,364	0,309	0,330	0,318
Portugal	NA	0,188	NA	0,190	0,197	0,209	0,205	0,199	0,166	0,172	0,188
Romania	0,088	0,126	0,416	0,902	1,096	1,010	1,056	0,970	0,841	0,989	0,906
Slovak Republic	NA	NA	NA	NA	0,807	0,587	0,488	0,430	0,332	0,268	0,260
Slovenia	0,569	0,584	0,665	0,591	0,524	0,475	0,429	0,383	0,349	0,301	0,293
Spain	0,334	-	0,297	-	0,336	0,328	0,333	0,359	0,361	0,370	0,369
Sweden	0,029	0,029	0,031	0,029	0,027	0,027	0,028	0,027	0,027	0,030	0,031
<b>Average</b>	0,322	0,315	0,334	0,343	0,360	0,330	0,312	0,296	0,261	0,252	0,217
<b>Median</b>	0,244	0,209	0,259	0,228	0,230	0,236	0,233	0,219	0,184	0,183	0,187
<b>Minimum</b>	0,029	0,029	0,031	0,029	0,027	0,027	0,028	0,027	0,027	0,021	0,024
<b>Maximum</b>	1,796	1,395	1,190	1,298	1,395	1,231	1,113	1,017	0,942	0,989	0,906
<b>% of NA</b>	26%	26%	26%	22%	15%	15%	15%	15%	15%	7%	11%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.4.3: Evolution of the second instance administrative cases - resolved 2012 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NA	NAP	NAP	NAP						
Belgium	NA	NA	NAP								
Bulgaria	0,250	0,273	0,255	0,214	0,221	0,212	0,212	0,210	0,184	0,196	0,194
Croatia	0,421	0,308	0,198	0,102	0,104	0,111	0,127	0,142	0,156	0,163	0,131
Cyprus	0,013	NA	0,013	0,014	0,014	0,020	0,018	0,023	0,016	0,015	0,021
Czech Republic	0,076	0,081	NAP								
Denmark	NAP										
Estonia	0,103	0,101	0,126	0,129	0,132	0,128	0,110	0,086	0,089	0,103	0,097
Finland	NAP										
France	0,044	0,044	0,045	0,046	0,046	0,047	0,049	0,051	0,046	0,050	0,047
Germany	0,053	0,080	0,080	NA	0,051	0,055	0,057	0,060	0,058	0,052	0,047
Greece	0,176	NA	NA	0,214	0,156	0,235	0,203	NA	0,164	0,142	0,174
Hungary	0,019	0,017	0,018	0,017	0,021	0,020	0,023	0,024	0,013	0,000	0,000
Ireland	NAP	NA	NA	NA							
Italy	NAP										
Latvia	0,121	0,154	0,096	0,096	0,086	0,079	0,064	0,053	0,058	0,048	0,049
Lithuania	0,144	0,132	0,123	0,157	0,147	0,136	NA	0,134	0,144	0,157	0,181
Luxembourg	0,041	0,064	0,062	0,050	0,041	0,046	0,041	0,033	0,033	0,046	0,042
Malta	NA										
Netherlands	0,065	0,065	0,074	0,076	0,090	0,071	0,067	0,061	0,055	0,060	0,063
Poland	0,032	-	0,039	-	0,044	0,050	0,049	0,043	0,041	0,045	0,058
Portugal	NA	NA	NA	0,037	0,032	0,032	0,030	0,038	0,038	0,042	0,036
Romania	NAP										
Slovak Republic	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,035
Slovenia	NAP										
Spain	0,064	-	0,050	-	0,052	0,051	0,051	0,063	0,062	0,064	0,070
Sweden	0,294	0,246	0,228	0,229	0,331	0,442	0,413	0,418	0,435	0,360	0,342
<b>Average</b>	0,113	0,120	0,094	0,099	0,092	0,102	0,095	0,090	0,094	0,091	0,093
<b>Median</b>	0,065	0,081	0,074	0,086	0,052	0,055	0,054	0,056	0,058	0,052	0,058
<b>Minimum</b>	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
<b>Maximum</b>	0,421	0,308	0,255	0,229	0,331	0,442	0,413	0,418	0,435	0,360	0,342
<b>% of NA</b>	11%	19%	11%	7%	4%	4%	7%	11%	7%	7%	7%
<b>% of NAP</b>	26%	26%	33%	33%	33%	33%	33%	30%	30%	30%	30%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.5.1: Evolution of the second instance total of other than criminal cases - pending on 31st Dec. 2012 - 2022**  
Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,066	0,063	0,060	0,060	0,057	0,057	0,054	0,053	0,048	0,058	0,053
Belgium	NA	NA	NA	0,385	NA						
Bulgaria	0,211	0,225	0,206	0,185	0,175	0,178	0,194	0,228	0,270	0,279	0,273
Croatia	2,258	2,127	1,924	1,747	1,544	1,336	1,154	0,966	0,729	0,709	0,758
Cyprus	0,263	NA	0,341	0,381	0,435	0,476	0,490	0,488	0,526	0,543	0,552
Czech Republic	0,743	NA	0,185	0,171	0,157	0,134	0,124	0,106	0,107	0,092	0,090
Denmark	0,057	0,059	0,054	0,045	0,037	0,033	0,037	0,043	0,044	0,041	0,040
Estonia	0,107	NA	0,102	0,109	0,092	0,087	0,085	0,084	0,086	0,114	0,125
Finland	0,029	0,026	0,035	0,035	0,025	0,026	0,023	0,025	0,023	0,025	0,024
France	0,405	0,423	0,466	0,460	0,474	0,462	0,452	0,449	0,429	0,412	0,404
Germany	NA										
Greece	0,953	NA	0,615	0,482	0,453						
Hungary	0,144	0,145	0,136	0,116	0,120	0,127	0,112	0,088	0,069	0,066	0,061
Ireland	NA										
Italy	0,878	0,766	0,682	0,658	0,636	0,601	0,563	0,511	0,498	0,461	0,421
Latvia	0,267	0,223	0,223	0,157	0,145	0,110	0,099	0,102	0,090	0,089	0,097
Lithuania	0,250	0,218	0,220	0,269	0,275	0,307	0,286	0,262	0,193	0,181	0,154
Luxembourg	NA										
Malta	0,374	0,429	0,442	0,437	NA	0,378	0,410	0,379	0,331	0,305	0,320
Netherlands	0,164	0,166	0,154	0,162	0,164	0,163	0,162	0,158	0,140	0,142	0,152
Poland	0,151	-	0,206	-	0,245	0,255	0,278	0,330	0,336	0,352	0,386
Portugal	0,050	NA	0,046	0,114	0,125	0,137	0,144	0,145	0,136	0,138	0,153
Romania	0,055	0,132	0,347	0,462	0,399	0,429	0,376	0,376	0,408	0,450	0,522
Slovak Republic	0,397	0,481	0,678	0,709	0,399	0,353	0,320	0,249	0,212	0,178	0,224
Slovenia	0,315	0,299	0,234	0,204	0,201	0,164	0,135	0,116	0,056	0,069	0,085
Spain	NA	-	0,190	-	0,212	0,240	0,296	0,346	0,301	0,363	0,409
Sweden	0,123	0,115	0,138	0,146	0,159	0,106	0,134	0,155	0,116	0,126	0,103
<b>Average</b>	0,375	0,368	0,321	0,334	0,289	0,280	0,269	0,257	0,251	0,247	0,255
<b>Median</b>	0,231	0,221	0,206	0,185	0,175	0,171	0,178	0,193	0,193	0,178	0,154
<b>Minimum</b>	0,029	0,026	0,035	0,035	0,025	0,026	0,023	0,025	0,023	0,025	0,024
<b>Maximum</b>	2,258	2,127	1,924	1,747	1,544	1,336	1,154	0,966	0,729	0,709	0,758
<b>% of NA</b>	19%	33%	19%	15%	22%	19%	19%	19%	15%	15%	15%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.5.2: Evolution of the second instance civil and commercial litigious cases - pending on 31st Dec. 2012 - 2022**  
Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	0,031	0,040	0,037							
Belgium	NA	NA	NA	0,385	NA						
Bulgaria	NA										
Croatia	1,821	1,537	1,460	1,427	1,253	1,044	0,854	0,692	0,476	0,515	NA
Cyprus	0,035	NA	0,414	0,418							
Czech Republic	0,159	0,155	0,174	0,157	0,143	0,125	0,115	0,099	0,100	0,084	0,085
Denmark	0,057	0,059	0,054	0,045	0,037	0,033	0,037	0,043	0,044	0,041	0,040
Estonia	0,042	0,055	0,045	0,045	0,038	0,042	0,046	0,048	0,044	0,058	0,061
Finland	0,020	0,017	NA	0,029	0,021	0,023	0,020	0,022	0,020	0,022	0,021
France	0,346	0,364	0,405	0,399	0,412	0,400	0,387	0,382	0,357	0,342	0,345
Germany	NA	0,081	0,081	NA	0,082	0,079	0,080	0,101	0,098	0,119	0,124
Greece	0,407	NA	0,351	0,350	0,397	0,378	0,368	0,383	0,326	0,148	0,134
Hungary	0,082	0,080	0,060	0,057	0,057	0,058	0,051	0,038	0,031	0,033	0,031
Ireland	NA										
Italy	0,874	0,762	0,678	0,649	0,627	0,592	0,555	0,502	0,489	0,452	0,414
Latvia	0,091	0,121	0,115	0,084	0,095	0,078	0,069	0,071	0,064	0,059	0,066
Lithuania	0,193	0,146	0,137	0,146	0,145	0,169	0,140	0,118	0,077	0,071	0,064
Luxembourg	0,350	0,331	0,384	0,375	0,344	0,301	0,269	0,263	0,251	0,251	0,237
Malta	0,374	0,429	0,442	0,437	0,428	0,378	0,410	0,379	0,331	0,305	0,320
Netherlands	NA										
Poland	0,062	-	0,085	-	0,104	0,116	0,132	0,175	0,159	0,169	0,202
Portugal	NA	0,048	NA	0,055	0,062	0,064	0,060	0,056	0,045	0,042	0,049
Romania	0,053	0,122	0,342	0,456	0,393	0,422	0,370	0,370	0,402	0,444	0,515
Slovak Republic	NA	NA	NA	NA	0,267	0,269	0,248	0,206	0,161	0,132	0,147
Slovenia	0,191	0,190	0,152	0,140	0,139	0,116	0,096	0,077	0,038	0,049	0,066
Spain	0,193	-	0,145	-	0,167	0,194	0,247	0,274	0,224	0,284	0,347
Sweden	0,010	0,011	0,009	0,008	0,007	0,008	0,007	0,009	0,010	0,009	0,008
<b>Average</b>	0,282	0,265	0,284	0,291	0,248	0,233	0,217	0,205	0,172	0,177	0,170
<b>Median</b>	0,159	0,122	0,149	0,152	0,143	0,125	0,132	0,118	0,099	0,119	0,104
<b>Minimum</b>	0,010	0,011	0,009	0,008	0,007	0,008	0,007	0,009	0,010	0,009	0,008
<b>Maximum</b>	1,821	1,537	1,460	1,427	1,253	1,044	0,854	0,692	0,489	0,515	0,515
<b>% of NA</b>	30%	30%	33%	26%	22%	22%	22%	22%	19%	15%	19%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Table 3.4.5.3: Evolution of the second instance administrative cases - pending on 31st Dec. 2012 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NA	NAP	NAP	NAP						
Belgium	NA	NA	NAP								
Bulgaria	0,050	0,055	0,045	0,041	0,038	0,036	0,034	0,033	0,032	0,033	0,030
Croatia	0,437	0,192	0,037	0,017	0,034	0,046	0,068	0,082	0,071	0,055	0,069
Cyprus	0,091	NA	0,102	0,104	0,098	0,106	0,107	0,109	0,115	0,129	0,133
Czech Republic	0,083	0,081	NAP								
Denmark	NAP										
Estonia	0,056	0,049	0,049	0,055	0,047	0,036	0,024	0,022	0,026	0,034	0,040
Finland	NAP										
France	0,042	0,042	0,041	0,041	0,043	0,043	0,044	0,046	0,045	0,045	0,042
Germany	0,063	0,070	0,070	NA	0,063	0,065	0,069	0,070	0,066	0,065	0,060
Greece	0,545	NA	NA	0,400	0,392	0,328	0,313	NA	0,269	0,328	0,315
Hungary	0,003	0,004	0,005	0,004	0,005	0,005	0,006	0,004	0,000	0,000	0,000
Ireland	NAP	NA	NA	NA							
Italy	NAP										
Latvia	0,121	0,096	0,098	0,073	0,050	0,033	0,030	0,031	0,025	0,029	0,029
Lithuania	0,042	0,056	0,069	0,108	0,119	0,131	NA	0,137	0,111	0,103	0,084
Luxembourg	0,032	0,031	0,030	0,028	0,026	0,027	0,025	0,026	0,038	0,028	0,026
Malta	NA										
Netherlands	0,078	0,085	0,084	0,089	0,086	0,086	0,080	0,080	0,071	0,075	0,085
Poland	0,041	-	0,057	-	0,073	0,069	0,072	0,073	0,070	0,096	0,103
Portugal	NA	NA	NA	0,058	0,063	0,073	0,084	0,088	0,091	0,096	0,105
Romania	NAP										
Slovak Republic	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,041
Slovenia	NAP										
Spain	0,062	-	0,045	-	0,046	0,046	0,049	0,073	0,077	0,079	0,062
Sweden	0,096	0,085	0,111	0,118	0,134	0,077	0,109	0,121	0,081	0,091	0,072
<b>Average</b>	0,108	0,065	0,056	0,081	0,077	0,071	0,070	0,062	0,070	0,076	0,076
<b>Median</b>	0,062	0,056	0,049	0,056	0,050	0,046	0,059	0,071	0,070	0,065	0,062
<b>Minimum</b>	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
<b>Maximum</b>	0,545	0,192	0,111	0,400	0,392	0,328	0,313	0,137	0,269	0,328	0,315
<b>% of NA</b>	11%	19%	11%	7%	4%	4%	7%	11%	7%	7%	7%
<b>% of NAP</b>	26%	26%	33%	33%	33%	33%	33%	30%	30%	30%	30%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.6.1: Evolution of the second instance total of other than criminal cases - pending more than 2 years 2016 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2016	2017	2018	2019	2020	2021	2022
Austria	0,000	0,000	0,000	0,000	NA	NA	0,000
Belgium	NA						
Bulgaria	NA						
Croatia	NA	NA	NA	NA	NA	0,029	0,035
Cyprus	NA						
Czech Republic	NA						
Denmark	NA						
Estonia	0,000	0,000	0,000	0,000	0,000	0,000	0,001
Finland	NA						
France	NA						
Germany	NA						
Greece	NA	NA	NA	NA	NA	NA	0,017
Hungary	NA						
Ireland	NA						
Italy	0,307	0,273	0,249	0,224	0,227	0,205	0,171
Latvia	0,000	NA	0,008	NA	0,001	0,001	0,001
Lithuania	0,001	0,001	0,002	0,001	0,001	0,001	0,001
Luxembourg	NA						
Malta	0,360	0,159	0,187	0,197	0,176	0,247	0,226
Netherlands	NA						
Poland	NA						
Portugal	NA						
Romania	0,002	0,003	0,003	0,003	0,009	0,011	0,011
Slovak Republic	NA	NA	NA	NA	0,011	0,013	0,013
Slovenia	0,000	0,000	0,000	0,000	0,000	0,000	0,000
Spain	NA						
Sweden	0,022	0,001	0,001	0,005	0,001	0,001	0,001
<b>Average</b>	0,077	0,055	0,050	0,054	0,047	0,051	0,040
<b>Median</b>	0,001	0,001	0,002	0,002	0,001	0,006	0,006
<b>Minimum</b>	0,000	0,000	0,000	0,000	0,000	0,000	0,000
<b>Maximum</b>	0,360	0,273	0,249	0,224	0,227	0,247	0,226
<b>% of NA</b>	67%	70%	67%	70%	67%	63%	56%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.6.2: Evolution of the second instance civil and commercial litigious cases - pending more than 2 years 2016 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	0,000	0,000	0,000
Belgium	NA						
Bulgaria	NA						
Croatia	0,221	0,152	0,109	0,061	0,026	0,024	NA
Cyprus	NA						
Czech Republic	NA						
Denmark	NA						
Estonia	0,000	0,000	0,000	0,000	0,000	0,000	0,001
Finland	NA						
France	NA						
Germany	NA						
Greece	NA	NA	NA	NA	NA	0,004	0,017
Hungary	NA						
Ireland	NA						
Italy	0,306	0,272	0,249	0,223	0,227	0,205	0,171
Latvia	0,000	NA	0,005	NA	0,001	0,001	0,001
Lithuania	0,001	0,001	0,001	0,000	0,001	0,000	0,000
Luxembourg	NA						
Malta	0,360	0,159	0,187	0,197	0,176	0,247	0,226
Netherlands	NA						
Poland	NA						
Portugal	NA						
Romania	0,002	0,003	0,003	0,003	0,009	0,011	0,011
Slovak Republic	NA	NA	NA	NA	0,011	0,013	0,011
Slovenia	0,000	0,000	0,000	0,000	0,000	0,000	0,000
Spain	NA						
Sweden	0,000	0,000	0,000	0,000	0,000	0,000	0,000
<b>Average</b>	0,099	0,073	0,062	0,061	0,041	0,042	0,040
<b>Median</b>	0,001	0,002	0,003	0,002	0,001	0,003	0,001
<b>Minimum</b>	0,000	0,000	0,000	0,000	0,000	0,000	0,000
<b>Maximum</b>	0,360	0,272	0,249	0,223	0,227	0,247	0,226
<b>% of NA</b>	67%	70%	67%	70%	59%	56%	59%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.4.6.3: Evolution of the second instance administrative cases - pending more than 2 years 2016 - 2022**

Per 100 inhabitants (Q1, Q97)

States	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	NAP	NA	NAP	NAP	NAP
Belgium	NAP						
Bulgaria	NA	NA	NA	NA	NA	NA	NAP
Croatia	NA	NA	NA	NA	NA	0,000	NA
Cyprus	NA						
Czech Republic	NAP						
Denmark	NA	NAP	NA	NA	NAP	NAP	NAP
Estonia	0,000	0,000	0,000	0,000	0,000	0,000	0,000
Finland	NAP	NA	NAP	NAP	NAP	NAP	NAP
France	NA	NA	NA	0,001	0,002	0,002	0,002
Germany	NA						
Greece	NA						
Hungary	NA						
Ireland	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	NAP						
Latvia	0,000	NA	0,003	NA	0,000	0,000	0,000
Lithuania	0,000	0,000	0,001	0,000	0,000	0,001	0,001
Luxembourg	NA						
Malta	NAP	NA	NA	NA	NA	NA	NA
Netherlands	NA						
Poland	NA	NA	NA	NA	0,018	0,032	NA
Portugal	NA	NAP	NA	NA	NA	NA	NA
Romania	NAP						
Slovak Republic	NA	NA	NA	NA	0,000	0,000	0,002
Slovenia	NAP						
Spain	NA						
Sweden	0,022	0,001	0,001	0,004	0,001	0,000	0,000
<b>Average</b>	0,006	0,000	0,001	0,002	0,003	0,004	0,001
<b>Median</b>	0,000	0,000	0,001	0,001	0,000	0,000	0,000
<b>Minimum</b>	0,000	0,000	0,000	0,000	0,000	0,000	0,000
<b>Maximum</b>	0,022	0,001	0,003	0,004	0,018	0,032	0,002
<b>% of NA</b>	52%	56%	56%	59%	44%	41%	44%
<b>% of NAP</b>	33%	33%	30%	26%	30%	30%	33%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

## **Clearance rate and Disposition time for second instance other than criminal cases**

**Table 3.5.1.1: Clearance rate for second instance other than criminal cases in 2022 (Q97)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	102%	102%	102%	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	109%	109%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	103%	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	102%	NAP
Croatia	97%	NA	NA	NA	93%	92%	98%	NAP	NA	91%	NAP
Cyprus	85%	87%	NA	NA	NA	NA	NA	NA	NA	76%	NA
Czech Republic	100%	99%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	104%
Denmark	101%	101%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	97%	98%	97%	97%	NAP	NAP	NAP	NAP	NAP	94%	NAP
Finland	101%	102%	99%	99%	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	105%	106%	95%	95%	NAP	NAP	NAP	NAP	NAP	105%	101%
Germany	NA	94%	NA	NA	NA	NA	NA	NA	NA	111%	104%
Greece	94%	79%	77%	72%	91%	91%	NAP	NAP	97%	107%	94%
Hungary	102%	102%	101%	101%	104%	NAP	105%	99%	108%	225%	102%
Ireland	91%	91%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	124%	126%	108%	108%	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	97%	96%	93%	124%	80%	80%	NAP	NAP	NAP	100%	NAP
Lithuania	105%	102%	NA	NA	NAP	NAP	NAP	NAP	NA	110%	103%
Luxembourg	NA	104%	NA	NA	NAP	NAP	NAP	NAP	NA	103%	NA
Malta	96%	96%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	96%	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	85%	NAP
Poland	95%	91%	104%	104%	108%	NAP	108%	NAP	NAP	93%	107%
Portugal	93%	96%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	78%	NAP
Romania	93%	93%	95%	102%	90%	90%	NAP	NAP	NAP	NAP	NAP
Slovak Republic	99%	95%	107%	107%	NA	NAP	NA	NAP	NAP	94%	NAP
Slovenia	97%	94%	101%	101%	101%	100%	105%	NAP	NAP	NAP	NAP
Spain	90%	85%	NA	NA	NA	NA	NA	NA	NA	130%	NAP
Sweden	104%	102%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	106%	102%
<b>Average</b>	<b>99%</b>	<b>98%</b>	<b>98%</b>	<b>101%</b>	<b>95%</b>	<b>91%</b>	<b>104%</b>	<b>99%</b>	<b>103%</b>	<b>107%</b>	<b>102%</b>
<b>Median</b>	<b>97%</b>	<b>97%</b>	<b>100%</b>	<b>101%</b>	<b>93%</b>	<b>91%</b>	<b>105%</b>	<b>99%</b>	<b>103%</b>	<b>102%</b>	<b>103%</b>
<b>Minimum</b>	<b>85%</b>	<b>79%</b>	<b>77%</b>	<b>72%</b>	<b>80%</b>	<b>80%</b>	<b>98%</b>	<b>99%</b>	<b>97%</b>	<b>76%</b>	<b>94%</b>
<b>Maximum</b>	<b>124%</b>	<b>126%</b>	<b>108%</b>	<b>124%</b>	<b>108%</b>	<b>100%</b>	<b>108%</b>	<b>99%</b>	<b>108%</b>	<b>225%</b>	<b>107%</b>
<b>% of NA</b>	<b>7%</b>	<b>11%</b>	<b>30%</b>	<b>33%</b>	<b>19%</b>	<b>15%</b>	<b>19%</b>	<b>15%</b>	<b>26%</b>	<b>7%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>26%</b>	<b>26%</b>	<b>56%</b>	<b>67%</b>	<b>67%</b>	<b>81%</b>	<b>67%</b>	<b>30%</b>	<b>59%</b>

**Cyprus, Malta** have a two tier system therefore the Supreme Court is the second, highest and final instance court.

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance

**Malta:** In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**Poland:** The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.5.1.2: Disposition time for second instance other than criminal cases in 2022**

(Q097)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	72	85	53	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	124	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	57	NAP
Croatia	195	NA	NA	NA	152	163	32	NAP	NA	191	NAP
Cyprus	1847	1736	NA	NA	NA	NA	NA	NA	NA	2310	NA
Czech Republic	69	70	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	59
Denmark	185	185	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	151	172	113	113	NAP	NAP	NAP	NAP	NAP	152	NAP
Finland	197	218	112	112	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	422	489	413	413	NAP	NAP	NAP	NAP	NAP	329	92
Germany	NA	391	NA	NA	NA	NA	NA	NA	NA	460	190
Greece	561	422	315	332	148	148	NAP	NAP	537	661	154
Hungary	69	106	50	50	39	NAP	36	53	17	0	65
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	718	753	208	208	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	155	140	95	8	153	153	NAP	NAP	NAP	215	NAP
Lithuania	101	72	NA	NAP	NAP	NAP	NAP	NAP	NA	170	41
Luxembourg	NA	464	NA	NA	NAP	NAP	NAP	NAP	NA	228	NA
Malta	563	563	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Netherlands	434	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	488	NAP
Poland	278	232	104	103	141	NAP	141	NAP	NAP	647	284
Portugal	250	95	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1064	NAP
Romania	207	207	181	106	237	237	NAP	NAP	NAP	NAP	NAP
Slovak Republic	179	206	81	81	NA	NAP	NA	NAP	NAP	431	NAP
Slovenia	63	82	35	36	26	29	8	NAP	NAP	NAP	NAP
Spain	340	343	NA	NA	NA	NA	NA	NA	NA	325	NAP
Sweden	68	101	NAP	NAP	NAP	NAP	NAP	NAP	NAP	77	46
<b>Average</b>	<b>315</b>	<b>324</b>	<b>147</b>	<b>142</b>	<b>128</b>	<b>146</b>	<b>54</b>	<b>53</b>	<b>277</b>	<b>459</b>	<b>116</b>
<b>Median</b>	<b>195</b>	<b>207</b>	<b>108</b>	<b>106</b>	<b>148</b>	<b>153</b>	<b>34</b>	<b>53</b>	<b>277</b>	<b>325</b>	<b>79</b>
<b>Minimum</b>	<b>63</b>	<b>70</b>	<b>35</b>	<b>8</b>	<b>26</b>	<b>29</b>	<b>8</b>	<b>53</b>	<b>17</b>	<b>0</b>	<b>41</b>
<b>Maximum</b>	<b>1 847</b>	<b>1 736</b>	<b>413</b>	<b>413</b>	<b>237</b>	<b>237</b>	<b>141</b>	<b>53</b>	<b>537</b>	<b>2 310</b>	<b>284</b>
<b>% of NA</b>	<b>15%</b>	<b>19%</b>	<b>30%</b>	<b>30%</b>	<b>19%</b>	<b>15%</b>	<b>19%</b>	<b>15%</b>	<b>26%</b>	<b>7%</b>	<b>11%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>26%</b>	<b>30%</b>	<b>56%</b>	<b>67%</b>	<b>67%</b>	<b>81%</b>	<b>67%</b>	<b>30%</b>	<b>59%</b>

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to

Malta: In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Table 3.5.2.1: Evolution of the Clearance rate of second instance total of other than criminal cases 2012 - 2022 (Q097)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	102%	101%	100%	100%	101%	100%	101%	100%	102%	96%	102%
Belgium	NA	NA	NA	105%	110%	110%	104%	110%	104%	105%	109%
Bulgaria	100%	99%	102%	103%	101%	100%	98%	96%	95%	99%	103%
Croatia	105%	106%	110%	110%	111%	114%	112%	112%	117%	103%	97%
Cyprus	67%	NA	51%	54%	50%	67%	87%	87%	77%	92%	85%
Czech Republic	88%	NA	101%	102%	102%	104%	102%	103%	100%	103%	100%
Denmark	94%	99%	104%	109%	109%	105%	96%	94%	98%	102%	101%
Estonia	98%	NA	104%	98%	105%	101%	100%	98%	99%	92%	97%
Finland	105%	99%	98%	100%	118%	97%	106%	96%	104%	96%	101%
France	99%	95%	95%	96%	96%	103%	103%	101%	103%	105%	105%
Germany	NA										
Greece	73%	NA	89%	94%							
Hungary	101%	100%	103%	102%	99%	98%	104%	105%	105%	101%	102%
Ireland	NA	89%	75%	84%	82%	66%	75%	93%	105%	77%	91%
Italy	105%	127%	119%	120%	110%	116%	118%	128%	113%	122%	124%
Latvia	104%	112%	100%	101%	104%	108%	105%	98%	110%	101%	97%
Lithuania	105%	105%	100%	95%	100%	96%	103%	104%	112%	102%	105%
Luxembourg	NA										
Malta	55%	68%	87%	96%	NA	118%	80%	112%	130%	122%	96%
Netherlands	102%	98%	106%	95%	100%	102%	106%	102%	110%	96%	96%
Poland	93%	-	98%	-	97%	98%	96%	90%	101%	95%	95%
Portugal	101%	NA	102%	105%	96%	95%	97%	100%	104%	99%	93%
Romania	105%	66%	67%	93%	106%	97%	105%	100%	97%	96%	93%
Slovak Republic	93%	93%	88%	98%	114%	121%	104%	111%	108%	108%	99%
Slovenia	101%	101%	106%	103%	100%	105%	104%	103%	111%	98%	97%
Spain	NA	-	106%	-	98%	93%	87%	89%	113%	88%	90%
Sweden	106%	102%	94%	98%	99%	109%	95%	97%	106%	98%	104%
<b>Average</b>	96%	98%	96%	98%	100%	101%	100%	101%	105%	99%	99%
<b>Median</b>	101%	99%	100%	100%	101%	102%	102%	100%	105%	99%	97%
<b>Minimum</b>	55%	66%	51%	54%	50%	66%	75%	87%	77%	77%	85%
<b>Maximum</b>	106%	127%	119%	120%	118%	121%	118%	128%	130%	122%	124%
<b>% of NA</b>	19%	30%	15%	11%	15%	11%	11%	11%	11%	7%	7%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.5.2.2: Evolution of the Disposition time of second instance total of other than criminal cases 2012 - 2022 (Q097)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	67	66	66	69	66	69	68	67	67	79	72
Belgium	NA	NA	NA	541	NA						
Bulgaria	85	89	82	78	76	78	88	100	127	127	124
Croatia	372	327	308	292	264	258	234	205	159	157	195
Cyprus	1155	NA	2446	2767	2920	2810	2126	1953	2176	1693	1847
Czech Republic	187	NA	74	76	70	73	74	67	78	67	69
Denmark	158	166	170	166	141	136	168	193	180	176	185
Estonia	124	NA	103	113	95	93	96	108	104	132	151
Finland	152	145	186	185	138	189	162	188	180	199	197
France	368	388	422	418	426	402	409	415	509	399	422
Germany	NA										
Greece	981	NA	735	561							
Hungary	98	98	91	86	84	94	80	75	71	68	69
Ireland	NA										
Italy	1137	842	941	959	945	855	827	759	981	777	718
Latvia	199	165	216	163	145	111	118	138	124	134	155
Lithuania	112	95	99	118	124	158	154	151	112	110	101
Luxembourg	NA										
Malta	1065	1189	1010	973	NA	796	1120	875	838	567	563
Netherlands	368	374	341	379	348	389	408	427	422	407	434
Poland	106	-	130	-	151	157	178	213	255	248	278
Portugal	99	NA	93	168	198	208	224	223	244	234	250
Romania	215	342	297	184	131	153	128	139	174	164	207
Slovak Republic	153	147	174	163	102	124	143	130	145	140	179
Slovenia	104	98	75	73	81	71	66	65	35	49	63
Spain	NA	-	200	-	199	231	282	300	260	305	340
Sweden	98	101	123	134	116	63	83	94	66	81	68
<b>Average</b>	336	289	348	386	325	342	329	313	332	306	315
<b>Median</b>	156	156	172	166	138	155	158	169	167	164	195
<b>Minimum</b>	67	66	66	69	66	63	66	65	35	49	63
<b>Maximum</b>	1155	1189	2446	2767	2920	2810	2126	1953	2176	1693	1847
<b>% of NA</b>	19%	33%	19%	15%	22%	19%	19%	19%	19%	15%	15%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.5.3.1: Evolution of the Clearance rate of second instance civil and commercial litigious cases 2012 - 2022 (Q097)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	102%	94%	102%							
Belgium	NA	NA	103%	105%	110%	110%	104%	110%	104%	105%	109%
Bulgaria	NA										
Croatia	89%	94%	96%	104%	116%	122%	122%	119%	129%	98%	NA
Cyprus	63%	NA	100%	87%							
Czech Republic	98%	100%	102%	102%	102%	103%	102%	103%	100%	104%	99%
Denmark	94%	99%	104%	109%	109%	105%	96%	94%	98%	102%	101%
Estonia	100%	91%	107%	100%	106%	97%	97%	97%	102%	90%	98%
Finland	109%	103%	NA	101%	119%	95%	107%	97%	104%	95%	102%
France	99%	94%	93%	95%	95%	104%	105%	102%	105%	106%	106%
Germany	NA	100%	100%	NA	101%	102%	99%	85%	103%	85%	94%
Greece	78%	NA	102%	93%	75%	113%	97%	101%	NA	102%	79%
Hungary	101%	101%	111%	102%	100%	99%	106%	110%	107%	99%	102%
Ireland	NA	89%	75%	84%	82%	66%	75%	93%	105%	77%	91%
Italy	104%	128%	119%	122%	111%	117%	120%	131%	115%	123%	126%
Latvia	110%	108%	101%	107%	96%	103%	104%	99%	108%	103%	96%
Lithuania	96%	110%	102%	99%	101%	96%	107%	105%	111%	102%	102%
Luxembourg	103%	103%	87%	100%	106%	118%	115%	103%	105%	98%	104%
Malta	55%	68%	87%	96%	106%	118%	80%	112%	130%	122%	96%
Netherlands	NA										
Poland	94%	-	97%	-	96%	97%	96%	90%	105%	97%	91%
Portugal	NA	101%	NA	95%	97%	99%	102%	102%	108%	102%	96%
Romania	105%	66%	67%	93%	106%	97%	105%	100%	97%	96%	93%
Slovak Republic	NA	NA	NA	NA	125%	116%	105%	111%	116%	112%	95%
Slovenia	100%	100%	106%	102%	100%	105%	105%	105%	112%	97%	94%
Spain	97%	-	105%	-	98%	92%	87%	93%	117%	86%	85%
Sweden	100%	96%	106%	102%	103%	98%	102%	95%	96%	101%	102%
<b>Average</b>	95%	97%	99%	101%	103%	103%	101%	103%	108%	100%	98%
<b>Median</b>	99%	100%	102%	101%	102%	103%	104%	102%	105%	100%	97%
<b>Minimum</b>	55%	66%	67%	84%	75%	66%	75%	85%	96%	77%	79%
<b>Maximum</b>	110%	128%	119%	122%	125%	122%	122%	131%	130%	123%	126%
<b>% of NA</b>	30%	26%	26%	22%	15%	15%	15%	15%	15%	7%	11%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Table 3.5.3.2: Evolution of the Disposition time of second instance civil and commercial litigious cases 2012 - 2022 (Q097)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	77	96	85							
Belgium	NA	NA	NA	541	NA						
Bulgaria	NA										
Croatia	370	402	448	401	328	310	280	248	184	205	NA
Cyprus	340	NA	1481	1736							
Czech Republic	70	71	73	74	69	74	75	68	79	66	70
Denmark	158	166	170	166	141	136	168	193	180	176	185
Estonia	107	136	100	113	95	111	119	130	120	166	172
Finland	204	198	NA	206	150	212	177	205	210	222	218
France	405	431	477	476	487	464	466	481	607	466	489
Germany	NA	233	233	NA	245	254	262	299	265	362	391
Greece	834	NA	509	588	1149	640	662	638	NA	610	422
Hungary	125	127	114	123	121	133	112	105	116	116	106
Ireland	NA										
Italy	1161	855	959	1005	993	893	863	791	1026	817	753
Latvia	133	142	160	102	124	100	104	119	118	117	140
Lithuania	151	100	97	104	103	130	107	100	66	70	72
Luxembourg	511	498	722	601	553	466	467	488	497	501	464
Malta	1065	1189	1010	973	783	796	1120	875	838	567	563
Netherlands	NA										
Poland	71	-	89	-	105	119	137	175	188	187	232
Portugal	NA	94	NA	106	114	111	107	104	99	89	95
Romania	218	353	299	185	131	152	128	139	174	164	207
Slovak Republic	NA	NA	NA	NA	121	168	186	175	177	180	206
Slovenia	122	119	84	86	97	89	82	73	40	59	82
Spain	211	-	178	-	181	216	271	279	227	280	343
Sweden	122	135	106	107	100	109	96	117	128	111	101
<b>Average</b>	336	309	324	331	295	271	285	276	258	309	324
<b>Median</b>	204	166	174	175	131	152	168	175	177	180	207
<b>Minimum</b>	70	71	73	74	69	74	75	68	40	59	70
<b>Maximum</b>	1161	1189	1010	1005	1149	893	1120	875	1026	1481	1736
<b>% of NA</b>	30%	30%	33%	26%	22%	22%	22%	22%	22%	15%	19%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Table 3.5.4.1: Evolution of the Clearance rate of second instance administrative cases 2012 - 2022 (Q097)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NA	NAP	NAP	NAP						
Belgium	NA	NA	NAP								
Bulgaria	100%	98%	104%	102%	102%	101%	101%	101%	100%	100%	102%
Croatia	450%	500%	454%	124%	86%	90%	86%	91%	108%	116%	91%
Cyprus	40%	NA	61%	89%	190%	140%	84%	88%	69%	60%	76%
Czech Republic	98%	105%	NAP								
Denmark	NAP										
Estonia	93%	107%	100%	95%	106%	108%	111%	103%	95%	92%	94%
Finland	NAP										
France	102%	100%	100%	100%	98%	100%	97%	96%	102%	100%	105%
Germany	97%	93%	93%	NA	96%	96%	94%	98%	107%	102%	111%
Greece	69%	NA	NA	122%	107%	138%	114%	NA	98%	83%	107%
Hungary	108%	94%	99%	102%	97%	99%	97%	106%	146%	131%	225%
Ireland	NAP	NA	NA	NA							
Italy	NAP										
Latvia	90%	124%	101%	136%	137%	129%	107%	91%	120%	93%	100%
Lithuania	124%	91%	91%	80%	94%	93%	NA	101%	122%	105%	110%
Luxembourg	73%	101%	101%	104%	102%	97%	103%	96%	73%	124%	103%
Malta	NA										
Netherlands	99%	90%	101%	93%	103%	99%	108%	100%	119%	93%	85%
Poland	82%	-	84%	-	89%	108%	93%	97%	110%	64%	93%
Portugal	NA	NA	NA	107%	88%	76%	74%	90%	92%	89%	78%
Romania	NAP										
Slovak Republic	93%	93%	111%	90%	92%	500%	250%	0%	-	0%	94%
Slovenia	NAP										
Spain	112%	-	110%	-	100%	98%	92%	72%	94%	96%	130%
Sweden	110%	104%	90%	97%	97%	114%	93%	97%	110%	97%	106%
<b>Average</b>	114%	131%	120%	103%	105%	129%	107%	89%	104%	91%	107%
<b>Median</b>	98%	100%	100%	101%	98%	100%	97%	96%	104%	96%	102%
<b>Minimum</b>	40%	90%	61%	80%	86%	76%	74%	0%	69%	0%	76%
<b>Maximum</b>	450%	500%	454%	136%	190%	500%	250%	106%	146%	131%	225%
<b>% of NA</b>	11%	19%	11%	7%	4%	4%	7%	11%	7%	7%	7%
<b>% of NAP</b>	26%	26%	33%	33%	33%	33%	33%	30%	30%	30%	30%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.5.4.2: Evolution of the Disposition time of second instance administrative cases 2012 - 2022 (Q097)**

States	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NA	NAP	NAP	NAP						
Belgium	NA	NA	NAP								
Bulgaria	73	73	65	70	62	62	59	57	64	61	57
Croatia	379	228	68	62	119	153	195	210	165	122	191
Cyprus	2489	NA	2890	2741	2522	1975	2156	1724	2688	3132	2310
Czech Republic	397	366	NAP								
Denmark	NAP										
Estonia	199	176	143	154	130	102	81	92	105	122	152
Finland	NAP										
France	346	345	334	329	341	334	327	329	362	328	329
Germany	431	320	320	NA	452	430	443	427	419	456	460
Greece	1130	NA	NA	683	915	509	564	NA	599	841	661
Hungary	60	91	94	87	83	91	91	64	4	48	0
Ireland	NAP	NA	NA	NA							
Italy	NAP										
Latvia	364	227	371	277	210	152	169	215	158	223	215
Lithuania	108	156	204	252	295	352	NA	375	282	240	170
Luxembourg	290	175	175	202	228	211	222	285	421	225	228
Malta	NA										
Netherlands	440	478	411	427	348	444	437	476	465	460	488
Poland	475	-	537	-	607	502	537	625	618	778	647
Portugal	NA	NA	NA	573	714	842	1016	849	877	836	1064
Romania	NAP										
Slovak Republic	135	135	110	154	299	292	73	-	0	0	431
Slovenia	NAP										
Spain	357	-	332	-	319	329	355	418	452	450	325
Sweden	119	126	178	188	148	63	96	106	68	92	77
<b>Average</b>	458	223	415	443	458	403	426	417	456	495	459
<b>Median</b>	357	176	204	227	299	329	275	329	362	240	325
<b>Minimum</b>	60	73	65	62	62	62	59	57	0	0	0
<b>Maximum</b>	2489	478	2890	2741	2522	1975	2156	1724	2688	3132	2310
<b>% of NA</b>	11%	19%	11%	7%	4%	4%	7%	11%	7%	7%	7%
<b>% of NAP</b>	26%	26%	33%	33%	33%	33%	33%	30%	30%	30%	30%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Variations of second instance other than criminal cases  
by case categories**

**Table 3.6.1: Second instance courts, variation of incoming other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percentage (Q97)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	-20,1%	NA	NAP	-4,1%	-1,9%	NAP
Belgium	NA	-28,0%	NAP	-7,2%	-7,2%	NAP
Bulgaria	-23,6%	NA	-32,8%	-8,4%	NA	-8,9%
Croatia	-37,0%	NA	39,7%	-8,3%	NA	2,0%
Cyprus	10,1%	80,6%	-11,5%	3,2%	1,1%	11,8%
Czech Republic	-70,0%	-46,3%	NAP	1,9%	2,4%	NAP
Denmark	-40,8%	-40,8%	NAP	-4,9%	-4,9%	NAP
Estonia	0,3%	-4,1%	-3,9%	-9,0%	-7,8%	-8,3%
Finland	-32,8%	8,9%	NAP	-9,1%	-7,8%	NAP
France	-14,6%	-20,1%	6,9%	-7,0%	-3,8%	-10,5%
Germany	NA	NA	-18,0%	NA	-11,7%	-14,8%
Greece	-37,3%	-38,3%	-38,5%	16,9%	68,5%	-5,1%
Hungary	-41,9%	-57,2%	-99,8%	-9,4%	-1,6%	-86,2%
Ireland	NA	NA	NA	-5,6%	-5,6%	NA
Italy	-36,9%	-40,2%	NAP	-3,5%	-2,9%	NAP
Latvia	-54,2%	-26,5%	-66,3%	-1,4%	1,4%	-3,4%
Lithuania	-35,3%	-37,1%	34,8%	-8,2%	-9,5%	11,6%
Luxembourg	NA	-6,9%	-7,5%	NA	-1,8%	13,9%
Malta	13,9%	13,9%	NA	35,7%	35,7%	NA
Netherlands	-11,0%	NA	20,6%	3,1%	NA	17,8%
Poland	-6,3%	2,5%	56,4%	-3,3%	2,4%	-12,6%
Portugal	32,5%	NA	NA	12,6%	16,4%	-1,1%
Romania	899,2%	945,0%	NAP	-4,8%	-4,8%	NAP
Slovak Republic	-54,6%	NA	6848,3%	6,8%	15,2%	
Slovenia	-52,4%	-44,0%	NAP	-4,5%	0,1%	NAP
Spain	NA	32,7%	-2,1%	0,1%	3,0%	-18,8%
Sweden	34,1%	11,2%	33,5%	-8,6%	-0,6%	-12,4%
<b>Average</b>	19,2%	37,1%	422,5%	-1,1%	3,1%	-7,8%
<b>Median</b>	-28,2%	-20,1%	-3,0%	-4,5%	-1,7%	-6,7%
<b>Minimum</b>	-70,0%	-57,2%	-99,8%	-9,4%	-11,7%	-86,2%
<b>Maximum</b>	899,2%	945,0%	6848,3%	35,7%	68,5%	17,8%
<b>% of NA</b>	19%	30%	11%	7%	11%	7%
<b>% of NAP</b>	0%	0%	30%	0%	0%	30%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.6.2: Second instance courts, variation of resolved other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percentage (Q97)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	-20,5%	NA	NAP	1,2%	5,5%	NAP
Belgium	NA	NA	NAP	-3,4%	-3,4%	NAP
Bulgaria	-21,4%	NA	-31,3%	-5,1%	NA	-6,9%
Croatia	-42,1%	NA	-71,9%	-14,0%	NA	-20,5%
Cyprus	39,6%	149,2%	67,2%	-5,3%	-12,3%	42,6%
Czech Republic	-66,1%	-45,3%	NAP	-1,8%	-2,2%	NAP
Denmark	-36,6%	-36,6%	NAP	-6,2%	-6,2%	NAP
Estonia	-0,9%	-5,9%	-3,0%	-4,4%	0,4%	-6,2%
Finland	-35,3%	2,0%	NAP	-4,2%	-1,4%	NAP
France	-9,8%	-14,1%	9,6%	-6,6%	-2,9%	-6,0%
Germany	NA	215,2%	-6,4%	NA	-1,9%	-7,7%
Greece	-19,7%	-37,3%	-4,6%	23,0%	30,5%	22,5%
Hungary	-41,4%	-56,7%	-99,5%	-9,3%	1,7%	-76,3%
Ireland	NA	NA	NA	10,6%	10,6%	NA
Italy	-25,1%	-28,1%	NAP	-1,3%	-1,1%	NAP
Latvia	-57,3%	-36,2%	-62,5%	-5,5%	-5,7%	4,1%
Lithuania	-35,8%	-33,1%	20,1%	-6,0%	-9,4%	17,4%
Luxembourg	NA	-6,1%	29,9%	NA	4,6%	-5,8%
Malta	98,9%	98,9%	NA	6,3%	6,3%	NA
Netherlands	-16,4%	NA	4,0%	2,3%	NA	8,3%
Poland	-4,8%	-1,2%	78,6%	-3,3%	-4,3%	28,1%
Portugal	21,3%	NA	NA	5,7%	10,3%	-13,2%
Romania	783,3%	819,7%	NAP	-8,3%	-8,3%	NAP
Slovak Republic	-51,8%	NA	6896,3%	-2,4%	-3,1%	
Slovenia	-54,5%	-47,0%	NAP	-5,2%	-2,1%	NAP
Spain	NA	15,5%	14,3%	2,3%	1,0%	9,7%
Sweden	32,2%	14,4%	28,2%	-2,8%	1,2%	-4,5%
<b>Average</b>	19,8%	50,9%	429,3%	-1,7%	0,3%	-0,9%
<b>Median</b>	-21,0%	-6,1%	6,8%	-3,4%	-1,6%	-5,1%
<b>Minimum</b>	-66,1%	-56,7%	-99,5%	-14,0%	-12,3%	-76,3%
<b>Maximum</b>	783,3%	819,7%	6896,3%	23,0%	30,5%	42,6%
<b>% of NA</b>	19%	30%	11%	7%	11%	7%
<b>% of NAP</b>	0%	0%	30%	0%	0%	30%

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Table 3.6.3: Second instance courts, variation of pending other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percentage (Q97)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	-14,5%	NA	NAP	-7,8%	-6,2%	NAP
Belgium	NA	NA	NAP	NA	NA	NAP
Bulgaria	14,5%	NA	-46,3%	-7,6%	NA	-12,7%
Croatia	-69,7%	NA	-85,8%	6,4%	NA	25,0%
Cyprus	123,3%	1171,3%	55,2%	3,3%	2,7%	5,2%
Czech Republic	-87,4%	-45,1%	NAP	1,8%	3,8%	NAP
Denmark	-26,0%	-26,0%	NAP	-1,6%	-1,6%	NAP
Estonia	20,7%	51,1%	-26,0%	9,4%	4,5%	17,0%
Finland	-16,2%	9,3%	NAP	-5,3%	-2,8%	NAP
France	3,5%	3,7%	4,3%	-1,3%	1,7%	-5,5%
Germany	NA	NA	-0,1%	NA	6,0%	-7,0%
Greece	-54,1%	-68,2%	-44,2%	-6,0%	-9,6%	-3,7%
Hungary	-58,7%	-63,2%	-100,0%	-7,5%	-7,0%	-100,0%
Ireland	NA	NA	NA	NA	NA	NA
Italy	-52,7%	-53,3%	NAP	-8,8%	-8,8%	NAP
Latvia	-66,7%	-33,0%	-77,9%	9,0%	12,9%	0,2%
Lithuania	-41,6%	-68,3%	90,0%	-13,4%	-8,0%	-16,7%
Luxembourg	NA	-14,7%	2,4%	NA	-3,1%	-4,4%
Malta	5,1%	5,1%	NA	5,5%	5,5%	NA
Netherlands	-1,3%	NA	15,5%	9,1%	NA	14,9%
Poland	150,0%	221,4%	143,2%	8,6%	18,6%	6,6%
Portugal	206,8%	NA	NA	12,7%	17,8%	10,4%
Romania	749,2%	775,9%	NAP	16,1%	16,2%	NAP
Slovak Republic	-43,4%	NA	22220,0%	25,3%	11,2%	
Slovenia	-72,4%	-64,5%	NAP	23,0%	35,2%	NAP
Spain	NA	87,7%	4,0%	14,1%	23,8%	-20,7%
Sweden	-8,2%	-5,0%	-17,8%	-18,1%	-8,0%	-20,9%
<b>Average</b>	30,0%	104,7%	1383,5%	2,9%	4,8%	-7,0%
<b>Median</b>	-15,3%	-9,8%	1,1%	3,3%	3,3%	-4,1%
<b>Minimum</b>	-87,4%	-68,3%	-100,0%	-18,1%	-9,6%	-100,0%
<b>Maximum</b>	749,2%	1171,3%	22220,0%	25,3%	35,2%	25,0%
<b>% of NA</b>	19%	33%	11%	15%	19%	7%
<b>% of NAP</b>	0%	0%	30%	0%	0%	30%

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Table 3.6.4: Second instance courts, variation of Clearance rate of other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percent points (Q97)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	-0,5	NA	NAP	+5,42	+7,12	NAP
Belgium	NA	NA	NAP	+4,27	+4,27	NAP
Bulgaria	+2,8	NA	+2,21	+3,54	NA	+2,22
Croatia	-8,5	NA	-359,64	-6,45	NA	-25,53
Cyprus	+17,9	+23,99	+35,80	-7,61	-13,34	+16,43
Czech Republic	+11,5	+1,75	NAP	-3,80	-4,61	NAP
Denmark	+6,7	+6,70	NAP	-1,35	-1,35	NAP
Estonia	-1,2	-1,89	+0,84	+4,62	+8,05	+2,08
Finland	-4,0	-6,81	NAP	+5,16	+6,59	NAP
France	+5,5	+7,45	+2,67	+0,46	+0,94	+5,06
Germany	NA	NA	+13,70	NA	+9,40	+8,57
Greece	+20,5	+1,34	+38,21	+4,70	-23,05	+24,22
Hungary	+0,8	+1,32	+116,60	+0,17	+3,30	+93,97
Ireland	NA	NA	NA	+13,25	+13,25	NA
Italy	+19,7	+21,16	NAP	+2,70	+2,30	NAP
Latvia	-7,0	-14,62	+10,14	-4,22	-7,25	+7,26
Lithuania	-0,9	+6,00	-13,51	+2,46	+0,16	+5,43
Luxembourg	NA	+0,84	+29,68	NA	+6,39	-21,51
Malta	+40,8	+40,82	NA	-26,45	-26,45	NA
Netherlands	-6,2	NA	-13,58	-0,76	NA	-7,47
Poland	+1,5	-3,40	+11,59	-0,06	-6,36	+29,66
Portugal	-8,5	NA	NA	-6,06	-5,31	-10,94
Romania	-12,2	-12,62	NAP	-3,54	-3,54	NAP
Slovak Republic	+5,8	NA	+0,64	-9,28	-17,81	+93,75
Slovenia	-4,5	-5,33	NAP	-0,71	-2,10	NAP
Spain	NA	-12,60	+18,68	+1,95	-1,67	+33,80
Sweden	-1,5	+2,88	-4,35	+6,23	+1,82	+8,75
<b>Average</b>	3,6	3,2	-6,9	-0,6	-2,1	15,6
<b>Median</b>	0,1	1,3	6,4	0,2	-0,6	7,3
<b>Minimum</b>	-12,2	-14,6	-359,6	-26,5	-26,5	-25,5
<b>Maximum</b>	40,8	40,8	116,6	13,2	13,2	94,0
<b>% of NA</b>	19%	33%	11%	7%	11%	7%
<b>% of NAP</b>	0%	0%	30%	0%	0%	30%

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Table 3.6.5: Second instance courts, variation of Disposition time for other than criminal cases between 2012 - 2022 and 2021 - 2022**

in percentage (Q97)

States	Variations 2012 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	7,6%	NA	NAP	-8,9%	-11,1%	NAP
Belgium	NA	NA	NAP	NA	NA	NAP
Bulgaria	45,8%	NA	-21,8%	-2,7%	NA	-6,3%
Croatia	-47,6%	NA	-49,5%	23,8%	NA	57,2%
Cyprus	59,9%	410,1%	-7,2%	9,1%	17,2%	-26,2%
Czech Republic	-62,9%	0,3%	NAP	3,7%	6,1%	NAP
Denmark	16,6%	16,6%	NAP	4,9%	4,9%	NAP
Estonia	21,8%	60,6%	-23,7%	14,5%	4,1%	24,8%
Finland	29,6%	7,1%	NAP	-1,1%	-1,4%	NAP
France	14,8%	20,7%	-4,8%	5,7%	4,8%	0,5%
Germany	NA	NA	6,7%	NA	8,0%	0,7%
Greece	-42,8%	-49,4%	-41,5%	-23,6%	-30,7%	-21,4%
Hungary	-29,5%	-15,0%	-100,0%	1,9%	-8,6%	-100,0%
Ireland	NA	NA	NA	NA	NA	NA
Italy	-36,8%	-35,1%	NAP	-7,6%	-7,8%	NAP
Latvia	-21,9%	5,1%	-41,0%	15,4%	19,7%	-3,8%
Lithuania	-9,0%	-52,6%	58,2%	-7,9%	1,6%	-29,1%
Luxembourg	NA	-9,1%	-21,2%	NA	-7,3%	1,5%
Malta	-47,2%	-47,2%	NA	-0,8%	-0,8%	NA
Netherlands	18,0%	NA	11,0%	6,7%	NA	6,1%
Poland	162,7%	225,4%	36,2%	12,3%	23,9%	-16,8%
Portugal	152,9%	NA	NA	6,6%	6,8%	27,2%
Romania	-3,9%	-4,8%	NAP	26,6%	26,6%	NAP
Slovak Republic	17,4%	NA	219,0%	28,3%	14,7%	
Slovenia	-39,5%	-33,1%	NAP	29,7%	38,1%	NAP
Spain	NA	62,5%	-9,0%	11,5%	22,6%	-27,7%
Sweden	-30,5%	-17,0%	-35,9%	-15,7%	-9,1%	-17,2%
<b>Average</b>	8,0%	30,3%	-1,5%	5,8%	5,6%	-8,2%
<b>Median</b>	1,9%	-2,2%	-15,1%	5,7%	4,8%	-5,0%
<b>Minimum</b>	-62,9%	-52,6%	-100,0%	-23,6%	-30,7%	-100,0%
<b>Maximum</b>	162,7%	410,1%	219,0%	29,7%	38,1%	57,2%
<b>% of NA</b>	19%	33%	11%	15%	19%	7%
<b>% of NAP</b>	0%	0%	30%	0%	0%	30%

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Supreme court other than criminal cases by case categories and by case status**

**Table 3.7.1.1a: Supreme court other than criminal cases - pending cases on 1st Jan. in 2022**

**Absolute values (Q99)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	922	NA	NA	NA	NA	NA	NA	NA	3 547	NA
Belgium	1 709	460	40	NAP	NAP	NAP	NAP	NAP	40	1 191	18
Bulgaria	8 298	4 686	0	0	NAP	NAP	NAP	NAP	NAP	3 612	NAP
Croatia	11 084	10 240	600	494	105	105	NAP	NAP	1	244	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	5 297	1 568	52	52	NAP	NAP	NAP	NAP	NAP	3 469	208
Denmark	157	157	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	61	31	NAP	NAP	NAP	NAP	NAP	NAP	NAP	30	NAP
Finland	2 633	321	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2 138	174
France	25 548	19 922	NAP	NA	NAP	NAP	NAP	NAP	NAP	5 562	64
Germany	9 565	NA	NA	NA	NA	NA	NA	NA	NA	3 352	938
Greece	14 993	NA	NA	NA	NA	NA	NA	NA	NA	12 310	2 683
Hungary	1 703	877	96	87	9	NAP	6	3	0	654	76
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	134 714	110 842	NAP	NAP	NAP	NAP	NAP	NAP	NAP	23 473	399
Latvia	1 017	420	5	NAP	5	5	NAP	NAP	0	592	0
Lithuania	431	380	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	51
Luxembourg	88	88	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	1 407	459	NAP	NAP	NAP	NAP	NAP	NAP	NAP	948	NAP
Poland	NA	5 329	NA	NA	NA	NA	NA	NA	NA	NA	889
Portugal	1 712	808	NAP	NAP	NAP	NAP	NAP	NAP	NAP	904	NAP
Romania	34 034	14 517	89	2	87	87	NAP	NAP	NAP	19 428	NAP
Slovak Republic	2 630	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	463	326	18	15	3	3	NAP	NAP	NAP	119	NAP
Spain	34 828	26 996	NAP	NAP	NAP	NAP	NAP	NAP	NAP	7 832	NAP
Sweden	3 074	90	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2 053	931
Average	13 429	9 497	113	108	42	50	6	3	10	4 814	536
Median	2 632	808	46	34	9	46	6	3	1	2 138	191
Minimum	61	31	0	0	3	3	6	3	0	30	0
Maximum	134 714	110 842	600	494	105	105	6	3	40	23 473	2 683
% of NA	11%	15%	19%	22%	15%	15%	15%	15%	15%	7%	4%
% of NAP	7%	7%	52%	56%	67%	70%	81%	81%	70%	22%	52%

**Cyprus, Malta** have a two tier system therefore the Supreme Court is the second, highest and final instance court.

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Malta:** In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**Poland:** The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.1.1b: Supreme court other than criminal cases - pending cases on 1st Jan. in 2022**

Per 100 inhabitants (Q1, Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	0,01	NA	NA	NA	NA	NA	NA	NA	0,04	NA
Belgium	0,01	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,00	0,01	0,00
Bulgaria	0,13	0,07	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,06	NAP
Croatia	0,29	0,27	0,02	0,01	0,00	0,00	NAP	NAP	0,00	0,01	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	0,05	0,01	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,03	0,00
Denmark	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00	NAP
Finland	0,05	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,04	0,00
France	0,04	0,03	NAP	NA	NAP	NAP	NAP	NAP	NAP	0,01	0,00
Germany	0,01	NA	NA	NA	NA	NA	NA	NA	NA	0,00	0,00
Greece	0,14	NA	NA	NA	NA	NA	NA	NA	NA	0,12	0,03
Hungary	0,02	0,01	0,00	0,00	0,00	NAP	0,00	0,00	0,00	0,01	0,00
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	0,23	0,19	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,04	0,00
Latvia	0,05	0,02	0,00	NAP	0,00	0,00	NAP	NAP	0,00	0,03	0,00
Lithuania	0,02	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00
Luxembourg	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	0,01	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,01	NAP
Poland	NA	0,01	NA	NA	NA	NA	NA	NA	NA	NA	0,00
Portugal	0,02	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,01	NAP
Romania	0,18	0,08	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,10	NAP
Slovak Republic	0,05	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	0,02	0,02	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,01	NAP
Spain	0,07	0,06	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,02	NAP
Sweden	0,03	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,02	0,01
Average	0,06	0,04	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,03	0,00
Median	0,03	0,01	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,02	0,00
Minimum	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Maximum	0,29	0,27	0,02	0,01	0,00	0,00	0,00	0,00	0,00	0,12	0,03
% of NA	11%	15%	19%	22%	15%	15%	15%	15%	15%	7%	4%
% of NAP	7%	7%	52%	56%	67%	70%	81%	81%	70%	22%	52%

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Malta: In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

Slovak Republic: In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.1.2a: Supreme court other than criminal cases - incoming in 2022**

Absolute values (Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	2 437	NA	NA	NA	NA	NA	NA	NA	5 409	NA
Belgium	1 491	409	219	NAP	NAP	NAP	NAP	NAP	219	840	23
Bulgaria	20 087	7 581	182	182	NAP	NAP	NAP	NAP	NAP	12 324	NAP
Croatia	7 012	6 509	463	388	69	69	NAP	NAP	6	40	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	7 925	3 893	163	163	NAP	NAP	NAP	NAP	NAP	3 493	376
Denmark	168	168	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	145	80	NAP	NAP	NAP	NAP	NAP	NAP	NAP	65	NAP
Finland	4 606	653	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 713	240
France	25 378	15 479	NAP	NA	NAP	NAP	NAP	NAP	NAP	9 672	227
Germany	13 461	NA	NA	NA	NA	NA	NA	NA	NA	5 617	1 220
Greece	5 604	NA	NA	NA	NA	NA	NA	NA	NA	3 038	2 566
Hungary	4 881	1 846	491	452	26	NAP	20	6	13	2 280	264
Ireland	158	158	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	41 042	29 504	NAP	NAP	NAP	NAP	NAP	NAP	NAP	11 127	411
Latvia	1 543	893	20	NAP	20	20	NAP	NAP	0	630	0
Lithuania	377	282	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	95
Luxembourg	76	76	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	1 346	376	NAP	NAP	NAP	NAP	NAP	NAP	NAP	970	NAP
Poland	NA	10 726	NA	NA	NA	NA	NA	NA	NA	NA	2 259
Portugal	3 803	2 680	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 123	NAP
Romania	44 002	18 643	200	33	167	167	NAP	NAP	NAP	25 159	NAP
Slovak Republic	2 560	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	1 992	1 507	100	86	14	14	NAP	NAP	NAP	385	NAP
Spain	27 483	16 162	NAP	NAP	NAP	NAP	NAP	NAP	NAP	11 321	NAP
Sweden	12 994	257	NAP	NAP	NAP	NAP	NAP	NAP	NAP	7 701	5 036
<b>Average</b>	<b>9 919</b>	<b>5 469</b>	<b>230</b>	<b>217</b>	<b>59</b>	<b>68</b>	<b>20</b>	<b>6</b>	<b>60</b>	<b>5 521</b>	<b>1 060</b>
<b>Median</b>	<b>4 606</b>	<b>1 677</b>	<b>191</b>	<b>173</b>	<b>26</b>	<b>45</b>	<b>20</b>	<b>6</b>	<b>10</b>	<b>3 493</b>	<b>320</b>
<b>Minimum</b>	<b>76</b>	<b>76</b>	<b>20</b>	<b>33</b>	<b>14</b>	<b>14</b>	<b>20</b>	<b>6</b>	<b>0</b>	<b>40</b>	<b>0</b>
<b>Maximum</b>	<b>44 002</b>	<b>29 504</b>	<b>491</b>	<b>452</b>	<b>167</b>	<b>167</b>	<b>20</b>	<b>6</b>	<b>219</b>	<b>25 159</b>	<b>5 036</b>
<b>% of NA</b>	<b>7%</b>	<b>11%</b>	<b>19%</b>	<b>22%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>7%</b>	<b>4%</b>
<b>% of NAP</b>	<b>7%</b>	<b>7%</b>	<b>52%</b>	<b>56%</b>	<b>67%</b>	<b>70%</b>	<b>81%</b>	<b>81%</b>	<b>70%</b>	<b>22%</b>	<b>52%</b>

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

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Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

Slovak Republic: In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.1.2b: Supreme court other than criminal cases - incoming cases in 2022**

Per 100 inhabitants (Q1, Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	0,03	NA	NA	NA	NA	NA	NA	NA	0,06	NA
Belgium	0,01	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,00	0,01	0,00
Bulgaria	0,31	0,12	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,19	NAP
Croatia	0,18	0,17	0,01	0,01	0,00	0,00	NAP	NAP	0,00	0,00	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	0,07	0,04	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,03	0,00
Denmark	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00	NAP
Finland	0,08	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,07	0,00
France	0,04	0,02	NAP	NA	NAP	NAP	NAP	NAP	NAP	0,01	0,00
Germany	0,02	NA	NA	NA	NA	NA	NA	NA	NA	0,01	0,00
Greece	0,05	NA	NA	NA	NA	NA	NA	NA	NA	0,03	0,02
Hungary	0,05	0,02	0,01	0,00	0,00	NAP	0,00	0,00	0,00	0,02	0,00
Ireland	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	0,07	0,05	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,02	0,00
Latvia	0,08	0,05	0,00	NAP	0,00	0,00	NAP	NAP	0,00	0,03	0,00
Lithuania	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00
Luxembourg	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	0,01	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,01	NAP
Poland	NA	0,03	NA	NA	NA	NA	NA	NA	NA	NA	0,01
Portugal	0,04	0,03	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,01	NAP
Romania	0,23	0,10	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,13	NAP
Slovak Republic	0,05	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	0,09	0,07	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,02	NAP
Spain	0,06	0,03	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,02	NAP
Sweden	0,12	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,07	0,05
Average	0,07	0,04	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,04	0,01
Median	0,05	0,02	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,02	0,00
Minimum	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Maximum	0,31	0,17	0,01	0,01	0,00	0,00	0,00	0,00	0,00	0,19	0,05
% of NA	7%	11%	19%	22%	15%	15%	15%	15%	15%	7%	4%
% of NAP	7%	7%	52%	56%	67%	70%	81%	81%	70%	22%	52%

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**Table 3.7.1.3a: Supreme court other than criminal cases - resolved cases in 2022**

Absolute values (Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	2 623	NA	NA	NA	NA	NA	NA	NA	5 971	NA
Belgium	1 423	427	216	NAP	NAP	NAP	NAP	NAP	216	763	17
Bulgaria	19 445	7 435	181	181	NAP	NAP	NAP	NAP	NAP	11 829	NAP
Croatia	9 459	8 738	592	500	88	88	NAP	NAP	4	129	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	8 350	3 875	178	178	NAP	NAP	NAP	NAP	NAP	3 943	354
Denmark	171	171	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	134	79	NAP	NAP	NAP	NAP	NAP	NAP	NAP	55	NAP
Finland	4 730	689	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 757	284
France	25 190	15 168	NAP	NA	NAP	NAP	NAP	NAP	NAP	9 833	189
Germany	12 768	NA	NA	NA	NA	NA	NA	NA	NA	5 514	1 241
Greece	6 023	NA	NA	NA	NA	NA	NA	NA	NA	3 492	2 531
Hungary	5 483	2 070	538	504	22	NAP	18	4	12	2 624	251
Ireland	185	185	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	52 460	35 875	NAP	NAP	NAP	NAP	NAP	NAP	NAP	16 176	409
Latvia	1 709	953	20	NAP	20	20	NAP	NAP	0	736	0
Lithuania	419	296	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	123
Luxembourg	103	103	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	1 175	403	NAP	NAP	NAP	NAP	NAP	NAP	NAP	772	NAP
Poland	NA	8 071	NA	NA	NA	NA	NA	NA	NA	NA	1 768
Portugal	3 862	2 749	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 113	NAP
Romania	48 233	20 846	216	34	182	182	NAP	NAP	NAP	27 171	NAP
Slovak Republic	2 957	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	2 021	1 527	96	81	15	15	NAP	NAP	NAP	398	NAP
Spain	24 742	14 464	NAP	NAP	NAP	NAP	NAP	NAP	NAP	10 278	NAP
Sweden	12 952	259	NAP	NAP	NAP	NAP	NAP	NAP	NAP	7 826	4 867
<b>Average</b>	<b>10 608</b>	<b>5 773</b>	<b>255</b>	<b>246</b>	<b>65</b>	<b>76</b>	<b>18</b>	<b>4</b>	<b>58</b>	<b>5 915</b>	<b>1 003</b>
<b>Median</b>	<b>4 730</b>	<b>1 799</b>	<b>199</b>	<b>180</b>	<b>22</b>	<b>54</b>	<b>18</b>	<b>4</b>	<b>8</b>	<b>3 757</b>	<b>319</b>
<b>Minimum</b>	<b>103</b>	<b>79</b>	<b>20</b>	<b>34</b>	<b>15</b>	<b>15</b>	<b>18</b>	<b>4</b>	<b>0</b>	<b>55</b>	<b>0</b>
<b>Maximum</b>	<b>52 460</b>	<b>35 875</b>	<b>592</b>	<b>504</b>	<b>182</b>	<b>182</b>	<b>18</b>	<b>4</b>	<b>216</b>	<b>27 171</b>	<b>4 867</b>
<b>% of NA</b>	<b>7%</b>	<b>11%</b>	<b>19%</b>	<b>22%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>7%</b>	<b>4%</b>
<b>% of NAP</b>	<b>7%</b>	<b>7%</b>	<b>52%</b>	<b>56%</b>	<b>67%</b>	<b>70%</b>	<b>81%</b>	<b>81%</b>	<b>70%</b>	<b>22%</b>	<b>52%</b>

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Malta: In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Netherlands: The number of resolved cases includes only cases finalised by a judge decision, while cases closed differently (e.g. withdrawn, discarded upon objection and alike) are not included

Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

Slovak Republic: In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.1.3b: Supreme court other than criminal cases - resolved cases per 100 inhabitants in 2022**

Per 100 inhabitants (Q1, Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	0,03	NA	NA	NA	NA	NA	NA	NA	0,07	NA
Belgium	0,01	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,00	0,01	0,00
Bulgaria	0,30	0,12	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,18	NAP
Croatia	0,25	0,23	0,02	0,01	0,00	0,00	NAP	NAP	0,00	0,00	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	0,08	0,04	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,04	0,00
Denmark	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00	NAP
Finland	0,09	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,07	0,01
France	0,04	0,02	NAP	NA	NAP	NAP	NAP	NAP	NAP	0,01	0,00
Germany	0,02	NA	NA	NA	NA	NA	NA	NA	NA	0,01	0,00
Greece	0,06	NA	NA	NA	NA	NA	NA	NA	NA	0,03	0,02
Hungary	0,06	0,02	0,01	0,01	0,00	NAP	0,00	0,00	0,00	0,03	0,00
Ireland	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	0,09	0,06	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,03	0,00
Latvia	0,09	0,05	0,00	NAP	0,00	0,00	NAP	NAP	0,00	0,04	0,00
Lithuania	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00
Luxembourg	0,02	0,02	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	0,01	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00	NAP
Poland	NA	0,02	NA	NA	NA	NA	NA	NA	NA	NA	0,00
Portugal	0,04	0,03	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,01	NAP
Romania	0,25	0,11	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,14	NAP
Slovak Republic	0,05	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	0,10	0,07	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,02	NAP
Spain	0,05	0,03	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,02	NAP
Sweden	0,12	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,07	0,05
Average	0,08	0,04	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,04	0,01
Median	0,05	0,02	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,03	0,00
Minimum	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Maximum	0,30	0,23	0,02	0,01	0,00	0,00	0,00	0,00	0,00	0,18	0,05
% of NA	7%	11%	19%	22%	15%	15%	15%	15%	15%	7%	4%
% of NAP	7%	7%	52%	56%	67%	70%	81%	81%	70%	22%	52%

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Malta: In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Netherlands: The number of resolved cases includes only cases finalised by a judge decision, while cases closed differently (e.g. withdrawn, discarded upon objection and alike) are not included

Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Table 3.7.1.4a: Supreme court other than criminal cases - pending cases on 31 Dec. 2022**

Absolute values (Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	736	NA	NA	NA	NA	NA	NA	NA	2 985	NA
Belgium	1 734	442	37	NAP	NAP	NAP	NAP	NAP	37	1 231	24
Bulgaria	8 940	4 832	1	1	NAP	NAP	NAP	NAP	NAP	4 107	NAP
Croatia	8 625	8 000	470	381	86	86	NAP	NAP	3	155	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	4 872	1 586	37	37	NAP	NAP	NAP	NAP	NAP	3 019	230
Denmark	154	154	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	72	32	NAP	NAP	NAP	NAP	NAP	NAP	NAP	40	NAP
Finland	2 509	285	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2 094	130
France	25 722	20 233	NAP	NA	NAP	NAP	NAP	NAP	NAP	5 387	102
Germany	10 258	NA	NA	NA	NA	NA	NA	NA	NA	3 455	917
Greece	14 574	NA	NA	NA	NA	NA	NA	NA	NA	11 856	2 718
Hungary	1 101	653	49	35	13	NAP	8	5	1	310	89
Ireland	72	72	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	123 296	104 471	NAP	NAP	NAP	NAP	NAP	NAP	NAP	18 424	401
Latvia	851	360	5	NAP	5	5	NAP	NAP	0	486	0
Lithuania	389	366	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	23
Luxembourg	61	61	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	1 193	410	NAP	NAP	NAP	NAP	NAP	NAP	NAP	783	NAP
Poland	NA	7 984	NA	NA	NA	NA	NA	NA	NA	NA	1 150
Portugal	1 653	739	NAP	NAP	NAP	NAP	NAP	NAP	NAP	914	NAP
Romania	29 803	12 314	73	1	72	72	NAP	NAP	NAP	17 416	NAP
Slovak Republic	2 233	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	434	306	22	20	2	2	NAP	NAP	NAP	106	NAP
Spain	36 416	27 391	NAP	NAP	NAP	NAP	NAP	NAP	NAP	9 025	NAP
Sweden	3 116	88	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 928	1 100
Average	12 090	8 705	87	79	36	41	8	5	10	4 406	574
Median	2 233	548	37	28	13	39	8	5	2	2 094	180
Minimum	61	32	1	1	2	2	8	5	0	40	0
Maximum	123 296	104 471	470	381	86	86	8	5	37	18 424	2 718
% of NA	7%	11%	19%	22%	15%	15%	15%	15%	15%	7%	4%
% of NAP	7%	7%	52%	56%	67%	70%	81%	81%	70%	22%	52%

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Malta: In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Table 3.7.1.4b: Supreme court other than criminal cases - pending cases on 31 Dec. in2022**

Per 100 inhabitants (Q1, Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	0,01	NA	NA	NA	NA	NA	NA	NA	0,03	NA
Belgium	0,01	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,00	0,01	0,00
Bulgaria	0,14	0,07	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,06	NAP
Croatia	0,22	0,21	0,01	0,01	0,00	0,00	NAP	NAP	0,00	0,00	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	0,04	0,01	0,00	0,00	NAP	NAP	NAP	NAP	NAP	0,03	0,00
Denmark	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	0,01	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00	NAP
Finland	0,05	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,04	0,00
France	0,04	0,03	NAP	NA	NAP	NAP	NAP	NAP	NAP	0,01	0,00
Germany	0,01	NA	NA	NA	NA	NA	NA	NA	NA	0,00	0,00
Greece	0,14	NA	NA	NA	NA	NA	NA	NA	NA	0,11	0,03
Hungary	0,01	0,01	0,00	0,00	0,00	NAP	0,00	0,00	0,00	0,00	0,00
Ireland	0,00	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	0,21	0,18	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,03	0,00
Latvia	0,05	0,02	0,00	NAP	0,00	0,00	NAP	NAP	0,00	0,03	0,00
Lithuania	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00
Luxembourg	0,01	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	0,01	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,00	NAP
Poland	NA	0,02	NA	NA	NA	NA	NA	NA	NA	NA	0,00
Portugal	0,02	0,01	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,01	NAP
Romania	0,16	0,06	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,09	NAP
Slovak Republic	0,04	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	0,02	0,01	0,00	0,00	0,00	0,00	NAP	NAP	NAP	0,01	NAP
Spain	0,08	0,06	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,02	NAP
Sweden	0,03	0,00	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,02	0,01
<b>Average</b>	<b>0,06</b>	<b>0,03</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,03</b>	<b>0,00</b>
<b>Median</b>	<b>0,03</b>	<b>0,01</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,02</b>	<b>0,00</b>
<b>Minimum</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>
<b>Maximum</b>	<b>0,22</b>	<b>0,21</b>	<b>0,01</b>	<b>0,01</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,00</b>	<b>0,11</b>	<b>0,03</b>
<b>% of NA</b>	<b>7%</b>	<b>11%</b>	<b>19%</b>	<b>22%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>7%</b>	<b>4%</b>
<b>% of NAP</b>	<b>7%</b>	<b>7%</b>	<b>52%</b>	<b>56%</b>	<b>67%</b>	<b>70%</b>	<b>81%</b>	<b>81%</b>	<b>70%</b>	<b>22%</b>	<b>52%</b>

Cyprus, Malta have a two tier system therefore the Supreme Court is the second, highest and final instance court.

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Malta: In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Poland: The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Table 3.7.1.5: Supreme court civil and commercial litigious and administrative cases - pending more than 2 years in 2022**

**Absolute values and as a percent (%) of the pending cases Dec 31st of the same category (Q99)**

States	Civil (and commercial) litigious cases pending more than 2 years		Administrative law cases pending more than 2 years	
	Number	as a % of pending cases on 31 Dec	Number	as a % of pending cases on 31 Dec
Austria	0	0,0%	303	10,2%
Belgium	81	18,3%	233	18,9%
Bulgaria	98	2,0%	101	2,5%
Croatia	3 345	41,8%	48	31,0%
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	NA	NA	NA	NA
Denmark	NA	NA	NA	NA
Estonia	0	0,0%	0	0,0%
Finland	NA	NA	NA	NA
France	NA	NA	NA	NA
Germany	NA	NA	NA	NA
Greece	NA	NA	NA	NA
Hungary	NA	NA	NA	NA
Ireland	NA	NA	NA	NA
Italy	53 362	51,1%	7 827	42,5%
Latvia	5	1,4%	122	25,1%
Lithuania	2	0,5%	NAP	NAP
Luxembourg	NA	NA	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA
Poland	NA	NA	NA	NA
Portugal	NA	NA	NA	NA
Romania	328	2,7%	916	5,3%
Slovak Republic	56	-	NAP	NAP
Slovenia	12	3,9%	14	13,2%
Spain	NA	NA	NA	NA
Sweden	0	0,0%	1	0,1%
<b>Average</b>	<b>4 774</b>	<b>11,1%</b>	<b>957</b>	<b>14,9%</b>
<b>Median</b>	<b>34</b>	<b>2,0%</b>	<b>112</b>	<b>11,7%</b>
<b>Minimum</b>	<b>0</b>	<b>0,0%</b>	<b>0</b>	<b>0,0%</b>
<b>Maximum</b>	<b>53 362</b>	<b>51,1%</b>	<b>7 827</b>	<b>42,5%</b>
<b>% of NA</b>	<b>48%</b>	<b>50%</b>	<b>44%</b>	<b>44%</b>
<b>% of NAP</b>	<b>7%</b>	<b>8%</b>	<b>19%</b>	<b>19%</b>

**Cyprus, Malta** have a two tier system therefore the Supreme Court is the second, highest and final instance court.

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Malta:** In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**Romania:** Cases older than 3 years are presented.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

# **Evolution of Supreme court other than criminal cases for total, civil and commercial litigious and administrative cases**

**Table 3.7.2.1: Evolution of the Supreme court total of other than criminal cases - pending on 1st Jan. 2014 - 2022**  
Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,01	0,01	0,03	0,03	0,03	0,03	NA	NA	NA
Belgium	NA	0,01	0,01	0,01	0,01	0,01	0,01	0,02	0,01
Bulgaria	0,12	0,13	0,14	0,15	0,14	0,14	0,13	0,11	0,13
Croatia	0,27	0,35	0,42	0,40	0,41	0,35	0,33	0,31	0,29
Cyprus	NAP								
Czech Republic	0,04	0,03	0,04	0,04	0,05	0,05	0,05	0,05	0,05
Denmark	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Estonia	0,01	0,01	0,01	0,01	0,01	0,01	0,00	0,01	0,00
Finland	0,08	0,08	0,09	0,07	0,07	0,07	0,07	0,06	0,05
France	0,04	0,04	0,04	0,04	0,04	0,04	0,04	NA	0,04
Germany	NA	NA	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Greece	0,02	0,02	0,18	0,16	0,15	0,14	0,14	0,13	0,14
Hungary	0,03	0,02	0,02	0,03	0,04	0,04	0,03	0,02	0,02
Ireland	NA	NA	0,01	0,00	0,00	0,00	NA	0,00	NA
Italy	0,20	0,21	0,22	0,22	0,22	0,23	0,24	0,24	0,23
Latvia	0,11	0,13	NA	0,09	0,08	0,09	0,08	0,06	0,05
Lithuania	0,01	0,02	0,01	0,01	0,01	0,01	0,01	0,01	0,02
Luxembourg	NA	0,01	0,01	0,01	0,02	0,02	0,02	0,02	0,01
Malta	NAP								
Netherlands	NA	NA	NA	NA	0,01	0,01	0,01	0,01	0,01
Poland	NA	-	0,08	0,08	0,08	NA	NA	NA	NA
Portugal	0,00	0,01	0,01	0,02	0,01	0,01	0,02	0,02	0,02
Romania	0,69	0,42	0,20	0,17	0,22	0,20	0,21	0,19	0,18
Slovak Republic	0,17	0,22	0,24	0,15	0,10	0,08	0,07	0,08	0,05
Slovenia	0,07	0,07	0,06	0,06	0,06	0,04	0,03	0,02	0,02
Spain	0,03	-	0,05	0,05	0,06	0,06	0,06	0,07	0,07
Sweden	0,04	0,03	0,03	0,03	0,03	0,02	0,02	0,03	0,03
Average	0,10	0,09	0,08	0,08	0,07	0,07	0,07	0,07	0,06
Median	0,04	0,03	0,04	0,04	0,04	0,04	0,03	0,02	0,03
Minimum	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Maximum	0,69	0,42	0,42	0,40	0,41	0,35	0,33	0,31	0,29
% of NA	22%	11%	7%	4%	0%	4%	11%	11%	11%
% of NAP	7%	7%	7%	7%	7%	7%	7%	7%	7%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.2.2: Evolution of the Supreme court civil and commercial litigious cases - pending on 1st Jan. 2014 - 2022**  
Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	0,01	0,01	0,01
Belgium	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,00
Bulgaria	NA	NA	0,05	0,06	0,05	0,06	0,06	0,06	0,07
Croatia	NA	NA	NA	NA	NA	NA	0,31	0,29	0,27
Cyprus	NAP								
Czech Republic	0,03	0,03	0,03	0,03	0,03	0,02	0,02	0,02	0,01
Denmark	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Estonia	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Finland	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,00	0,01
France	0,03	0,03	0,03	0,04	0,04	0,03	0,03	NA	0,03
Germany	0,00	0,01	NA	0,01	NA	NA	NA	NA	NA
Greece	NA	NA	NA	0,02	0,02	0,02	0,02	NA	NA
Hungary	0,01	0,01	0,01	0,02	0,02	0,02	0,02	0,01	0,01
Ireland	NA	NA	0,01	0,00	0,00	0,00	NA	0,00	NA
Italy	0,16	0,17	0,17	0,18	0,18	0,18	0,20	0,20	0,19
Latvia	0,09	0,11	0,08	0,05	0,04	0,03	0,03	0,02	0,02
Lithuania	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Luxembourg	NA	0,01	0,01	0,01	0,02	0,02	0,02	0,02	0,01
Malta	NAP								
Netherlands	NA	NA	NA	NA	0,00	0,00	0,00	0,00	0,00
Poland	0,01	-	0,01	0,01	0,01	0,01	0,01	0,00	0,01
Portugal	NA	0,00	0,00	0,00	0,00	0,00	0,01	0,01	0,01
Romania	0,46	0,26	0,10	0,07	0,06	0,09	0,09	0,09	0,08
Slovak Republic	NA	NA	NA	0,08	0,06	0,04	0,04	0,04	NA
Slovenia	0,05	0,04	0,04	0,04	0,04	0,03	0,02	0,01	0,02
Spain	0,02	-	0,02	0,03	0,03	0,04	0,04	0,05	0,06
Sweden	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Average</b>	0,06	0,04	0,03	0,03	0,03	0,03	0,04	0,04	0,04
<b>Median</b>	0,01	0,01	0,01	0,01	0,02	0,02	0,02	0,01	0,01
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,46	0,26	0,17	0,18	0,18	0,18	0,31	0,29	0,27
<b>% of NA</b>	33%	26%	22%	11%	11%	11%	7%	11%	15%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

**Table 3.7.2.3: Evolution of the Supreme court administrative cases - pending on 1st Jan. 2014 - 2022**

Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	0,02	0,02	0,02	0,02	0,03	0,04	0,04
Belgium	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,01
Bulgaria	0,07	0,08	0,09	0,10	0,09	0,09	0,07	0,05	0,06
Croatia	NA	NA	NA	NA	NA	NA	0,00	0,00	0,01
Cyprus	NAP								
Czech Republic	0,01	NA	0,01	0,01	0,02	0,02	0,03	0,03	0,03
Denmark	NAP								
Estonia	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Finland	0,07	0,07	0,07	0,06	0,06	0,06	0,06	0,06	0,04
France	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Germany	0,01	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Greece	NA	NA	0,15	0,14	0,13	0,13	0,12	0,11	0,12
Hungary	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	0,04	0,04	0,05	0,04	0,05	0,05	0,04	0,04	0,04
Latvia	0,02	0,03	0,03	0,04	0,05	0,05	0,04	0,04	0,03
Lithuania	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	NAP								
Malta	NAP								
Netherlands	NA	NA	NA	NA	0,00	0,00	0,00	0,00	0,01
Poland	NA	-	0,07	0,07	0,07	NA	NA	NA	NA
Portugal	NA	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Romania	0,23	0,16	0,11	0,10	0,16	0,11	0,11	0,11	0,10
Slovak Republic	0,04	0,06	0,08	0,07	0,05	0,04	0,03	0,03	NAP
Slovenia	0,01	0,02	0,02	0,02	0,02	0,01	0,01	0,01	0,01
Spain	0,01	-	0,02	0,03	0,03	0,02	0,01	0,02	0,02
Sweden	0,03	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02
<b>Average</b>	0,04	0,04	0,04	0,04	0,04	0,03	0,03	0,03	0,03
<b>Median</b>	0,01	0,02	0,02	0,02	0,02	0,02	0,01	0,02	0,02
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,23	0,16	0,15	0,14	0,16	0,13	0,12	0,11	0,12
<b>% of NA</b>	22%	15%	11%	7%	4%	7%	7%	7%	7%
<b>% of NAP</b>	22%	26%	19%	22%	22%	22%	19%	19%	22%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.3.1: Evolution of the Supreme court total of other than criminal cases - incoming 2014 - 2022**  
Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,03	0,03	0,08	0,09	0,10	0,10	NA	NA	NA
Belgium	NA	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Bulgaria	0,38	0,35	0,33	0,33	0,35	0,33	0,30	0,30	0,31
Croatia	0,19	0,20	0,19	0,17	0,17	0,15	0,15	0,21	0,18
Cyprus	NAP								
Czech Republic	0,08	0,06	0,09	0,10	0,09	0,09	0,08	0,08	0,07
Denmark	0,00	0,00	0,00	0,00	0,00	0,01	0,00	0,00	0,00
Estonia	0,02	0,02	0,02	0,02	0,02	0,02	0,01	0,01	0,01
Finland	0,11	0,10	0,11	0,14	0,13	0,13	0,11	0,09	0,08
France	0,05	0,04	0,04	0,05	0,04	0,04	0,03	0,04	0,04
Germany	NA	NA	0,02	0,02	0,02	0,02	0,02	0,02	0,02
Greece	0,02	0,02	0,06	0,05	0,06	0,05	NA	0,06	0,05
Hungary	0,06	0,06	0,07	0,07	0,06	0,05	0,06	0,08	0,05
Ireland	0,01	0,00	0,00	0,00	0,01	0,01	0,00	0,00	0,00
Italy	0,07	0,07	0,07	0,07	0,08	0,08	0,07	0,07	0,07
Latvia	0,14	0,13	NA	0,12	0,11	0,11	0,10	0,10	0,08
Lithuania	0,03	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,01
Luxembourg	NA	0,02	0,02	0,02	0,02	0,02	0,02	0,01	0,01
Malta	NAP								
Netherlands	0,01	NA	NA	NA	0,01	0,01	0,01	0,01	0,01
Poland	NA	-	0,07	0,07	0,07	NA	NA	NA	NA
Portugal	0,02	0,04	0,04	0,04	0,04	0,04	0,04	0,04	0,04
Romania	0,71	0,40	0,30	0,49	0,40	0,31	0,26	0,27	0,23
Slovak Republic	0,33	0,38	0,25	0,17	0,14	0,11	0,10	0,07	0,05
Slovenia	0,13	0,13	0,13	0,12	0,12	0,11	0,10	0,10	0,09
Spain	0,03	-	0,04	0,04	0,05	0,05	0,05	0,06	0,06
Sweden	0,12	0,12	0,11	0,12	0,11	0,11	0,12	0,13	0,12
<b>Average</b>	0,12	0,11	0,09	0,10	0,09	0,08	0,08	0,08	0,07
<b>Median</b>	0,06	0,06	0,07	0,07	0,06	0,05	0,05	0,06	0,05
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,01	0,00	0,00	0,00
<b>Maximum</b>	0,71	0,40	0,33	0,49	0,40	0,33	0,30	0,30	0,31
<b>% of NA</b>	15%	7%	7%	4%	0%	4%	11%	7%	7%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.3.2: Evolution of the Supreme court civil and commercial litigious cases - incoming 2014 - 2022**  
Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	0,03	0,03	0,03
Belgium	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,00
Bulgaria	NA	NA	0,12	0,12	0,12	0,12	0,10	0,11	0,12
Croatia	NA	NA	NA	NA	NA	NA	0,14	0,19	0,17
Cyprus	NAP								
Czech Republic	0,05	0,05	0,06	0,06	0,04	0,04	0,04	0,04	0,04
Denmark	0,00	0,00	0,00	0,00	0,00	0,01	0,00	0,00	0,00
Estonia	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Finland	0,02	0,02	0,02	0,02	0,01	0,01	0,01	0,01	0,01
France	0,03	0,03	0,03	0,03	0,03	0,03	0,02	0,02	0,02
Germany	0,01	0,01	NA	0,01	NA	NA	NA	NA	NA
Greece	NA	NA	NA	0,02	0,02	0,02	NA	NA	NA
Hungary	0,02	0,02	0,03	0,03	0,03	0,02	0,02	0,02	0,02
Ireland	0,01	0,00	0,00	0,00	0,01	0,01	0,00	0,00	0,00
Italy	0,05	0,05	0,05	0,05	0,06	0,06	0,05	0,05	0,05
Latvia	0,08	0,07	0,08	0,07	0,06	0,06	0,06	0,06	0,05
Lithuania	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,01	0,01
Luxembourg	NA	0,02	0,02	0,02	0,02	0,02	0,02	0,01	0,01
Malta	NAP								
Netherlands	NA	NA	NA	NA	0,00	0,00	0,00	0,00	0,00
Poland	0,02	-	0,02	0,02	0,02	0,02	0,02	0,03	0,03
Portugal	NA	0,03	0,03	0,03	0,03	0,03	0,03	0,03	0,03
Romania	0,35	0,18	0,11	0,10	0,17	0,15	0,12	0,12	0,10
Slovak Republic	NA	NA	NA	0,14	0,10	0,07	0,07	0,06	NA
Slovenia	0,09	0,09	0,09	0,09	0,10	0,09	0,08	0,08	0,07
Spain	0,02	-	0,02	0,02	0,03	0,03	0,03	0,03	0,03
Sweden	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Average</b>	0,05	0,04	0,04	0,04	0,04	0,04	0,04	0,04	0,04
<b>Median</b>	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,03	0,02
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,35	0,18	0,12	0,14	0,17	0,15	0,14	0,19	0,17
<b>% of NA</b>	30%	22%	22%	11%	11%	11%	7%	7%	11%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

**Table 3.7.3.3: Evolution of the Supreme court administrative cases - incoming 2014 - 2022**

Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	0,05	0,07	0,08	0,08	0,07	0,07	0,06
Belgium	0,01	0,01	0,00	0,00	0,00	0,00	0,01	0,00	0,01
Bulgaria	0,22	0,21	0,21	0,21	0,23	0,22	0,20	0,19	0,19
Croatia	NA	NA	NA	NA	NA	NA	0,00	0,00	0,00
Cyprus	NAP								
Czech Republic	0,03	NA	0,03	0,04	0,04	0,04	0,04	0,04	0,03
Denmark	NAP								
Estonia	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,00
Finland	0,08	0,08	0,09	0,12	0,11	0,11	0,09	0,07	0,07
France	0,02	0,01	0,01	0,01	0,01	0,02	0,01	0,02	0,01
Germany	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Greece	NA	NA	0,04	0,03	0,03	0,03	0,03	0,03	0,03
Hungary	0,02	0,02	0,02	0,02	0,02	0,02	0,03	0,05	0,02
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02
Latvia	0,06	0,06	0,06	0,05	0,04	0,04	0,04	0,04	0,03
Lithuania	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	NAP								
Malta	NAP								
Netherlands	0,01	NA	NA	NA	0,01	0,01	0,01	0,01	0,01
Poland	NA	-	0,05	0,05	0,05	NA	NA	NA	NA
Portugal	NA	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Romania	0,36	0,22	0,18	0,39	0,22	0,16	0,13	0,15	0,13
Slovak Republic	0,09	0,09	0,07	0,04	0,04	0,04	0,03	0,02	NAP
Slovenia	0,05	0,04	0,04	0,03	0,02	0,02	0,02	0,02	0,02
Spain	0,01	-	0,02	0,02	0,02	0,02	0,02	0,02	0,02
Sweden	0,07	0,07	0,07	0,07	0,07	0,07	0,07	0,07	0,07
<b>Average</b>	0,07	0,06	0,05	0,06	0,05	0,05	0,04	0,04	0,04
<b>Median</b>	0,02	0,03	0,04	0,03	0,03	0,02	0,03	0,02	0,02
<b>Minimum</b>	0,01	0,01	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,36	0,22	0,21	0,39	0,23	0,22	0,20	0,19	0,19
<b>% of NA</b>	19%	15%	11%	7%	4%	7%	7%	7%	7%
<b>% of NAP</b>	22%	26%	19%	22%	22%	22%	19%	19%	22%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.4.1: Evolution of the Supreme court total of other than criminal cases - resolved 2014 - 2022**  
Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,03	0,03	0,08	0,09	0,10	0,10	NA	NA	NA
Belgium	0,02	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Bulgaria	0,37	0,34	0,32	0,34	0,34	0,36	0,32	0,29	0,30
Croatia	0,11	0,13	0,22	0,19	0,23	0,18	0,18	0,23	0,25
Cyprus	NAP								
Czech Republic	0,08	0,06	0,09	0,10	0,09	0,09	0,08	0,08	0,08
Denmark	0,01	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Estonia	0,02	0,02	0,02	0,02	0,02	0,02	0,01	0,01	0,01
Finland	0,10	0,10	0,13	0,15	0,13	0,13	0,12	0,11	0,09
France	0,05	0,04	0,05	0,05	0,05	0,04	0,04	0,04	0,04
Germany	NA	NA	0,02	0,02	0,02	0,02	0,02	0,02	0,02
Greece	0,02	0,02	0,06	0,07	0,06	0,06	NA	0,05	0,06
Hungary	0,06	0,06	0,06	0,06	0,06	0,06	0,07	0,08	0,06
Ireland	0,02	0,01	0,01	0,00	0,00	0,01	0,00	0,00	0,00
Italy	0,06	0,06	0,06	0,07	0,07	0,08	0,07	0,09	0,09
Latvia	0,12	0,15	NA	0,13	0,11	0,11	0,12	0,10	0,09
Lithuania	0,02	0,03	0,02	0,02	0,02	0,02	0,02	0,02	0,01
Luxembourg	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02
Malta	NAP								
Netherlands	0,01	NA	NA	NA	0,01	0,01	0,01	0,01	0,01
Poland	NA	-	0,07	0,07	0,07	NA	NA	NA	NA
Portugal	0,02	0,04	0,04	0,04	0,04	0,04	0,04	0,04	0,04
Romania	1,03	0,62	0,34	0,43	0,41	0,31	0,27	0,28	0,25
Slovak Republic	0,28	0,36	0,34	0,23	0,16	0,11	0,09	0,07	0,05
Slovenia	0,13	0,14	0,13	0,13	0,13	0,13	0,11	0,10	0,10
Spain	0,03	-	0,03	0,04	0,05	0,05	0,04	0,05	0,05
Sweden	0,13	0,12	0,11	0,11	0,12	0,11	0,11	0,12	0,12
<b>Average</b>	0,12	0,11	0,10	0,10	0,09	0,09	0,08	0,08	0,08
<b>Median</b>	0,05	0,06	0,06	0,07	0,06	0,06	0,05	0,05	0,05
<b>Minimum</b>	0,01	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	1,03	0,62	0,34	0,43	0,41	0,36	0,32	0,29	0,30
<b>% of NA</b>	7%	7%	7%	4%	0%	4%	11%	7%	7%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

**Netherlands:** The number of resolved cases includes only cases finalised by a judge decision, while cases closed differently (e.g. withdrawn, discarded upon objection and alike) are not included

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.4.2: Evolution of the Supreme court civil and commercial litigious cases - resolved 2014 - 2022**  
Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	0,03	0,02	0,03
Belgium	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,00
Bulgaria	NA	NA	0,12	0,12	0,11	0,11	0,10	0,10	0,12
Croatia	NA	NA	NA	NA	NA	NA	0,18	0,21	0,23
Cyprus	NAP								
Czech Republic	0,05	0,06	0,06	0,06	0,05	0,04	0,04	0,04	0,04
Denmark	0,01	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Estonia	0,01	0,02	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Finland	0,02	0,02	0,02	0,02	0,02	0,01	0,01	0,01	0,01
France	0,03	0,03	0,03	0,03	0,03	0,03	0,02	0,02	0,02
Germany	0,01	0,01	NA	0,01	NA	NA	NA	NA	NA
Greece	NA	NA	NA	0,02	0,02	0,02	NA	NA	NA
Hungary	0,02	0,02	0,03	0,03	0,03	0,02	0,02	0,02	0,02
Ireland	0,02	0,01	0,01	0,00	0,00	0,01	0,00	0,00	0,00
Italy	0,05	0,04	0,04	0,05	0,05	0,05	0,05	0,07	0,06
Latvia	0,07	0,09	0,12	0,07	0,06	0,06	0,07	0,06	0,05
Lithuania	0,02	0,02	0,02	0,02	0,02	0,01	0,01	0,01	0,01
Luxembourg	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02
Malta	NAP								
Netherlands	NA	NA	NA	NA	0,00	0,00	0,00	0,00	0,00
Poland	0,02	-	0,02	0,02	0,02	0,02	0,02	0,02	0,02
Portugal	NA	0,03	0,03	0,03	0,03	0,03	0,02	0,03	0,03
Romania	0,58	0,34	0,14	0,11	0,14	0,15	0,13	0,13	0,11
Slovak Republic	NA	NA	NA	0,17	0,11	0,07	0,06	0,05	NA
Slovenia	0,10	0,10	0,09	0,09	0,10	0,10	0,09	0,08	0,07
Spain	0,01	-	0,02	0,02	0,02	0,02	0,02	0,03	0,03
Sweden	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Average</b>	0,06	0,05	0,04	0,04	0,04	0,04	0,04	0,04	0,04
<b>Median</b>	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,58	0,34	0,14	0,17	0,14	0,15	0,18	0,21	0,23
<b>% of NA</b>	26%	22%	22%	11%	11%	11%	7%	7%	11%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

**Netherlands:** The number of resolved cases includes only cases finalised by a judge decision, while cases closed differently (e.g. withdrawn, discarded upon objection and alike) are not included

**Table 3.7.4.3: Evolution of the Supreme court administrative cases - resolved 2014 - 2022**

Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	0,053	0,062	0,077	0,072	0,071	0,065	0,066
Belgium	0,007	0,006	0,005	0,004	0,003	0,004	0,004	0,004	0,007
Bulgaria	0,213	0,200	0,198	0,224	0,228	0,248	0,223	0,188	0,183
Croatia	NA	NA	NA	NA	NA	NA	0,001	0,001	0,003
Cyprus	NAP								
Czech Republic	0,026	NA	0,028	0,033	0,033	0,036	0,035	0,036	0,036
Denmark	NAP								
Estonia	0,008	0,007	0,007	0,006	0,006	0,006	0,005	0,006	0,004
Finland	0,078	0,073	0,098	0,120	0,107	0,111	0,097	0,092	0,068
France	0,018	0,014	0,014	0,015	0,014	0,015	0,014	0,017	0,014
Germany	0,009	0,009	0,009	0,008	0,007	0,007	0,007	0,007	0,007
Greece	NA	NA	0,056	0,046	0,036	0,035	0,037	0,032	0,033
Hungary	0,023	0,020	0,021	0,018	0,020	0,026	0,035	0,044	0,027
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	0,017	0,016	0,018	0,017	0,021	0,022	0,022	0,022	0,027
Latvia	0,049	0,054	0,052	0,045	0,040	0,050	0,050	0,045	0,039
Lithuania	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	NAP								
Malta	NAP								
Netherlands	0,006	NA	NA	NA	0,005	0,005	0,005	0,005	0,004
Poland	NA	-	0,044	0,050	0,049	NA	NA	NA	NA
Portugal	NA	0,013	0,012	0,014	0,010	0,010	0,012	0,012	0,011
Romania	0,448	0,274	0,192	0,322	0,274	0,155	0,140	0,153	0,143
Slovak Republic	0,072	0,074	0,072	0,062	0,047	0,040	0,033	0,016	NAP
Slovenia	0,037	0,038	0,043	0,039	0,025	0,021	0,017	0,019	0,019
Spain	0,012	-	0,012	0,020	0,030	0,026	0,018	0,025	0,021
Sweden	0,081	0,076	0,069	0,071	0,075	0,069	0,069	0,072	0,074
<b>Average</b>	0,07	0,06	0,05	0,06	0,06	0,05	0,04	0,04	0,04
<b>Median</b>	0,02	0,03	0,04	0,04	0,03	0,03	0,03	0,02	0,03
<b>Minimum</b>	0,01	0,01	0,01	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,45	0,27	0,20	0,32	0,27	0,25	0,22	0,19	0,18
<b>% of NA</b>	19%	15%	11%	7%	4%	7%	7%	7%	7%
<b>% of NAP</b>	22%	26%	19%	22%	22%	22%	19%	19%	22%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Netherlands:** The number of resolved cases includes only cases finalised by a judge decision, while cases closed differently (e.g. withdrawn, discarded upon objection and alike) are not included

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.5.1: Evolution of the Supreme court total of other than criminal cases - pending on 31st Dec. 2014 - 2022**

Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	0,01	0,01	0,03	0,03	0,03	0,04	NA	NA	NA
Belgium	NA	0,01	0,01	0,01	0,01	0,01	0,02	0,01	0,01
Bulgaria	0,13	0,14	0,15	0,14	0,14	0,12	0,11	0,12	0,14
Croatia	0,35	0,42	0,40	0,38	0,35	0,33	0,30	0,29	0,22
Cyprus	NAP								
Czech Republic	0,04	0,03	0,04	0,05	0,05	0,05	0,05	0,05	0,04
Denmark	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Estonia	0,01	0,01	0,01	0,01	0,01	0,00	0,01	0,01	0,01
Finland	0,08	0,09	0,07	0,07	0,07	0,07	0,06	0,05	0,05
France	0,04	0,05	0,04	0,05	0,04	0,04	0,04	0,04	0,04
Germany	NA	NA	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Greece	0,02	0,02	0,16	0,14	0,14	0,14	0,13	0,14	0,14
Hungary	0,02	0,02	0,03	0,04	0,04	0,03	0,02	0,02	0,01
Ireland	NA	NA	0,00	0,00	0,00	0,00	NA	0,00	0,00
Italy	0,21	0,22	0,22	0,22	0,23	0,24	0,24	0,23	0,21
Latvia	0,13	0,12	NA	0,08	0,09	0,08	0,06	0,05	0,05
Lithuania	0,02	0,01	0,01	0,01	0,01	0,01	0,01	0,02	0,01
Luxembourg	NA	0,01	0,01	0,02	0,02	0,02	0,02	0,01	0,01
Malta	NAP								
Netherlands	NA	NA	NA	NA	0,01	0,01	0,01	0,01	0,01
Poland	NA	-	0,08	0,08	0,08	NA	NA	NA	NA
Portugal	0,00	0,01	0,02	0,01	0,01	0,02	0,02	0,02	0,02
Romania	0,37	0,20	0,16	0,22	0,20	0,20	0,19	0,18	0,16
Slovak Republic	0,22	0,24	0,15	0,09	0,08	0,07	0,08	0,08	0,04
Slovenia	0,07	0,06	0,06	0,06	0,04	0,03	0,02	0,02	0,02
Spain	0,03	-	0,06	0,06	0,06	0,06	0,07	0,07	0,08
Sweden	0,03	0,03	0,03	0,03	0,02	0,02	0,03	0,03	0,03
Average	0,09	0,09	0,08	0,08	0,07	0,07	0,07	0,06	0,06
Median	0,04	0,03	0,04	0,05	0,04	0,03	0,03	0,03	0,03
Minimum	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Maximum	0,37	0,42	0,40	0,38	0,35	0,33	0,30	0,29	0,22
% of NA	22%	11%	7%	4%	0%	4%	11%	7%	7%
% of NAP	7%	7%	7%	7%	7%	7%	7%	7%	7%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.5.2: Evolution of the Supreme court civil and commercial litigious cases - pending on 31st Dec. 2014 - 2022**  
Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	0,01	0,01	0,01
Belgium	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,00
Bulgaria	NA	NA	0,06	0,05	0,06	0,06	0,06	0,07	0,07
Croatia	NA	NA	NA	NA	NA	NA	0,28	0,26	0,21
Cyprus	NAP								
Czech Republic	0,03	0,03	0,03	0,03	0,02	0,02	0,02	0,01	0,01
Denmark	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Estonia	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Finland	0,01	0,01	0,01	0,01	0,01	0,01	0,00	0,01	0,01
France	0,03	0,04	0,03	0,04	0,03	0,03	0,03	0,03	0,03
Germany	0,01	0,00	NA	0,01	NA	NA	NA	NA	NA
Greece	NA	NA	NA	0,02	0,02	0,02	0,02	NA	NA
Hungary	0,01	0,01	0,02	0,02	0,02	0,02	0,01	0,01	0,01
Ireland	NA	NA	0,00	0,00	0,00	0,00	NA	0,00	0,00
Italy	0,17	0,17	0,18	0,18	0,18	0,19	0,20	0,19	0,18
Latvia	0,10	0,08	0,05	0,04	0,03	0,03	0,02	0,02	0,02
Lithuania	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Luxembourg	NA	0,01	0,01	0,02	0,02	0,02	0,02	0,01	0,01
Malta	NAP								
Netherlands	NA	NA	NA	NA	0,00	0,00	0,00	0,00	0,00
Poland	0,01	-	0,01	0,01	0,01	0,01	0,01	0,02	0,02
Portugal	NA	0,00	0,00	0,00	0,00	0,01	0,01	0,01	0,01
Romania	0,23	0,09	0,07	0,06	0,09	0,09	0,09	0,08	0,06
Slovak Republic	NA	NA	NA	0,05	0,04	0,04	0,04	0,05	NA
Slovenia	0,04	0,04	0,04	0,04	0,03	0,02	0,01	0,02	0,01
Spain	0,02	-	0,03	0,03	0,04	0,04	0,05	0,06	0,06
Sweden	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Average</b>	0,04	0,03	0,03	0,03	0,03	0,03	0,04	0,04	0,03
<b>Median</b>	0,01	0,01	0,01	0,02	0,02	0,02	0,01	0,01	0,01
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,23	0,17	0,18	0,18	0,18	0,19	0,28	0,26	0,21
<b>% of NA</b>	33%	26%	22%	11%	11%	11%	7%	7%	11%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

**Table 3.7.5.3: Evolution of the Supreme court administrative cases - pending on 31st Dec. 2014 - 2022**  
Per 100 inhabitants (Q1, Q99)

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	0,02	0,02	0,03	0,03	0,03	0,04	0,03
Belgium	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,01	0,01
Bulgaria	0,08	0,09	0,10	0,09	0,09	0,06	0,05	0,05	0,06
Croatia	NA	NA	NA	NA	NA	NA	0,00	0,01	0,00
Cyprus	NAP								
Czech Republic	0,01	NA	0,01	0,02	0,02	0,03	0,03	0,03	0,03
Denmark	NAP								
Estonia	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Finland	0,07	0,07	0,06	0,06	0,06	0,06	0,06	0,04	0,04
France	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Germany	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Greece	NA	NA	0,14	0,13	0,13	0,12	0,11	0,12	0,11
Hungary	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,00
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	0,04	0,04	0,05	0,04	0,05	0,04	0,04	0,04	0,03
Latvia	0,03	0,03	0,04	0,04	0,05	0,04	0,04	0,03	0,03
Lithuania	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	NAP								
Malta	NAP								
Netherlands	NA	NA	NA	NA	0,00	0,00	0,00	0,01	0,00
Poland	NA	-	0,07	0,07	0,07	NA	NA	NA	NA
Portugal	NA	0,01	0,01	0,01	0,01	0,01	0,01	0,01	0,01
Romania	0,14	0,11	0,10	0,16	0,11	0,11	0,11	0,10	0,09
Slovak Republic	0,06	0,08	0,07	0,05	0,04	0,03	0,03	0,04	NAP
Slovenia	0,02	0,02	0,02	0,02	0,01	0,01	0,01	0,01	0,01
Spain	0,02	-	0,03	0,03	0,02	0,01	0,02	0,02	0,02
Sweden	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02
<b>Average</b>	0,03	0,04	0,04	0,04	0,04	0,03	0,03	0,03	0,03
<b>Median</b>	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02	0,02
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,14	0,11	0,14	0,16	0,13	0,12	0,11	0,12	0,11
<b>% of NA</b>	22%	15%	11%	7%	4%	7%	7%	7%	7%
<b>% of NAP</b>	22%	26%	19%	22%	22%	22%	19%	19%	22%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.6.1: Evolution of the Supreme court total of other than criminal cases - pending more than 2 years 2016 - 2022**

Per 100 inhabitants (Q1, Q99)

States	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	0,00	0,00	NA	NA	NA
Belgium	NA	NA	NA	NA	0,00	0,00	NA
Bulgaria	NA	NA	NA	NA	NA	NA	0,00
Croatia	NA	NA	NA	NA	0,14	0,15	0,09
Cyprus	NAP						
Czech Republic	NA						
Denmark	NA						
Estonia	NAP	0,00	NAP	0,00	0,00	0,00	0,00
Finland	NA						
France	NA						
Germany	NA						
Greece	NA	NA	0,08	NA	NA	NA	NA
Hungary	0,00	0,00	0,00	0,00	NA	NA	NA
Ireland	NA						
Italy	NA	NA	0,11	0,11	0,12	0,11	0,10
Latvia	NA	NA	NA	NA	0,01	0,01	0,01
Lithuania	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Luxembourg	NA						
Malta	NAP						
Netherlands	NA						
Poland	NA						
Portugal	NA						
Romania	0,01	0,01	0,00	0,00	0,00	0,01	0,01
Slovak Republic	NA	NA	NA	NA	0,00	0,01	0,00
Slovenia	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Spain	NA						
Sweden	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Average</b>	0,00	0,00	0,02	0,01	0,03	0,03	0,02
<b>Median</b>	0,00	0,00	0,00	0,00	0,00	0,01	0,00
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,01	0,01	0,11	0,11	0,14	0,15	0,10
<b>% of NA</b>	70%	70%	59%	63%	56%	56%	56%
<b>% of NAP</b>	11%	7%	11%	7%	7%	7%	7%

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.7.6.2: Evolution of the Supreme court civil and commercial litigious cases - pending more than 2 years 2016 - 2022**

Per 100 inhabitants (Q1, Q99)

States	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	0,00	0,00
Belgium	NA	NA	NA	NA	0,00	0,00	0,00
Bulgaria	NA	NA	NA	NA	NA	NA	0,00
Croatia	NA	NA	NA	NA	0,14	0,14	0,09
Cyprus	NAP						
Czech Republic	NA						
Denmark	NA						
Estonia	NAP	0,00	NAP	0,00	0,00	0,00	0,00
Finland	NA						
France	NA						
Germany	NA						
Greece	NA						
Hungary	0,00	0,00	0,00	0,00	NA	NA	NA
Ireland	NA						
Italy	0,09	0,09	0,09	0,09	0,10	0,09	0,09
Latvia	0,03	NA	NA	NA	0,00	0,00	0,00
Lithuania	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Luxembourg	NA						
Malta	NAP						
Netherlands	NA						
Poland	NA						
Portugal	NA						
Romania	0,01	0,01	0,00	0,00	0,00	0,00	0,00
Slovak Republic	NA	NA	NA	NA	0,00	0,00	0,00
Slovenia	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Spain	NA						
Sweden	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Average</b>	0,02	0,01	0,02	0,01	0,02	0,02	0,02
<b>Median</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,09	0,09	0,09	0,09	0,14	0,14	0,09
<b>% of NA</b>	63%	67%	67%	67%	56%	52%	48%
<b>% of NAP</b>	11%	7%	11%	7%	7%	7%	7%

**Table 3.7.6.3: Evolution of the Supreme court administrative cases - pending more than 2 years 2016 - 2022**

Per 100 inhabitants (Q1, Q99)

States	2016	2017	2018	2019	2020	2021	2022
Austria	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Belgium	NAP	0,00	NA	0,00	0,00	0,00	0,00
Bulgaria	0,01	0,00	0,00	0,00	0,00	0,00	0,00
Croatia	NA	NA	NA	NA	0,00	0,00	0,00
Cyprus	NAP						
Czech Republic	NA						
Denmark	NA	NAP	NA	NA	NA	NA	NA
Estonia	NAP	0,00	NAP	0,00	0,00	0,00	0,00
Finland	NA						
France	NA	NA	NA	0,00	0,00	0,00	NA
Germany	NA						
Greece	NA	NA	0,08	NA	NA	NA	NA
Hungary	0,00	0,00	0,00	0,00	NA	NA	NA
Ireland	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	NA	NA	0,02	0,02	0,02	0,02	0,01
Latvia	0,00	NA	NA	NA	0,01	0,01	0,01
Lithuania	NAP						
Luxembourg	NAP	NAP	NA	NAP	NAP	NAP	NAP
Malta	NAP						
Netherlands	NA						
Poland	NAP	NA	NA	NA	NA	NA	NA
Portugal	NA	NAP	NA	NA	NA	NA	NA
Romania	0,00	0,00	0,00	0,00	0,00	0,01	0,00
Slovak Republic	NA	NA	NA	NA	0,00	0,01	NAP
Slovenia	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Spain	NA						
Sweden	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Average</b>	0,00	0,00	0,01	0,00	0,00	0,00	0,00
<b>Median</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Minimum</b>	0,00	0,00	0,00	0,00	0,00	0,00	0,00
<b>Maximum</b>	0,01	0,00	0,08	0,02	0,02	0,02	0,01
<b>% of NA</b>	44%	44%	52%	44%	41%	41%	44%
<b>% of NAP</b>	30%	26%	19%	19%	15%	15%	19%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

## **Clearance rate and Disposition time for Supreme court other than criminal cases**

**Table 3.8.1.1: Clearance rate for Supreme court other than criminal cases in 2022 (Q97)**

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	NA	108%	NA	NA	NA	NA	NA	NA	NA	110%	NA
Belgium	95%	104%	99%	NAP	NAP	NAP	NAP	NAP	99%	91%	74%
Bulgaria	97%	98%	99%	99%	NAP	NAP	NAP	NAP	NAP	96%	NAP
Croatia	135%	134%	128%	129%	128%	128%	NAP	NAP	67%	323%	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	105%	100%	109%	109%	NAP	NAP	NAP	NAP	NAP	113%	94%
Denmark	102%	102%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	92%	99%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	85%	NAP
Finland	103%	106%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	101%	118%
France	99%	98%	NAP	NA	NAP	NAP	NAP	NAP	NAP	102%	83%
Germany	95%	NA	NA	NA	NA	NA	NA	NA	NA	98%	102%
Greece	107%	NA	NA	NA	NA	NA	NA	NA	NA	115%	99%
Hungary	112%	112%	110%	112%	85%	NAP	90%	67%	92%	115%	95%
Ireland	117%	117%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	128%	122%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	145%	100%
Latvia	111%	107%	100%	NAP	100%	100%	NAP	NAP	0%	117%	0%
Lithuania	111%	105%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	129%
Luxembourg	136%	136%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	87%	107%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	80%	NAP
Poland	NA	75%	NA	NA	NA	NA	NA	NA	NA	NA	78%
Portugal	102%	103%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	99%	NAP
Romania	110%	112%	108%	103%	109%	109%	NAP	NAP	NAP	108%	NAP
Slovak Republic	116%	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	101%	101%	96%	94%	107%	107%	NAP	NAP	NAP	103%	NAP
Spain	90%	89%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	91%	NAP
Sweden	100%	101%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	102%	97%
<b>Average</b>	107%	106%	106%	108%	106%	111%	90%	67%	64%	115%	89%
<b>Median</b>	103%	105%	104%	106%	107%	108%	90%	67%	79%	102%	96%
<b>Minimum</b>	87%	75%	96%	94%	85%	100%	90%	67%	0%	80%	0%
<b>Maximum</b>	136%	136%	128%	129%	128%	128%	90%	67%	99%	323%	129%
<b>% of NA</b>	<b>7%</b>	<b>11%</b>	19%	22%	15%	15%	15%	15%	15%	<b>7%</b>	<b>4%</b>
<b>% of NAP</b>	<b>7%</b>	<b>7%</b>	52%	56%	67%	70%	81%	81%	70%	<b>22%</b>	<b>52%</b>

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**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.8.1.2: Disposition time for Supreme court other than criminal cases in 2022**

(Q099)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	NA	102	NA	NA	NA	NA	NA	NA	NA	182	NA
Belgium	445	378	63	NAP	NAP	NAP	NAP	NAP	63	589	515
Bulgaria	168	237	2	2	NAP	NAP	NAP	NAP	NAP	127	NAP
Croatia	333	334	290	278	357	357	NAP	NAP	274	439	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	213	149	76	76	NAP	NAP	NAP	NAP	NAP	279	237
Denmark	329	329	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	196	148	NAP	NAP	NAP	NAP	NAP	NAP	NAP	265	NAP
Finland	194	151	NAP	NAP	NAP	NAP	NAP	NAP	NAP	203	167
France	373	487	NAP	NA	NAP	NAP	NAP	NAP	NAP	200	197
Germany	293	NA	NA	NA	NA	NA	NA	NA	NA	229	270
Greece	883	NA	NA	NA	NA	NA	NA	NA	NA	1239	392
Hungary	73	115	33	25	216	NAP	162	456	30	43	129
Ireland	142	142	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Italy	858	1063	NAP	NAP	NAP	NAP	NAP	NAP	NAP	416	358
Latvia	182	138	91	NAP	91	91	NAP	NAP	0	241	0
Lithuania	339	451	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	68
Luxembourg	216	216	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	371	371	NAP	NAP	NAP	NAP	NAP	NAP	NAP	370	NAP
Poland	NA	361	NA	NA	NA	NA	NA	NA	NA	NA	237
Portugal	156	98	NAP	NAP	NAP	NAP	NAP	NAP	NAP	300	NAP
Romania	226	216	123	11	144	144	NAP	NAP	NAP	234	NAP
Slovak Republic	276	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	78	73	84	90	49	49	NAP	NAP	NAP	97	NAP
Spain	537	691	NAP	NAP	NAP	NAP	NAP	NAP	NAP	321	NAP
Sweden	88	124	NAP	NAP	NAP	NAP	NAP	NAP	NAP	90	82
<b>Average</b>	<b>303</b>	<b>290</b>	<b>95</b>	<b>80</b>	<b>171</b>	<b>160</b>	<b>162</b>	<b>456</b>	<b>92</b>	<b>309</b>	<b>221</b>
<b>Median</b>	<b>226</b>	<b>216</b>	<b>80</b>	<b>51</b>	<b>144</b>	<b>118</b>	<b>162</b>	<b>456</b>	<b>46</b>	<b>241</b>	<b>217</b>
<b>Minimum</b>	<b>73</b>	<b>73</b>	<b>2</b>	<b>2</b>	<b>49</b>	<b>49</b>	<b>162</b>	<b>456</b>	<b>0</b>	<b>43</b>	<b>0</b>
<b>Maximum</b>	<b>883</b>	<b>1 063</b>	<b>290</b>	<b>278</b>	<b>357</b>	<b>357</b>	<b>162</b>	<b>456</b>	<b>274</b>	<b>1 239</b>	<b>515</b>
<b>Nb of values</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>
<b>% of NA</b>	<b>7%</b>	<b>11%</b>	<b>19%</b>	<b>22%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>15%</b>	<b>7%</b>	<b>4%</b>
<b>% of NAP</b>	<b>7%</b>	<b>7%</b>	<b>52%</b>	<b>56%</b>	<b>67%</b>	<b>70%</b>	<b>81%</b>	<b>81%</b>	<b>70%</b>	<b>22%</b>	<b>52%</b>

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**Table 3.8.2.1: Evolution of the Clearance rate of Supreme court total of other than criminal cases 2014 - 2022 (Q099)**

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	93%	104%	107%	96%	100%	93%	NA	NA	NA
Belgium	NA	104%	110%	104%	79%	91%	91%	102%	95%
Bulgaria	97%	98%	96%	103%	99%	109%	108%	96%	97%
Croatia	60%	65%	114%	115%	137%	116%	120%	112%	135%
Cyprus	NAP								
Czech Republic	98%	100%	95%	96%	99%	101%	101%	99%	105%
Denmark	132%	120%	93%	110%	92%	90%	105%	95%	102%
Estonia	102%	101%	94%	108%	97%	106%	87%	97%	92%
Finland	100%	96%	111%	105%	98%	101%	103%	118%	103%
France	96%	94%	103%	94%	115%	102%	101%	103%	99%
Germany	NA	NA	100%	103%	100%	101%	100%	101%	95%
Greece	104%	77%	106%	128%	102%	102%	NA	90%	107%
Hungary	105%	98%	89%	93%	104%	116%	118%	99%	112%
Ireland	152%	481%	190%	123%	90%	106%	130%	110%	117%
Italy	94%	88%	93%	101%	93%	92%	97%	123%	128%
Latvia	85%	112%	NA	104%	98%	108%	118%	108%	111%
Lithuania	85%	123%	98%	96%	112%	87%	85%	95%	111%
Luxembourg	NA	90%	100%	78%	95%	96%	100%	126%	136%
Malta	NAP								
Netherlands	93%	NA	NA	NA	91%	81%	96%	74%	87%
Poland	NA	-	94%	108%	92%	NA	NA	NA	NA
Portugal	101%	96%	98%	104%	99%	93%	98%	103%	102%
Romania	144%	155%	113%	89%	104%	100%	105%	106%	110%
Slovak Republic	85%	94%	136%	130%	118%	108%	93%	91%	116%
Slovenia	100%	103%	102%	102%	111%	113%	108%	99%	101%
Spain	83%	-	73%	90%	109%	100%	81%	90%	90%
Sweden	109%	103%	102%	97%	107%	99%	97%	97%	100%
<b>Average</b>	101%	119%	105%	103%	102%	100%	102%	101%	107%
<b>Median</b>	98%	100%	100%	103%	99%	101%	101%	99%	103%
<b>Minimum</b>	60%	65%	73%	78%	79%	81%	81%	74%	87%
<b>Maximum</b>	152%	481%	190%	130%	137%	116%	130%	126%	136%
<b>% of NA</b>	15%	7%	7%	4%	0%	4%	11%	7%	7%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

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**Table 3.8.2.2: Evolution of the Disposition time of Supreme court total of other than criminal cases 2014 - 2022 (Q099)**

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	145	110	127	134	118	152	NA	NA	NA
Belgium	NA	342	351	347	486	458	472	362	445
Bulgaria	132	147	177	149	154	117	120	152	168
Croatia	1129	1169	666	717	553	677	594	455	333
Cyprus	NAP								
Czech Republic	184	180	181	185	207	206	219	231	213
Denmark	187	151	207	170	187	219	257	248	329
Estonia	110	111	147	105	112	100	187	184	196
Finland	289	318	213	165	195	190	204	159	194
France	333	408	324	376	295	322	378	331	373
Germany	NA	NA	244	232	253	247	237	258	293
Greece	402	540	900	767	926	938	NA	967	883
Hungary	136	156	184	213	205	160	92	85	73
Ireland	NA	NA	219	226	275	171	NA	205	142
Italy	1192	1335	1294	1206	1124	1119	1247	911	858
Latvia	399	286	NA	239	280	254	184	191	182
Lithuania	230	108	157	192	142	236	320	365	339
Luxembourg	NA	287	276	398	408	358	368	312	216
Malta	NAP								
Netherlands	NA	NA	NA	NA	306	405	370	425	371
Poland	NA	-	461	398	461	NA	NA	NA	NA
Portugal	66	139	142	122	136	167	183	154	156
Romania	132	120	179	186	181	239	259	231	226
Slovak Republic	286	248	160	150	177	221	297	457	276
Slovenia	182	167	162	164	125	83	71	79	78
Spain	479	-	645	559	390	420	635	531	537
Sweden	94	85	84	96	67	71	81	88	88
<b>Average</b>	321	320	326	312	310	314	323	321	303
<b>Median</b>	187	173	207	202	207	229	257	248	226
<b>Minimum</b>	66	85	84	96	67	71	71	79	73
<b>Maximum</b>	1192	1335	1294	1206	1124	1119	1247	967	883
<b>% of NA</b>	22%	11%	7%	4%	0%	4%	15%	7%	7%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

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**Table 3.8.3.1: Evolution of the Clearance rate of Supreme court civil and commercial litigious cases 2014 - 2022 (Q099)**

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	104%	93%	108%
Belgium	107%	107%	111%	102%	96%	89%	97%	115%	104%
Bulgaria	NA	NA	97%	101%	96%	98%	103%	89%	98%
Croatia	NA	NA	NA	NA	NA	NA	123%	116%	134%
Cyprus	NAP								
Czech Republic	96%	101%	98%	101%	110%	110%	108%	102%	100%
Denmark	132%	120%	93%	110%	92%	90%	105%	95%	102%
Estonia	98%	105%	93%	107%	98%	101%	84%	90%	99%
Finland	93%	103%	107%	115%	108%	97%	108%	92%	106%
France	92%	88%	105%	90%	123%	102%	105%	104%	98%
Germany	97%	102%	NA	109%	NA	NA	NA	NA	NA
Greece	NA	NA	NA	119%	95%	95%	NA	NA	NA
Hungary	102%	96%	86%	88%	110%	111%	132%	104%	112%
Ireland	152%	481%	190%	123%	90%	106%	130%	110%	117%
Italy	93%	87%	92%	100%	88%	85%	89%	130%	122%
Latvia	85%	129%	146%	95%	108%	104%	121%	100%	107%
Lithuania	83%	128%	95%	97%	115%	83%	82%	103%	105%
Luxembourg	NA	90%	100%	78%	95%	96%	100%	126%	136%
Malta	NAP								
Netherlands	NA	NA	NA	NA	100%	84%	90%	93%	107%
Poland	94%	-	104%	108%	88%	98%	126%	66%	75%
Portugal	NA	100%	99%	104%	98%	95%	89%	100%	103%
Romania	166%	190%	126%	109%	80%	101%	105%	109%	112%
Slovak Republic	NA	NA	NA	122%	117%	106%	90%	90%	NA
Slovenia	111%	106%	102%	97%	106%	111%	111%	98%	101%
Spain	77%	-	84%	79%	82%	80%	75%	74%	89%
Sweden	99%	105%	106%	110%	96%	108%	101%	95%	101%
<b>Average</b>	105%	132%	107%	103%	100%	98%	103%	100%	106%
<b>Median</b>	97%	105%	100%	103%	97%	98%	104%	100%	105%
<b>Minimum</b>	77%	87%	84%	78%	80%	80%	75%	66%	75%
<b>Maximum</b>	166%	481%	190%	123%	123%	111%	132%	130%	136%
<b>% of NA</b>	30%	22%	22%	11%	11%	11%	7%	7%	11%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

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**Table 3.8.3.2: Evolution of the Disposition time of Supreme court civil and commercial litigious cases 2014 - 2022 (Q099)**

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	118	153	102
Belgium	480	482	464	414	473	545	504	394	378
Bulgaria	NA	NA	172	161	184	190	205	247	237
Croatia	NA	NA	NA	NA	NA	NA	586	450	334
Cyprus	NAP								
Czech Republic	201	178	179	171	167	151	143	149	149
Denmark	187	151	207	170	187	219	257	248	329
Estonia	114	88	132	85	66	72	172	209	148
Finland	224	219	165	132	131	163	127	173	151
France	425	516	376	469	337	402	485	442	487
Germany	358	349	NA	261	NA	NA	NA	NA	NA
Greece	NA	NA	NA	279	331	352	NA	NA	NA
Hungary	158	181	203	246	229	232	155	151	115
Ireland	NA	NA	219	226	256	171	NA	205	142
Italy	1316	1469	1442	1299	1266	1302	1526	1002	1063
Latvia	559	329	153	206	204	187	115	144	138
Lithuania	268	133	184	218	160	284	389	403	451
Luxembourg	NA	287	276	398	408	358	368	312	216
Malta	NAP								
Netherlands	NA	NA	NA	NA	320	459	427	450	371
Poland	187	-	180	158	250	234	156	261	361
Portugal	NA	58	58	44	49	70	126	106	98
Romania	143	102	170	193	246	215	242	217	216
Slovak Republic	NA	NA	NA	104	127	172	249	344	NA
Slovenia	167	146	150	164	119	78	59	74	73
Spain	496	-	513	604	608	681	888	826	691
Sweden	159	139	112	98	117	96	127	134	124
<b>Average</b>	340	302	282	277	283	301	337	308	290
<b>Median</b>	212	180	180	199	216	217	224	247	216
<b>Minimum</b>	114	58	58	44	49	70	59	74	73
<b>Maximum</b>	1316	1469	1442	1299	1266	1302	1526	1002	1063
<b>% of NA</b>	33%	26%	22%	11%	11%	11%	11%	7%	11%
<b>% of NAP</b>	7%	7%	7%	7%	7%	7%	7%	7%	7%

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**Table 3.8.4.1: Evolution of the Clearance rate of Supreme court administrative cases 2014 - 2022 (Q099)**

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	109%	94%	100%	92%	100%	97%	110%
Belgium	113%	101%	107%	109%	81%	95%	82%	79%	91%
Bulgaria	95%	96%	95%	105%	100%	114%	110%	100%	96%
Croatia	NA	NA	NA	NA	NA	NA	144%	27%	323%
Cyprus	NAP								
Czech Republic	102%	NA	91%	88%	85%	91%	94%	95%	113%
Denmark	NAP								
Estonia	110%	95%	96%	110%	95%	117%	92%	108%	85%
Finland	102%	93%	112%	104%	95%	100%	103%	124%	101%
France	101%	109%	100%	103%	100%	101%	96%	103%	102%
Germany	100%	107%	107%	100%	98%	103%	106%	110%	98%
Greece	NA	NA	130%	133%	107%	107%	118%	93%	115%
Hungary	108%	96%	99%	96%	90%	118%	109%	98%	115%
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	96%	89%	96%	107%	108%	113%	117%	107%	145%
Latvia	84%	86%	92%	89%	90%	113%	114%	121%	117%
Lithuania	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	NAP								
Malta	NAP								
Netherlands	98%	NA	NA	NA	87%	80%	99%	68%	80%
Poland	NA	-	89%	108%	93%	NA	NA	NA	NA
Portugal	NA	89%	96%	104%	100%	88%	120%	108%	99%
Romania	124%	126%	105%	83%	123%	100%	106%	103%	108%
Slovak Republic	79%	84%	108%	162%	120%	111%	99%	96%	NAP
Slovenia	79%	98%	101%	115%	139%	126%	100%	101%	103%
Spain	93%	-	60%	103%	142%	126%	89%	116%	91%
Sweden	112%	101%	99%	95%	110%	101%	97%	97%	102%
<b>Average</b>	100%	98%	100%	106%	103%	105%	105%	98%	115%
<b>Median</b>	101%	96%	99%	104%	100%	103%	102%	100%	102%
<b>Minimum</b>	79%	84%	60%	83%	81%	80%	82%	27%	80%
<b>Maximum</b>	124%	126%	130%	162%	142%	126%	144%	124%	323%
<b>% of NA</b>	19%	15%	11%	7%	4%	7%	7%	7%	7%
<b>% of NAP</b>	22%	26%	19%	22%	22%	22%	19%	19%	22%

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**Table 3.8.4.2: Evolution of the Disposition time of Supreme court administrative cases 2014 - 2022 (Q099)**

States	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NAP	NAP	138	147	119	157	176	212	182
Belgium	148	159	176	195	316	299	415	501	589
Bulgaria	133	159	181	143	141	84	83	103	127
Croatia	NA	NA	NA	NA	NA	NA	928	1895	439
Cyprus	NAP								
Czech Republic	156	NA	176	200	262	271	302	318	279
Denmark	NAP								
Estonia	126	162	173	150	207	147	204	150	265
Finland	312	358	225	169	207	197	214	154	203
France	185	206	207	184	200	188	221	175	200
Germany	206	185	172	198	228	219	197	213	229
Greece	NA	NA	893	1014	1265	1283	1107	1324	1239
Hungary	129	169	168	201	228	116	58	55	43
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	886	1003	971	950	792	694	667	645	416
Latvia	189	231	270	359	459	327	286	254	241
Lithuania	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	NAP								
Malta	NAP								
Netherlands	NA	NA	NA	NA	299	382	344	414	370
Poland	NA	-	607	504	535	NA	NA	NA	NA
Portugal	NA	299	322	272	364	431	291	261	300
Romania	117	142	185	184	149	264	276	244	234
Slovak Republic	311	371	354	275	297	314	388	828	NAP
Slovenia	220	220	188	159	152	103	122	109	97
Spain	458	-	854	515	233	196	350	238	321
Sweden	92	94	105	122	82	83	94	99	90
<b>Average</b>	245	268	335	313	327	303	336	410	309
<b>Median</b>	185	196	188	198	231	219	281	241	241
<b>Minimum</b>	92	94	105	122	82	83	58	55	43
<b>Maximum</b>	886	1003	971	1014	1265	1283	1107	1895	1239
<b>% of NA</b>	22%	15%	11%	7%	4%	7%	7%	7%	7%
<b>% of NAP</b>	22%	26%	19%	22%	22%	22%	19%	19%	22%

**Cyprus, Malta** have a two tier system therefore the Supreme Court is the second, highest and final instance court.

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Malta:** In the second instance courts, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**Poland:** The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

# **Variations of Supreme court other than criminal cases by case categories**

**Table 3.9.1: Supreme courts, variation of incoming other than criminal cases between 2016 - 2022 and 2021 - 2022**

in percentage (Q99)

States	Variations 2016 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	NA	NA	27,3%	NA	3,3%	-10,6%
Belgium	10,4%	-49,6%	56,1%	-11,0%	-51,5%	55,3%
Bulgaria	-14,3%	-11,9%	-16,9%	-3,4%	-2,8%	-4,0%
Croatia	-12,0%	NA	NA	-11,9%	-9,4%	-77,0%
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	-20,2%	-35,8%	7,6%	-3,4%	3,5%	-12,9%
Denmark	-32,3%	-32,3%	NAP	-30,6%	-30,6%	NAP
Estonia	-49,1%	-56,5%	-35,6%	-22,0%	-29,8%	-9,7%
Finland	-25,6%	-34,6%	-22,4%	-10,4%	-10,9%	-9,4%
France	-15,5%	-24,1%	0,5%	-6,3%	-1,9%	-14,5%
Germany	-13,7%	NA	-16,8%	2,2%	NA	12,6%
Greece	-15,1%	NA	-35,0%	-11,1%	NA	-16,9%
Hungary	-31,0%	-44,1%	12,3%	-34,0%	-9,6%	-48,3%
Ireland	-3,7%	-3,7%	NA	-1,3%	-1,3%	NA
Italy	-0,1%	0,8%	-2,5%	-6,0%	-5,2%	-8,1%
Latvia	NA	-43,0%	-43,5%	-14,2%	-16,5%	-10,8%
Lithuania	-46,8%	-51,0%	NAP	-17,0%	-15,8%	NAP
Luxembourg	-29,0%	-29,0%	NAP	-7,3%	-7,3%	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	-17,0%	-6,2%	-20,5%
Poland	NA	28,3%	NA	NA	-15,5%	NA
Portugal	-6,5%	-2,5%	-15,0%	-3,8%	-3,6%	-4,1%
Romania	-24,2%	-15,7%	-29,5%	-13,7%	-17,2%	-10,9%
Slovak Republic	-81,0%	NA	NAP	-35,8%	NA	NAP
Slovenia	-26,7%	-16,6%	-56,7%	-7,8%	-8,7%	-2,8%
Spain	37,7%	51,8%	21,6%	3,9%	0,3%	9,4%
Sweden	15,1%	-25,9%	10,2%	-1,5%	-0,4%	-0,4%
<b>Average</b>	-18,3%	-20,8%	-8,1%	-11,4%	-10,8%	-9,7%
<b>Median</b>	-15,5%	-25,9%	-15,0%	-10,4%	-8,0%	-9,7%
<b>Minimum</b>	-81,0%	-56,5%	-56,7%	-35,8%	-51,5%	-77,0%
<b>Maximum</b>	37,7%	51,8%	56,1%	3,9%	3,5%	55,3%
<b>% of NA</b>	15%	22%	15%	7%	11%	7%
<b>% of NAP</b>	7%	7%	22%	7%	7%	22%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.9.2: Supreme court, variation of resolved other than criminal cases between 2016 - 2022 and 2021 - 2022**

in percentage (Q99)

States	Variations 2016 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	NA	NA	28,6%	NA	19,3%	2,3%
Belgium	-4,0%	-52,8%	32,0%	-16,4%	-56,1%	79,5%
Bulgaria	-13,5%	-11,4%	-16,0%	-2,5%	7,1%	-7,9%
Croatia	4,3%	NA	NA	6,4%	5,2%	174,5%
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	-11,9%	-35,1%	33,5%	2,6%	0,5%	3,2%
Denmark	-26,0%	-26,0%	NAP	-26,0%	-26,0%	NAP
Estonia	-50,2%	-54,1%	-43,3%	-26,0%	-23,3%	-29,5%
Finland	-31,5%	-35,4%	-30,2%	-21,8%	2,4%	-26,1%
France	-18,7%	-29,1%	2,4%	-10,1%	-7,6%	-15,3%
Germany	-18,5%	NA	-23,4%	-4,1%	NA	0,5%
Greece	-13,7%	NA	-42,6%	6,5%	NA	2,9%
Hungary	-13,1%	-27,2%	30,6%	-25,2%	-2,6%	-39,1%
Ireland	-40,5%	-40,5%	NA	5,1%	5,1%	NA
Italy	36,7%	33,2%	47,3%	-2,4%	-11,1%	24,6%
Latvia	NA	-58,2%	-28,3%	-11,9%	-10,8%	-13,5%
Lithuania	-39,5%	-46,2%	NAP	-2,8%	-14,0%	NAP
Luxembourg	-3,7%	-3,7%	NAP	0,0%	0,0%	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	-2,7%	8,3%	-7,5%
Poland	NA	-7,5%	NA	NA	-3,2%	NA
Portugal	-3,5%	0,8%	-12,6%	-4,7%	-1,5%	-11,8%
Romania	-26,7%	-25,2%	-27,8%	-10,4%	-14,8%	-6,6%
Slovak Republic	-83,8%	NA	NAP	-18,7%	NA	NAP
Slovenia	-27,0%	-17,3%	-55,6%	-5,3%	-5,5%	-0,3%
Spain	70,6%	62,6%	83,2%	3,4%	21,3%	-14,4%
Sweden	12,9%	-29,8%	13,3%	1,6%	5,7%	3,9%
Average	-14,4%	-21,2%	-0,5%	-7,2%	-4,6%	6,3%
Median	-13,7%	-27,2%	-12,6%	-4,1%	-2,1%	-6,6%
Minimum	-83,8%	-58,2%	-55,6%	-26,0%	-56,1%	-39,1%
Maximum	70,6%	62,6%	83,2%	6,5%	21,3%	174,5%
% of NA	15%	22%	15%	7%	11%	7%
% of NAP	7%	7%	22%	7%	7%	22%

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Slovak Republic: In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.9.3: Supreme court, variation of pending 31st Dec. other than criminal cases between 2016 - 2022 and 2021 - 2022**

in percentage (Q99)

States	Variations 2016 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	NA	NA	70,0%	NA	-20,2%	-12,0%
Belgium	21,4%	-61,6%	342,8%	2,6%	-57,9%	111,1%
Bulgaria	-18,2%	22,2%	-41,1%	7,6%	2,8%	13,7%
Croatia	-47,8%	NA	NA	-22,2%	-21,9%	-36,5%
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	3,9%	-45,9%	12,3%	-5,5%	1,1%	-9,2%
Denmark	17,6%	17,6%	NAP	-1,9%	-1,9%	NAP
Estonia	-33,3%	-48,4%	-13,0%	-20,9%	-45,8%	25,0%
Finland	-37,8%	-40,9%	-36,9%	-4,9%	-10,7%	-2,4%
France	-6,5%	-8,2%	-1,4%	1,0%	1,7%	-3,1%
Germany	-2,2%	NA	1,9%	9,0%	NA	8,1%
Greece	-15,3%	NA	-20,4%	-2,8%	NA	-3,7%
Hungary	-65,4%	-58,6%	-66,5%	-35,3%	-25,5%	-52,6%
Ireland	-61,5%	-61,5%	NA	-27,3%	-27,3%	NA
Italy	-9,4%	-1,8%	-36,9%	-8,1%	-5,7%	-19,8%
Latvia	NA	-62,4%	-36,1%	-16,3%	-14,3%	-17,9%
Lithuania	30,5%	31,7%	NAP	-9,7%	-3,7%	NAP
Luxembourg	-24,7%	-24,7%	NAP	-30,7%	-30,7%	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	-15,2%	-10,7%	-17,4%
Poland	NA	85,9%	NA	NA	33,8%	NA
Portugal	6,0%	69,5%	-18,6%	-3,4%	-8,5%	1,1%
Romania	-7,5%	-5,2%	-8,9%	-12,4%	-15,2%	-10,4%
Slovak Republic	-72,1%	NA	NAP	-51,0%	NA	NAP
Slovenia	-64,7%	-59,7%	-77,1%	-6,3%	-6,1%	-10,9%
Spain	42,2%	119,3%	-31,2%	4,6%	1,5%	15,2%
Sweden	17,6%	-22,1%	-3,0%	1,4%	-2,2%	-6,1%
<b>Average</b>	-15,6%	-8,1%	8,0%	-10,8%	-12,1%	-1,5%
<b>Median</b>	-9,4%	-22,1%	-18,6%	-6,3%	-9,6%	-6,1%
<b>Minimum</b>	-72,1%	-62,4%	-77,1%	-51,0%	-57,9%	-52,6%
<b>Maximum</b>	42,2%	119,3%	342,8%	9,0%	33,8%	111,1%
<b>% of NA</b>	15%	22%	15%	7%	11%	7%
<b>% of NAP</b>	7%	7%	22%	7%	7%	22%

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Slovak Republic: In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.9.4: Supreme court, variation of Clearance rate of other than criminal cases between 2016 - 2022 and 2021 - 2022**

in percent points (Q99)

States	Variations 2016 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	NA	NA	+1,2	NA	+14,4	+13,9
Belgium	-14,4	-7,1	-16,6	-6,2	-10,9	+12,3
Bulgaria	+0,9	+0,6	+1,1	+0,9	+9,1	-4,1
Croatia	+21,0	NA	NA	+23,2	+18,6	+295,5
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	+9,9	+1,1	+21,9	+6,1	-2,9	+17,6
Denmark	+8,6	+8,6	NAP	+6,3	+6,3	NAP
Estonia	-2,0	+5,3	-11,4	-4,9	+8,4	-23,7
Finland	-8,8	-1,2	-11,3	-14,9	+13,7	-22,8
France	-4,0	-6,9	+1,8	-4,2	-6,1	-1,0
Germany	-5,6	NA	-8,4	-6,3	NA	-11,8
Greece	+1,7	NA	-15,2	+17,7	NA	+22,1
Hungary	+23,1	+26,0	+16,1	+13,2	+8,0	+17,4
Ireland	-72,5	-72,5	NA	+7,1	+7,1	NA
Italy	+34,4	+29,6	+49,1	+4,7	-8,1	+38,1
Latvia	NA	-38,8	+24,8	+2,9	+6,8	-3,7
Lithuania	+13,5	+9,5	NAP	+16,2	+2,3	NAP
Luxembourg	+35,5	+35,5	NAP	+9,9	+9,9	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	+12,8	+14,4	+11,1
Poland	NA	-29,1	NA	NA	+9,5	NA
Portugal	+3,2	+3,3	+2,7	-1,0	+2,2	-8,7
Romania	-3,8	-14,2	+2,5	+4,1	+3,1	+4,9
Slovak Republic	-20,2	NA	NAP	+24,2	NA	NAP
Slovenia	-0,4	-0,8	+2,5	+2,8	+3,4	+2,6
Spain	+17,4	+6,0	+30,5	-0,4	+15,5	-25,3
Sweden	-1,9	-5,6	+2,8	+3,1	+5,8	+4,2
<b>Average</b>	+1,7	-2,7	+5,5	+5,1	+5,9	+17,8
<b>Median</b>	+0,9	+0,6	+2,5	+4,1	+7,0	+4,2
<b>Minimum</b>	-72,5	-72,5	-16,6	-14,9	-10,9	-25,3
<b>Maximum</b>	+35,5	+35,5	+49,1	+24,2	+18,6	+295,5
<b>% of NA</b>	15%	22%	15%	7%	11%	7%
<b>% of NAP</b>	7%	7%	22%	7%	7%	22%

**Hungary:** As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

**Slovak Republic:** In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

**Table 3.9.5: Supreme court, variation of Disposition time for other than criminal cases between 2016 - 2022 and 2021 - 2022**

in percentage (Q99)

States	Variations 2016 - 2022			Variations 2021 - 2022		
	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Administrative law cases
Austria	NA	NA	32,2%	NA	-33,1%	-14,0%
Belgium	26,5%	-18,5%	235,4%	22,7%	-4,0%	17,6%
Bulgaria	-5,4%	37,9%	-29,9%	10,3%	-4,0%	23,5%
Croatia	-50,0%	NA	NA	-26,9%	-25,7%	-76,9%
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	18,0%	-16,6%	59,1%	-7,9%	0,6%	-12,0%
Denmark	58,8%	58,8%	NAP	32,5%	32,5%	NAP
Estonia	33,8%	12,4%	53,4%	6,9%	-29,3%	77,3%
Finland	-9,2%	-8,5%	-9,6%	21,6%	-12,7%	32,1%
France	15,0%	29,4%	-3,6%	12,4%	10,1%	14,4%
Germany	20,0%	NA	33,0%	13,7%	NA	7,6%
Greece	-1,8%	NA	38,7%	-8,7%	NA	-6,4%
Hungary	-60,2%	-43,2%	-74,3%	-13,5%	-23,5%	-22,1%
Ireland	-35,3%	-35,3%	NA	-30,8%	-30,8%	NA
Italy	-33,7%	-26,3%	-57,2%	-5,9%	6,0%	-35,6%
Latvia	NA	-9,9%	-10,8%	-5,1%	-3,9%	-5,1%
Lithuania	115,6%	144,6%	NAP	-7,2%	11,9%	NAP
Luxembourg	-21,8%	-21,8%	NAP	-30,7%	-30,7%	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	-12,9%	-17,5%	-10,7%
Poland	NA	101,0%	NA	NA	38,2%	NA
Portugal	9,9%	68,2%	-6,8%	1,4%	-7,1%	14,6%
Romania	26,2%	26,7%	26,3%	-2,3%	-0,4%	-4,0%
Slovak Republic	72,6%	NA	NAP	-39,7%	NA	NAP
Slovenia	-51,7%	-51,2%	-48,4%	-1,1%	-0,7%	-10,7%
Spain	-16,7%	34,9%	-62,5%	1,1%	-16,3%	34,6%
Sweden	4,2%	11,0%	-14,4%	-0,2%	-7,5%	-9,6%
<b>Average</b>	5,5%	15,4%	9,4%	-3,0%	-6,7%	0,8%
<b>Median</b>	4,2%	11,0%	-6,8%	-2,3%	-5,6%	-5,1%
<b>Minimum</b>	-60,2%	-51,2%	-74,3%	-39,7%	-33,1%	-76,9%
<b>Maximum</b>	115,6%	144,6%	235,4%	32,5%	38,2%	77,3%
<b>% of NA</b>	15%	22%	15%	7%	11%	7%
<b>% of NAP</b>	7%	7%	22%	7%	7%	22%

Hungary: As of 1st April 2020, remedies in administrative cases are transferred from second instance courts to the Supreme Court.

Slovak Republic: In 2021, the Supreme Administrative Court was established as a separate institution. It acts as second instance court in the administrative cases. It took over all the administrative law cases of the Supreme Court.

# **European Comission templates for first instance data on other than criminal instance cases**

**Table 3.10.1 (EC): Disposition time\* (in days) for first instance total of other than criminal cases\*\*, from 2012 to 2022 (Q91)**

\*\* Other than criminal cases refer to the CEPEJ categories: Civil (and commercial) litigious cases, general civil (and commercial) non-litigious cases, non-litigious land registry cases, non-litigious business registry cases, other non-litigious registry cases, other non-litigious cases, administrative law cases and other cases

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	20	54	53	NA	53	57	59	57	59	63	61	62
Belgium	1	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	2	74	78	78	78	84	83	91	93	107	91	99
Croatia	11	133	129	134	132	117	114	102	130	120	120	96
Cyprus	13	534	NA	903	839	862	1 118	737	882	1 087	947	761
Czech Republic	3	116	76	157	164	155	163	162	158	170	159	148
Denmark	4	17	18	19	17	21	22	24	19	17	17	17
Estonia	6	44	NA	33	39	40	24	30	32	25	27	28
Finland	26	101	97	103	111	113	118	86	105	97	88	103
France	10	275	274	304	304	312	300	381	388	554	440	297
Germany	5	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	8	677	NA	NA	NA	NA	NA	NA	NA	NA	664	634
Hungary	17	NA	NA	63	59	57	63	63	69	80	65	63
Ireland	7	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	12	391	369	377	393	387	399	373	367	471	381	358
Latvia	14	186	167	179	38	33	29	28	25	28	30	34
Lithuania	15	44	53	54	50	41	44	53	52	68	65	68
Luxembourg	16	NA	NA	NA	NA	NA	NA	NA	NA	158	158	183
Malta	18	707	789	558	447	446	331	322	344	414	350	404
Netherlands	19	84	91	91	87	83	83	80	80	91	76	82
Poland	21	50	-	55	-	85	73	82	111	110	107	100
Portugal	22	860	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	23	161	128	148	154	154	161	154	152	186	160	171
Slovak Republic	25	218	235	231	240	98	107	111	135	87	83	81
Slovenia	24	113	111	102	82	72	65	61	56	69	54	54
Spain	9	NA	-	242	-	227	258	276	274	349	265	282
Sweden	27	149	146	133	126	133	151	152	138	123	117	123

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Italy:** Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

$$*CEPEJ \text{ Calculated Disposition Time (days)} = \frac{\text{Number of pending cases at the end of a period}}{\text{Number of resolved cases in a period}} \times 365$$

**Table 3.10.2 (EC): Disposition time\* (in days) for first instance civil and commercial litigious cases, from 2012 to 2022 (Q91)**

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	20	135	135	130	131	133	141	138	137	156	135	142
Belgium	1	NA	NA	NA	87	NA						
Bulgaria	2	NA										
Croatia	11	457	386	380	391	364	387	374	488	655	559	410
Cyprus	13	NA	638	NA								
Czech Republic	3	174	187	163	159	153	157	149	140	165	141	134
Denmark	4	165	164	177	174	176	172	207	222	190	238	268
Estonia	6	167	130	125	136	139	140	143	147	135	146	158
Finland	26	325	288	289	332	252	258	273	280	300	305	327
France	10	311	308	348	346	353	341	420	432	637	495	333
Germany	5	183	192	198	190	196	204	220	217	237	231	241
Greece	8	469	407	330	378	610	479	559	637	NA	728	746
Hungary	17	97	169	144	159	159	181	151	152	165	145	134
Ireland	7	NA										
Italy	12	590	608	532	527	514	548	527	532	674	560	540
Latvia	14	241	247	255	238	217	208	236	213	239	216	209
Lithuania	15	88	94	97	96	88	85	84	87	117	106	116
Luxembourg	16	73	53	103	86	91	108	123	139	161	154	182
Malta	18	685	750	536	445	432	435	440	465	550	529	491
Netherlands	19	NA	NA	132	115	121	124	110	110	127	NA	NA
Poland	21	195	-	203	-	225	232	273	270	317	330	362
Portugal	22	369	386	NA	315	289	250	229	200	280	253	238
Romania	23	193	187	146	154	153	167	157	152	168	150	160
Slovak Republic	25	437	505	524	401	130	171	157	170	204	206	168
Slovenia	24	318	301	270	277	280	292	283	281	350	309	337
Spain	9	264	-	318	-	282	329	362	353	468	344	359
Sweden	27	179	171	157	152	164	159	166	167	161	148	152

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

$$*CEPEJ \text{ Calculated Disposition Time (days)} = \frac{\text{Number of pending cases at the end of a period}}{\text{Number of resolved cases in a period}} \times 365$$

**Table 3.10.3 (EC): Disposition time\* (in days) for first instance administrative law cases, from 2012 to 2022 (Q91)**

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	20	NAP	NAP	NAP	NAP	380	446	449	440	388	312	285
Belgium	1	NA	NA	625	444	429	497	370	418	399	235	288
Bulgaria	2	150	110	124	122	108	116	112	107	124	125	129
Croatia	11	523	493	426	413	319	258	197	187	179	166	143
Cyprus	13	1 270	775	1 775	1 391	1 582	2 162	487	495	863	844	461
Czech Republic	3	NAP	NAP	415	437	421	408	412	356	317	265	225
Denmark	4	NAP	NA	NAP	NAP	NAP						
Estonia	6	108	139	141	117	108	108	119	136	142	162	166
Finland	26	248	277	280	271	279	255	235	254	274	296	281
France	10	302	284	305	313	314	290	285	284	333	299	314
Germany	5	354	357	367	349	375	421	435	397	426	422	408
Greece	8	1 520	1 148	NA	964	1 086	735	601	NA	551	595	464
Hungary	17	147	115	148	110	109	116	109	103	110	103	125
Ireland	7	NAP	NAP	NA	NA	NA						
Italy	12	886	1 043	984	1 008	925	887	889	821	862	756	574
Latvia	14	300	203	155	200	228	249	248	225	220	256	200
Lithuania	15	144	290	310	236	72	76	129	96	112	106	79
Luxembourg	16	NA	NA	513	524	528						
Malta	18	1 457	2 036	1 408	495	1 464	1 147	1 057	839	924	1 356	1 081
Netherlands	19	163	164	171	168	178	165	200	215	304	265	257
Poland	21	112	-	139	-	143	121	118	123	150	151	163
Portugal	22	NA	NA	NA	989	911	988	928	846	847	792	747
Romania	23	272	106	179	170	170	114	117	138	690	293	321
Slovak Republic	25	733	746	397	374	203	317	401	518	585	679	648
Slovenia	24	130	126	112	122	282	448	406	516	443	546	540
Spain	9	427	-	361	-	312	322	331	338	406	352	369
Sweden	27	126	126	114	105	115	147	146	125	107	102	107

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Italy:** Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

$$* \text{ CEPEJ Calculated Disposition Time (days)} = \frac{\text{Number of pending cases at the end of a period}}{\text{Number of resolved cases in a period}} \times 365$$

**Table 3.10.4 (EC): Clearance rate\* (in percentage) of first instance total of other than criminal cases\*\*, from 2012 to 2022 (Q91)**

\*\* Other than criminal cases refer to the CEPEJ categories: Civil (and commercial) litigious cases, general civil (and commercial) non-litigious cases, non-litigious land registry cases, non-litigious business registry cases, other non-litigious registry cases, other non-litigious cases, administrative law cases and other cases

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	20	100%	101%	NA	100%	100%	101%	100%	100%	100%	100%	100%
Belgium	1	NA	NA	NA	NA	102%	NA	108%	101%	98%	105%	102%
Bulgaria	2	99%	101%	102%	99%	99%	97%	98%	99%	101%	101%	100%
Croatia	11	102%	102%	103%	102%	102%	102%	105%	93%	104%	97%	104%
Cyprus	13	87%	NA	88%	90%	106%	113%	125%	98%	88%	81%	101%
Czech Republic	3	114%	97%	97%	102%	105%	101%	102%	101%	98%	103%	102%
Denmark	4	101%	100%	100%	100%	100%	100%	100%	101%	101%	100%	100%
Estonia	6	111%	NA	98%	140%	98%	104%	101%	100%	101%	99%	100%
Finland	26	95%	100%	102%	99%	98%	96%	106%	95%	105%	102%	99%
France	10	100%	98%	95%	98%	98%	104%	96%	99%	94%	105%	97%
Germany	5	NA										
Greece	8	65%	NA	91%	101%							
Hungary	17	104%	98%	103%	101%	102%	99%	106%	101%	98%	104%	100%
Ireland	7	NA	NA	73%	77%	76%	82%	79%	75%	56%	75%	84%
Italy	12	108%	107%	109%	112%	105%	103%	103%	103%	103%	107%	106%
Latvia	14	112%	106%	100%	101%	101%	101%	100%	100%	99%	100%	99%
Lithuania	15	101%	97%	99%	100%	102%	102%	101%	101%	97%	101%	99%
Luxembourg	16	NA	NA	NA	NA	102%	99%	96%	93%	95%	99%	98%
Malta	18	108%	104%	102%	111%	107%	96%	97%	91%	91%	89%	87%
Netherlands	19	99%	99%	99%	101%	100%	100%	101%	100%	98%	103%	98%
Poland	21	101%	-	102%	-	93%	101%	99%	90%	104%	102%	103%
Portugal	22	96%	NA									
Romania	23	96%	110%	111%	106%	101%	99%	104%	100%	97%	102%	96%
Slovak Republic	25	91%	91%	102%	105%	106%	109%	111%	91%	113%	100%	101%
Slovenia	24	106%	102%	104%	107%	106%	104%	102%	102%	99%	102%	101%
Spain	9	NA	-	101%	-	105%	94%	92%	94%	90%	102%	96%
Sweden	27	102%	101%	103%	103%	96%	93%	97%	100%	102%	103%	103%

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Italy:** Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

**Ireland:** CR and number of resolved cases show lower values because many cases discontinued or settled out of courts are not registered as resolved.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

$$* \text{ CEPEJ Clearance Rate (\%)} = \frac{\text{Resolved cases in a period}}{\text{Incoming Cases in a period}} \times 100$$

**Table 3.10.5 (EC): Clearance rate\* (in percentage) for first instance civil and commercial litigious cases from 2012 to 2022 (Q91)**

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	20	101%	101%	103%	102%	102%	99%	101%	100%	100%	104%	101%
Belgium	1	NA	NA	98%	99%	102%	112%	112%	101%	99%	106%	102%
Bulgaria	2	NA										
Croatia	11	95%	101%	113%	107%	118%	109%	112%	87%	85%	81%	145%
Cyprus	13	NA	78%	NA								
Czech Republic	3	99%	90%	105%	107%	110%	101%	102%	101%	98%	103%	102%
Denmark	4	109%	107%	102%	102%	101%	102%	95%	92%	111%	98%	93%
Estonia	6	112%	108%	104%	102%	98%	99%	101%	94%	100%	100%	99%
Finland	26	103%	106%	105%	94%	125%	111%	102%	100%	94%	100%	100%
France	10	99%	98%	94%	98%	99%	103%	96%	100%	93%	107%	103%
Germany	5	100%	99%	100%	102%	103%	101%	97%	99%	98%	105%	104%
Greece	8	58%	80%	113%	102%	99%	96%	86%	86%	NA	82%	93%
Hungary	17	105%	98%	104%	99%	98%	96%	116%	104%	100%	106%	104%
Ireland	7	NA	NA	56%	63%	59%	73%	63%	63%	51%	72%	71%
Italy	12	131%	118%	119%	120%	113%	106%	103%	104%	104%	109%	104%
Latvia	14	118%	109%	98%	109%	107%	119%	103%	102%	96%	103%	99%
Lithuania	15	101%	99%	97%	102%	98%	102%	104%	101%	94%	101%	99%
Luxembourg	16	173%	182%	97%	105%	100%	96%	93%	88%	93%	99%	98%
Malta	18	114%	110%	101%	107%	107%	97%	93%	92%	91%	78%	87%
Netherlands	19	NA	NA	99%	100%	101%	99%	101%	100%	100%	NA	NA
Poland	21	89%	-	99%	-	99%	94%	92%	99%	105%	103%	98%
Portugal	22	98%	103%	NA	116%	112%	113%	109%	105%	98%	102%	103%
Romania	23	99%	112%	109%	105%	102%	99%	103%	100%	100%	102%	96%
Slovak Republic	25	82%	81%	92%	133%	132%	129%	131%	110%	100%	104%	108%
Slovenia	24	101%	102%	109%	105%	106%	108%	110%	109%	101%	107%	102%
Spain	9	100%	-	98%	-	103%	88%	87%	94%	86%	102%	98%
Sweden	27	99%	101%	104%	104%	99%	100%	97%	97%	103%	103%	102%

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Ireland:** CR and number of resolved cases show lower values because many cases discontinued or settled out of courts are not registered as resolved.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

$$* \text{ CEPEJ Clearance Rate (\%)} = \frac{\text{Resolved cases in a period}}{\text{Incoming Cases in a period}} \times 100$$

**Table 3.10.6 (EC): Clearance rate\* (in percentage) for first instance administrative cases, from 2012 to 2022 (Q91)**

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	20	NAP	NAP	NAP	NAP	91%	80%	90%	111%	126%	125%	112%
Belgium	1	NA	NA	88%	117%	121%	101%	119%	112%	108%	131%	97%
Bulgaria	2	92%	109%	101%	99%	104%	95%	100%	99%	100%	100%	101%
Croatia	11	41%	64%	86%	93%	109%	126%	116%	109%	107%	102%	107%
Cyprus	13	74%	58%	103%	120%	113%	74%	219%	170%	84%	46%	88%
Czech Republic	3	NAP	NAP	91%	92%	80%	92%	88%	107%	113%	119%	126%
Denmark	4	NAP	NA	NAP	NAP	NAP						
Estonia	6	106%	91%	90%	105%	106%	99%	100%	94%	92%	90%	99%
Finland	26	101%	95%	97%	102%	79%	107%	112%	100%	99%	102%	104%
France	10	107%	104%	96%	98%	99%	102%	98%	97%	95%	97%	96%
Germany	5	102%	100%	100%	103%	92%	84%	97%	109%	110%	110%	114%
Greece	8	143%	153%	NA	183%	148%	166%	164%	NA	163%	130%	127%
Hungary	17	108%	104%	92%	105%	100%	102%	102%	103%	89%	108%	98%
Ireland	7	NAP	NA	NA	NA							
Italy	12	280%	190%	156%	142%	153%	156%	136%	131%	136%	125%	134%
Latvia	14	130%	163%	144%	106%	95%	100%	105%	105%	107%	93%	107%
Lithuania	15	98%	65%	89%	100%	144%	113%	88%	105%	97%	98%	98%
Luxembourg	16	70%	94%	94%	91%	98%	94%	86%	75%	87%	92%	92%
Malta	18	40%	40%	149%	411%	114%	147%	91%	121%	106%	70%	95%
Netherlands	19	98%	100%	99%	103%	95%	105%	95%	94%	86%	108%	99%
Poland	21	100%	-	97%	-	103%	107%	105%	99%	95%	93%	99%
Portugal	22	NA	NA	NA	80%	112%	105%	111%	106%	126%	107%	112%
Romania	23	78%	130%	161%	133%	92%	102%	118%	100%	48%	105%	97%
Slovak Republic	25	47%	85%	125%	124%	112%	118%	96%	81%	87%	80%	93%
Slovenia	24	110%	102%	103%	101%	87%	67%	91%	89%	107%	95%	98%
Spain	9	124%	-	113%	-	112%	104%	100%	92%	99%	99%	97%
Sweden	27	105%	101%	103%	104%	94%	90%	97%	102%	102%	103%	103%

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Italy:** Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

$$* \text{ CEPEJ Clearance Rate (\%)} = \frac{\text{Resolved cases in a period}}{\text{Incoming Cases in a period}} \times 100$$

**Table 3.10.7 (EC): Number of first instance total other than criminal\* pending cases on 31 Dec. per 100 inhabitants, from 2012 to 2022 (Q1, Q91)**

\* Other than criminal cases refer to the CEPEJ categories: Civil (and commercial) litigious cases, general civil (and commercial) non-litigious cases, non-litigious land registry cases, non-litigious business registry cases, other non-litigious registry cases, other non-litigious cases, administrative law cases and other cases

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	20	6,1	5,8	NA	5,5	5,8	5,9	5,8	5,8	6,0	5,8	5,9
Belgium	1	NA										
Bulgaria	2	1,1	1,0	1,0	1,0	1,1	1,2	1,3	1,4	1,3	1,3	1,4
Croatia	11	9,6	9,2	8,4	7,9	7,5	7,2	6,3	8,2	7,5	8,6	7,3
Cyprus	13	5,4	NA	6,1	7,2	6,0	6,2	6,0	5,5	6,3	6,6	6,5
Czech Republic	3	3,6	3,3	3,8	4,9	4,4	4,3	4,0	3,9	4,0	3,8	3,5
Denmark	4	2,1	2,0	2,1	2,1	2,3	2,4	2,6	2,5	2,3	2,2	2,3
Estonia	6	2,8	NA	1,6	2,7	2,7	1,4	1,8	2,0	1,6	1,8	1,9
Finland	26	2,5	2,5	2,3	2,4	2,5	2,8	2,3	2,6	2,4	2,2	2,3
France	10	2,5	2,6	2,7	2,8	2,8	2,7	2,8	2,8	3,0	2,8	2,8
Germany	5	NA										
Greece	8	7,8	NA	4,0	3,5							
Hungary	17	NA	NA	1,5	1,5	1,4	1,5	1,4	1,3	1,4	1,2	1,2
Ireland	7	NA										
Italy	12	7,8	7,5	7,4	6,9	6,7	6,4	6,1	5,9	6,0	5,7	5,4
Latvia	14	2,0	1,8	1,8	1,6	1,5	1,3	1,3	1,3	1,5	1,5	1,8
Lithuania	15	1,1	1,4	1,6	1,5	1,4	1,2	1,1	1,0	1,3	1,2	1,2
Luxembourg	16	NA	0,9	0,9	0,9							
Malta	18	2,2	2,2	2,4	2,1	1,9	2,0	2,1	2,3	2,2	2,2	2,5
Netherlands	19	1,7	1,8	1,8	1,8	1,7	1,6	1,5	1,5	1,6	1,3	1,3
Poland	21	3,6	-	4,0	-	6,1	6,0	6,3	9,8	8,7	8,2	7,5
Portugal	22	15,5	NA									
Romania	23	3,7	3,1	3,3	3,3	3,2	3,3	3,0	3,0	3,3	3,1	3,4
Slovak Republic	25	6,4	7,5	7,3	6,8	4,9	5,0	3,7	5,0	3,3	3,3	3,2
Slovenia	24	14,7	13,8	12,2	9,3	7,2	5,9	5,3	4,7	4,9	4,3	4,1
Spain	9	NA	-	3,1	-	2,8	3,0	3,4	3,7	4,2	4,2	4,4
Sweden	27	0,9	0,8	0,8	0,7	0,8	1,0	1,0	1,0	0,9	0,9	0,8

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Italy:** Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

**Table 3.10.8 (EC): Number of first instance civil and commercial litigious pending cases on 31 Dec. per 100 inhabitants, from 2012 to 2022 (Q1, Q91)**

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Austria	20	0,5	0,4	0,4	0,4	0,4	0,4	0,4	0,4	0,4	0,3
Belgium	1	NA	NA	NA	1,6	NA	NA	NA	NA	NA	NA
Bulgaria	2	NA									
Croatia	11	5,1	5,1	4,6	4,4	3,8	3,6	3,3	3,7	4,2	5,2
Cyprus	13	NA	6,1	NA							
Czech Republic	3	1,6	2,1	2,1	1,8	1,4	1,5	1,3	1,3	1,3	1,2
Denmark	4	0,4	0,4	0,4	0,4	0,4	0,3	0,4	0,5	0,4	0,5
Estonia	6	0,7	0,5	0,5	0,4	0,5	0,5	0,5	0,5	0,5	0,5
Finland	26	0,2	0,2	0,2	0,2	0,1	0,1	0,1	0,1	0,1	0,1
France	10	2,2	2,2	2,4	2,4	2,4	2,4	2,5	2,5	2,6	2,4
Germany	5	1,0	0,9	1,0	0,9	0,9	0,9	0,9	0,9	0,9	0,9
Greece	8	4,3	5,6	2,3	2,2	2,3	2,3	2,6	2,9	NA	2,8
Hungary	17	1,2	0,8	0,8	0,8	0,8	0,9	0,7	0,6	0,6	0,5
Ireland	7	NA									
Italy	12	5,5	5,3	4,5	4,4	4,1	3,9	3,8	3,7	3,7	3,6
Latvia	14	1,7	1,5	1,6	1,4	1,3	1,0	1,0	0,9	1,0	0,9
Lithuania	15	0,9	0,9	1,0	1,0	1,0	1,0	0,8	0,8	1,0	1,0
Luxembourg	16	0,3	0,2	0,2	0,2	0,2	0,2	0,3	0,4	0,5	0,5
Malta	18	2,1	2,1	2,2	2,0	1,8	1,9	2,0	2,1	2,0	2,1
Netherlands	19	NA	NA	0,4	0,3	0,3	0,3	0,2	0,2	0,3	NA
Poland	21	1,3	-	1,8	-	1,9	2,1	2,4	2,4	2,3	2,2
Portugal	22	3,5	3,4	NA	3,1	2,7	2,3	2,0	1,8	1,9	1,8
Romania	23	2,7	2,4	3,0	3,0	2,9	3,0	2,8	2,8	2,8	2,7
Slovak Republic	25	2,9	3,4	3,7	3,0	1,7	2,1	1,3	1,1	1,1	1,1
Slovenia	24	2,7	2,6	2,3	2,2	2,0	1,9	1,7	1,5	1,5	1,4
Spain	9	2,8	-	1,8	-	1,7	2,0	2,3	2,5	2,8	2,7
Sweden	27	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

**Table 3.10.9 (EC): Number of first instance administrative cases pending on 31 Dec. per 100 inhabitants, from 2012 to 2022 (Q1, Q91)**

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Austria	20	NAP	NAP	NAP	NAP	0,6	0,8	0,9	0,8	0,7	0,6
Belgium	1	NA	NA	0,3	0,3	0,2	0,2	0,2	0,2	0,2	0,1
Bulgaria	2	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1
Croatia	11	0,2	0,3	0,3	0,4	0,3	0,3	0,2	0,2	0,2	0,2
Cyprus	13	0,6	0,9	0,9	0,9	0,9	0,9	0,7	0,5	0,6	1,3
Czech Republic	3	NAP	NAP	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1
Denmark	4	NAP	NA	NAP	NAP						
Estonia	6	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1
Finland	26	0,3	0,4	0,4	0,4	0,4	0,4	0,3	0,3	0,3	0,3
France	10	0,2	0,2	0,2	0,2	0,2	0,2	0,2	0,3	0,3	0,3
Germany	5	0,8	0,8	0,8	0,8	0,9	1,0	1,0	1,0	0,9	0,8
Greece	8	3,5	3,1	NA	2,4	2,2	1,9	1,5	NA	1,0	0,9
Hungary	17	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,0	0,1	0,1
Ireland	7	NAP	NA	NA							
Italy	12	0,6	0,5	0,4	0,4	0,4	0,3	0,3	0,2	0,2	0,2
Latvia	14	0,2	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1
Lithuania	15	0,1	0,3	0,4	0,4	0,1	0,1	0,2	0,1	0,2	0,2
Luxembourg	16	NA	0,2	0,2							
Malta	18	0,1	0,2	0,2	0,1	0,1	0,1	0,1	0,1	0,1	0,1
Netherlands	19	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,4	0,4
Poland	21	0,1	-	0,1	-	0,1	0,1	0,1	0,1	0,1	0,1
Portugal	22	NA	NA	NA	0,7	0,7	0,7	0,7	0,7	0,6	0,6
Romania	23	0,6	0,4	0,3	0,2	0,3	0,2	0,2	0,2	0,4	0,4
Slovak Republic	25	0,3	0,4	0,3	0,3	0,1	0,1	0,1	0,1	0,1	0,1
Slovenia	24	0,1	0,1	0,1	0,1	0,1	0,2	0,2	0,2	0,2	0,2
Spain	9	0,6	-	0,4	-	0,3	0,3	0,3	0,4	0,4	0,4
Sweden	27	0,4	0,4	0,3	0,3	0,4	0,6	0,6	0,6	0,6	0,5

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Italy:** Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

**Table 3.10.10 (EC): Number of first instance total other than criminal\* incoming cases per 100 inhabitants, from 2012 to 2022 (Q1, Q91)**

\* Other than criminal cases refer to the CEPEJ categories: Civil (and commercial) litigious cases, general civil (and commercial) non-litigious cases, non-litigious land registry cases, non-litigious business registry cases, other non-litigious registry cases, other non-litigious cases, administrative law cases and other cases

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Austria	20	41,3	39,9	NA	37,8	37,6	36,7	37,0	36,2	35,0	34,7
Belgium	1	NA	NA	NA	NA	8,7	4,4	9,3	8,6	8,6	8,4
Bulgaria	2	5,4	4,9	4,4	4,8	4,8	5,6	5,4	5,4	4,5	5,1
Croatia	11	25,8	25,6	22,2	21,6	23,2	22,9	21,7	24,6	22,1	26,8
Cyprus	13	4,3	NA	2,8	3,5	2,4	1,8	2,4	2,3	2,4	3,1
Czech Republic	3	10,0	16,5	9,1	10,8	9,8	9,5	8,8	9,0	8,7	8,6
Denmark	4	46,9	41,2	40,4	45,4	38,8	39,5	39,2	49,3	47,5	46,1
Estonia	6	20,6	NA	18,1	18,0	24,7	20,3	22,6	22,7	23,4	24,3
Finland	26	9,7	9,5	8,1	8,1	8,2	9,0	9,1	9,5	8,5	8,8
France	10	3,3	3,5	3,4	3,4	3,4	3,2	2,8	2,7	2,1	2,2
Germany	5	NA									
Greece	8	6,4	NA	2,4							
Hungary	17	11,4	11,8	8,6	9,2	8,9	8,6	7,5	6,8	6,4	6,4
Ireland	7	NA	NA	5,4	5,3	5,0	4,7	4,6	4,7	3,6	2,7
Italy	12	6,7	7,0	6,6	5,7	6,0	5,7	5,8	5,7	4,5	5,1
Latvia	14	3,5	3,8	3,6	15,7	16,2	16,4	16,5	18,7	19,3	18,3
Lithuania	15	9,3	10,1	10,7	11,1	11,7	9,5	7,5	7,2	7,0	6,6
Luxembourg	16	NA	NA	NA	NA	1,8	1,8	1,9	2,3	2,1	2,0
Malta	18	1,1	1,0	1,5	1,6	1,5	2,3	2,5	2,6	2,1	2,6
Netherlands	19	7,5	7,4	7,5	7,4	7,3	7,2	6,9	7,0	6,4	6,2
Poland	21	26,1	-	26,0	-	28,0	30,3	28,6	35,6	27,6	27,6
Portugal	22	6,8	NA								
Romania	23	8,6	8,0	7,3	7,3	7,5	7,5	7,0	7,3	6,7	7,0
Slovak Republic	25	11,8	12,8	11,3	9,9	17,0	15,7	10,9	14,7	12,4	14,5
Slovenia	24	45,1	44,7	42,3	38,8	34,4	32,2	30,7	30,1	26,2	28,5
Spain	9	NA	-	4,6	-	4,2	4,6	4,9	5,3	4,9	5,6
Sweden	27	2,1	2,1	2,0	1,9	2,3	2,5	2,5	2,7	2,7	2,6

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Italy:** Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

**Table 3.10.11 (EC): Number of first instance civil and commercial litigious incoming cases per 100 inhabitants, from 2012 to 2022 (Q1, Q91)**

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Austria	20	1,2	1,2	1,1	1,0	1,0	1,0	0,9	0,9	0,8	0,8
Belgium	1	6,8	6,7	6,7	6,8	6,4	1,9	6,7	6,1	6,1	5,9
Bulgaria	2	NA									
Croatia	11	4,3	4,8	3,9	3,8	3,3	3,1	2,9	3,2	2,7	4,2
Cyprus	13	NA	4,5	NA							
Czech Republic	3	3,5	4,5	4,6	3,8	3,1	3,4	3,3	3,3	2,9	3,0
Denmark	4	0,8	0,8	0,7	0,7	0,7	0,7	0,7	0,8	0,7	0,7
Estonia	6	1,3	1,3	1,3	1,2	1,2	1,2	1,2	1,4	1,4	1,3
Finland	26	0,2	0,2	0,2	0,2	0,2	0,1	0,1	0,2	0,2	0,2
France	10	2,6	2,7	2,6	2,6	2,5	2,5	2,2	2,1	1,6	1,7
Germany	5	2,0	1,8	1,8	1,7	1,6	1,5	1,5	1,5	1,5	1,3
Greece	8	5,8	6,2	2,2	2,1	1,4	1,9	2,0	1,9	NA	1,7
Hungary	17	4,4	1,8	1,8	1,8	1,9	1,8	1,4	1,4	1,3	1,3
Ireland	7	3,9	4,2	3,1	3,0	2,7	2,7	2,7	2,7	2,7	2,1
Italy	12	2,6	2,7	2,6	2,5	2,6	2,5	2,6	2,4	1,9	2,1
Latvia	14	2,2	2,0	2,3	2,0	2,0	1,5	1,4	1,6	1,5	1,5
Lithuania	15	3,6	3,6	4,0	3,6	4,4	4,1	3,6	3,3	3,3	3,3
Luxembourg	16	0,9	0,8	0,9	0,8	0,8	0,8	0,9	1,2	1,2	1,2
Malta	18	1,0	0,9	1,5	1,5	1,4	1,6	1,8	1,8	1,4	1,9
Netherlands	19	NA	NA	1,0	1,0	0,9	0,9	0,8	0,8	0,7	NA
Poland	21	2,8	-	3,2	-	3,1	3,5	3,4	3,3	2,5	2,4
Portugal	22	3,5	3,1	NA	3,1	3,0	2,9	2,9	3,1	2,5	2,5
Romania	23	5,2	4,2	6,9	6,8	6,8	6,6	6,4	6,7	6,1	6,4
Slovak Republic	25	3,0	3,0	2,8	2,1	3,7	3,5	2,3	2,1	2,0	1,8
Slovenia	24	3,0	3,1	2,9	2,8	2,5	2,2	2,0	1,8	1,5	1,5
Spain	9	3,8	-	2,2	-	2,1	2,5	2,7	2,7	2,5	2,8
Sweden	27	0,7	0,7	0,7	0,6	0,6	0,6	0,6	0,7	0,6	0,6

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

**Table 3.10.12 (EC): Number of first instance administrative incoming cases per 100 inhabitants, from 2012 to 2022 (Q1, Q91)**

States / Entities	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Austria	20	NAP	NAP	NAP	NAP	0,6	0,8	0,8	0,6	0,5	0,5
Belgium	1	NA	NA	0,2	0,2	0,2	0,2	0,1	0,1	0,2	0,1
Bulgaria	2	0,4	0,4	0,3	0,4	0,4	0,4	0,4	0,5	0,4	0,4
Croatia	11	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3
Cyprus	13	0,2	0,8	0,2	0,2	0,2	0,2	0,2	0,2	0,3	1,2
Czech Republic	3	NAP	NAP	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1
Denmark	4	NAP	NA	NAP	NAP						
Estonia	6	0,2	0,2	0,3	0,3	0,2	0,2	0,2	0,2	0,2	0,2
Finland	26	0,5	0,5	0,5	0,5	0,7	0,5	0,4	0,5	0,4	0,4
France	10	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,3	0,4
Germany	5	0,9	0,8	0,8	0,8	0,9	1,0	0,9	0,8	0,7	0,7
Greece	8	0,6	0,6	NA	0,5	0,5	0,6	0,6	NA	0,4	0,4
Hungary	17	0,1	0,2	0,2	0,2	0,2	0,2	0,2	0,2	0,3	0,2
Ireland	7	NAP	NA	NA							
Italy	12	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1
Latvia	14	0,2	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1	0,1
Lithuania	15	0,3	0,6	0,5	0,6	0,5	0,4	0,5	0,5	0,5	0,6
Luxembourg	16	0,3	0,2	0,2	0,2	0,2	0,2	0,2	0,2	0,2	0,2
Malta	18	0,1	0,1	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0
Netherlands	19	0,7	0,7	0,6	0,6	0,7	0,6	0,6	0,6	0,6	0,5
Poland	21	0,2	-	0,2	-	0,2	0,2	0,2	0,2	0,2	0,2
Portugal	22	NA	NA	NA	0,3	0,3	0,2	0,2	0,3	0,2	0,2
Romania	23	1,1	1,0	0,4	0,3	0,6	0,7	0,4	0,4	0,4	0,4
Slovak Republic	25	0,3	0,2	0,2	0,2	0,2	0,1	0,1	0,1	0,1	0,1
Slovenia	24	0,2	0,3	0,3	0,2	0,1	0,2	0,2	0,1	0,1	0,1
Spain	9	0,4	-	0,4	-	0,4	0,4	0,4	0,4	0,3	0,4
Sweden	27	1,1	1,1	1,1	1,0	1,4	1,6	1,6	1,7	1,8	1,7

**Greece:** In 2017 new IT management systems were introduced for civil as well as administrative cases and some variations can be noticed.

**Italy:** Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

**Slovak Republic:** Because of changes in the structure of the caseload data the number of cases is not comparable between different cycles.

**Criminal first instance cases by case categories and by case status**

**Table 3.11.1a: First instance criminal cases - pending on 1st Jan. 2022**

**Absolute values (Q94)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	23 771	5 095	7 519	NAP
Belgium	NA	NA	NA	NA
Bulgaria	23 195	NAP	NAP	NAP
Croatia	118 422	31 164	77 865	9 393
Cyprus	42 863	NA	NA	NAP
Czech Republic	10 872	NA	NA	NAP
Denmark	31 455	14 552	16 903	NAP
Estonia	1 621	644	508	469
Finland	29 093	NA	NA	NAP
France	NA	274 436	NA	81 997
Germany	NA	242 319	113 723	NA
Greece	34 563	134	34 366	63
Hungary	50 932	23 266	27 666	NAP
Ireland	NA	NA	NA	NAP
Italy	1 168 166	1 071 964	96 202	NAP
Latvia	4 578	3 389	956	233
Lithuania	3 242	NA	NA	NA
Luxembourg	NA	NA	NA	NA
Malta	15 806	89	15 717	NA
Netherlands	NA	NA	NA	NAP
Poland	400 266	190 074	85 126	125 066
Portugal	44 870	41 016	2 371	1 483
Romania	101 708	NAP	NAP	NAP
Slovak Republic	23 144	NA	NA	NA
Slovenia	31 382	11 259	12 340	7 783
Spain	395 299	284 198	111 101	NAP
Sweden	47 337	NA	NA	NA
<b>Average</b>	<b>123 933</b>	<b>146 240</b>	<b>43 026</b>	<b>28 311</b>
<b>Median</b>	<b>31 455</b>	<b>23 266</b>	<b>22 285</b>	<b>4 633</b>
<b>Minimum</b>	<b>1 621</b>	<b>89</b>	<b>508</b>	<b>63</b>
<b>Maximum</b>	<b>1 168 166</b>	<b>1 071 964</b>	<b>113 723</b>	<b>125 066</b>
<b>% of NA</b>	<b>22%</b>	<b>37%</b>	<b>41%</b>	<b>26%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>44%</b>

**Austria:** The total number of first instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.11.1b: First instance criminal cases - pending on 1st Jan. 2022**

Per 100 inhabitants (Q1, Q94)

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	0,26	0,06	0,08	NAP
Belgium	NA	NA	NA	NA
Bulgaria	0,36	NAP	NAP	NAP
Croatia	3,08	0,81	2,02	0,24
Cyprus	4,66	NA	NA	NAP
Czech Republic	0,10	NA	NA	NAP
Denmark	0,53	0,25	0,29	NAP
Estonia	0,12	0,05	0,04	0,04
Finland	0,52	NA	NA	NAP
France	NA	0,40	NA	0,12
Germany	NA	0,29	0,13	NA
Greece	0,32	0,00	0,32	0,00
Hungary	0,53	0,24	0,29	NAP
Ireland	NA	NA	NA	NAP
Italy	1,98	1,82	0,16	NAP
Latvia	0,24	0,18	0,05	0,01
Lithuania	0,11	NA	NA	NA
Luxembourg	NA	NA	NA	NA
Malta	3,04	0,02	3,02	NA
Netherlands	NA	NA	NA	NAP
Poland	1,06	0,50	0,23	0,33
Portugal	0,43	0,39	0,02	0,01
Romania	0,53	NAP	NAP	NAP
Slovak Republic	0,43	NA	NA	NA
Slovenia	1,48	0,53	0,58	0,37
Spain	0,82	0,59	0,23	NAP
Sweden	0,45	NA	NA	NA
<b>Average</b>	<b>1,00</b>	<b>0,41</b>	<b>0,53</b>	<b>0,14</b>
<b>Median</b>	<b>0,52</b>	<b>0,29</b>	<b>0,23</b>	<b>0,08</b>
<b>Minimum</b>	<b>0,10</b>	<b>0,00</b>	<b>0,02</b>	<b>0,00</b>
<b>Maximum</b>	<b>4,66</b>	<b>1,82</b>	<b>3,02</b>	<b>0,37</b>
<b>% of NA</b>	<b>22%</b>	<b>37%</b>	<b>41%</b>	<b>26%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>44%</b>

**Austria:** The total number of first instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.11.2a: First instance criminal cases - incoming in 2022**

**Absolute values (Q94)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	68 549	22 747	24 752	NAP
Belgium	214 447	42 731	171 716	NA
Bulgaria	124 178	NAP	NAP	NAP
Croatia	161 484	17 707	113 768	30 009
Cyprus	81 716	NA	NA	NAP
Czech Republic	65 299	NA	NA	NAP
Denmark	153 429	23 483	129 946	NAP
Estonia	17 512	3 887	5 113	8 512
Finland	64 657	NA	NA	NAP
France	980 570	550 566	430 004	16 901
Germany	1 083 575	574 379	359 021	150 175
Greece	264 496	1 195	259 513	3 788
Hungary	367 009	131 595	235 414	NAP
Ireland	360 029	21 204	338 825	NAP
Italy	1 100 891	995 234	105 657	NAP
Latvia	8 930	4 553	2 406	1 971
Lithuania	15 413	NA	NA	NA
Luxembourg	NA	NA	NA	2 180
Malta	12 317	39	12 278	NA
Netherlands	260 380	153 465	106 915	NAP
Poland	2 027 558	370 638	376 830	1 280 090
Portugal	78 716	62 101	7 925	8 690
Romania	366 408	NAP	NAP	NAP
Slovak Republic	65 246	NA	NA	NA
Slovenia	72 615	8 663	26 295	37 657
Spain	766 522	326 349	440 173	NAP
Sweden	122 018	NA	NA	NA
<b>Average</b>	<b>342 460</b>	<b>183 919</b>	<b>174 808</b>	<b>153 997</b>
<b>Median</b>	<b>138 804</b>	<b>33 107</b>	<b>121 857</b>	<b>12 796</b>
<b>Minimum</b>	<b>8 930</b>	<b>39</b>	<b>2 406</b>	<b>1 971</b>
<b>Maximum</b>	<b>2 027 558</b>	<b>995 234</b>	<b>440 173</b>	<b>1 280 090</b>
<b>% of NA</b>	<b>4%</b>	<b>26%</b>	<b>26%</b>	<b>19%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>44%</b>

**Austria:** The total number of first instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**France:** "Other criminal cases" encompass investigation procedures that are not included in the total because they are already considered in other two categories.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.11.2b: First instance criminal cases - incoming in 2022**

Per 100 inhabitants (Q1, Q94)

States	Total number of criminal cases	Severe criminal cases		Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3	
Austria	0,75	0,25	0,27	NAP	
Belgium	1,83	0,37	1,47	NA	
Bulgaria	1,93	NAP	NAP	NAP	
Croatia	4,19	0,46	2,95	0,78	
Cyprus	8,88	NA	NA	NAP	
Czech Republic	0,60	NA	NA	NAP	
Denmark	2,59	0,40	2,19	NAP	
Estonia	1,32	0,29	0,38	0,64	
Finland	1,16	NA	NA	NAP	
France	1,44	0,81	0,63	0,02	
Germany	1,28	0,68	0,43	0,18	
Greece	2,48	0,01	2,43	0,04	
Hungary	3,82	1,37	2,45	NAP	
Ireland	6,99	0,41	6,58	NAP	
Italy	1,87	1,69	0,18	NAP	
Latvia	0,47	0,24	0,13	0,10	
Lithuania	0,54	NA	NA	NA	
Luxembourg	NA	NA	NA	0,33	
Malta	2,37	0,01	2,36	NA	
Netherlands	1,46	0,86	0,60	NAP	
Poland	5,37	0,98	1,00	3,39	
Portugal	0,75	0,59	0,08	0,08	
Romania	1,92	NAP	NAP	NAP	
Slovak Republic	1,20	NA	NA	NA	
Slovenia	3,43	0,41	1,24	1,78	
Spain	1,59	0,68	0,92	NAP	
Sweden	1,16	NA	NA	NA	
Average	2,36	0,58	1,46	0,73	
Median	1,71	0,44	0,96	0,25	
Minimum	0,47	0,01	0,08	0,02	
Maximum	8,88	1,69	6,58	3,39	
% of NA	4%	26%	26%	19%	
% of NAP	0%	7%	7%	44%	

**Austria:** The total number of first instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Table 3.11.3a: First instance criminal cases - resolved in 2022**
**Absolute values (Q94)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	69 435	22 583	24 177	NAP
Belgium	214 735	41 781	172 954	NA
Bulgaria	126 366	NAP	NAP	NAP
Croatia	174 710	18 026	126 187	30 497
Cyprus	66 194	NA	NA	NAP
Czech Republic	66 020	NA	NA	NAP
Denmark	152 630	22 021	130 609	NAP
Estonia	17 270	3 921	4 878	8 471
Finland	64 657	NA	NA	NAP
France	928 818	548 394	380 424	15 496
Germany	NA	571 816	355 798	NA
Greece	185 752	664	181 357	3 731
Hungary	373 018	131 834	241 184	NAP
Ireland	291 164	24 242	266 922	NAP
Italy	1 150 967	1 032 480	118 487	NAP
Latvia	9 200	4 765	2 530	1 905
Lithuania	15 545	NA	NA	NA
Luxembourg	14 015	4 479	7 812	1 724
Malta	11 430	15	11 415	NA
Netherlands	250 241	153 012	97 229	NAP
Poland	2 044 536	382 721	376 636	1 285 179
Portugal	78 261	62 300	7 408	8 553
Romania	357 069	NAP	NAP	NAP
Slovak Republic	64 745	NA	NA	NA
Slovenia	74 258	9 019	27 494	37 745
Spain	755 978	322 873	433 105	NAP
Sweden	122 925	NA	NA	NA
<b>Average</b>	<b>295 382</b>	<b>176 681</b>	<b>156 137</b>	<b>154 811</b>
<b>Median</b>	<b>124 646</b>	<b>24 242</b>	<b>126 187</b>	<b>8 553</b>
<b>Minimum</b>	<b>9 200</b>	<b>15</b>	<b>2 530</b>	<b>1 724</b>
<b>Maximum</b>	<b>2 044 536</b>	<b>1 032 480</b>	<b>433 105</b>	<b>1 285 179</b>
<b>% of NA</b>	<b>4%</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>44%</b>

**Austria:** The total number of first instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Table 3.11.3b: First instance criminal cases - resolved in 2022**

Per 100 inhabitants (Q1, Q94)

States	Total number of criminal cases	Severe criminal cases		Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3	
Austria	0,76	0,25	0,27	NAP	
Belgium	1,84	0,36	1,48	NA	
Bulgaria	1,96	NAP	NAP	NAP	
Croatia	4,54	0,47	3,28	0,79	
Cyprus	7,19	NA	NA	NAP	
Czech Republic	0,61	NA	NA	NAP	
Denmark	2,57	0,37	2,20	NAP	
Estonia	1,30	0,30	0,37	0,64	
Finland	1,16	NA	NA	NAP	
France	1,37	0,81	0,56	0,02	
Germany	NA	0,68	0,42	NA	
Greece	1,74	0,01	1,70	0,03	
Hungary	3,89	1,37	2,51	NAP	
Ireland	5,65	0,47	5,18	NAP	
Italy	1,96	1,75	0,20	NAP	
Latvia	0,49	0,25	0,13	0,10	
Lithuania	0,54	NA	NA	NA	
Luxembourg	2,12	0,68	1,18	0,26	
Malta	2,20	0,00	2,19	NA	
Netherlands	1,40	0,86	0,55	NAP	
Poland	5,41	1,01	1,00	3,40	
Portugal	0,75	0,60	0,07	0,08	
Romania	1,87	NAP	NAP	NAP	
Slovak Republic	1,19	NA	NA	NA	
Slovenia	3,51	0,43	1,30	1,78	
Spain	1,57	0,67	0,90	NAP	
Sweden	1,17	NA	NA	NA	
<b>Average</b>	<b>2,26</b>	<b>0,60</b>	<b>1,34</b>	<b>0,79</b>	
<b>Median</b>	<b>1,79</b>	<b>0,47</b>	<b>1,00</b>	<b>0,26</b>	
<b>Minimum</b>	<b>0,49</b>	<b>0,00</b>	<b>0,07</b>	<b>0,02</b>	
<b>Maximum</b>	<b>7,19</b>	<b>1,75</b>	<b>5,18</b>	<b>3,40</b>	
<b>% of NA</b>	<b>4%</b>	<b>22%</b>	<b>22%</b>	<b>22%</b>	
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>44%</b>	

**Austria:** The total number of first instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Table 3.11.4a: First instance criminal cases - pending on 31 Dec. 2022**

**Absolute values (Q94)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	22 885	5 259	8 094	NAP
Belgium	NA	NA	NA	NA
Bulgaria	21 007	NAP	NAP	NAP
Croatia	113 008	30 902	73 168	8 938
Cyprus	58 385	NA	NA	NAP
Czech Republic	10 151	NA	NA	NAP
Denmark	32 254	16 014	16 240	NAP
Estonia	1 693	557	628	508
Finland	29 093	NA	NA	NAP
France	NA	276 608	NA	83 402
Germany	NA	244 584	108 291	NA
Greece	113 307	665	112 522	120
Hungary	44 923	23 027	21 896	NAP
Ireland	NA	NA	NA	NAP
Italy	1 118 090	1 034 718	83 372	NAP
Latvia	4 308	3 177	832	299
Lithuania	3 110	NA	NA	NA
Luxembourg	NA	NA	NA	NA
Malta	16 499	103	16 396	NA
Netherlands	60 750	33 594	27 156	NAP
Poland	383 288	177 991	85 320	119 977
Portugal	45 325	40 817	2 888	1 620
Romania	111 047	NAP	NAP	NAP
Slovak Republic	23 645	NA	NA	NA
Slovenia	29 740	10 903	11 141	7 696
Spain	419 948	296 839	123 109	NAP
Sweden	46 430	NA	NA	NA
Average	123 131	137 235	46 070	27 820
Median	38 589	26 965	21 896	4 658
Minimum	1 693	103	628	120
Maximum	1 118 090	1 034 718	123 109	119 977
% of NA	19%	33%	37%	26%
% of NAP	0%	7%	7%	44%

**Austria:** The total number of first instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.11.4b: First instance criminal cases - pending on 31 Dec. 2022**

Per 100 inhabitants (Q1, Q94)

States	Total number of criminal cases	Severe criminal cases		Misdemeanour and / or minor criminal cases		Other criminal cases	
	1+2+3	1	2	3			
Austria	0,25	0,06	0,09	NAP			NAP
Belgium	NA	NA	NA	NA			NA
Bulgaria	0,33	NAP	NAP	NAP			NAP
Croatia	2,93	0,80	1,90	0,23			
Cyprus	6,34	NA	NA	NA			NAP
Czech Republic	0,09	NA	NA	NA			NAP
Denmark	0,54	0,27	0,27	NA			NAP
Estonia	0,13	0,04	0,05	0,04			
Finland	0,52	NA	NA	NA			NAP
France	NA	0,41	NA	0,12			
Germany	NA	0,29	0,13	NA			
Greece	1,06	0,01	1,05	0,00			
Hungary	0,47	0,24	0,23	NAP			
Ireland	NA	NA	NA	NA			NAP
Italy	1,90	1,76	0,14	NA			
Latvia	0,23	0,17	0,04	0,02			
Lithuania	0,11	NA	NA	NA			
Luxembourg	NA	NA	NA	NA			
Malta	3,17	0,02	3,15	NA			
Netherlands	0,34	0,19	0,15	NAP			
Poland	1,01	0,47	0,23	0,32			
Portugal	0,43	0,39	0,03	0,02			
Romania	0,58	NAP	NAP	NAP			
Slovak Republic	0,44	NA	NA	NA			
Slovenia	1,40	0,52	0,53	0,36			
Spain	0,87	0,62	0,26	NAP			
Sweden	0,44	NA	NA	NA			
<b>Average</b>	<b>1,07</b>	<b>0,39</b>	<b>0,55</b>	<b>0,14</b>			
<b>Median</b>	<b>0,50</b>	<b>0,28</b>	<b>0,23</b>	<b>0,08</b>			
<b>Minimum</b>	<b>0,09</b>	<b>0,01</b>	<b>0,03</b>	<b>0,00</b>			
<b>Maximum</b>	<b>6,34</b>	<b>1,76</b>	<b>3,15</b>	<b>0,36</b>			
<b>% of NA</b>	<b>19%</b>	<b>33%</b>	<b>37%</b>	<b>26%</b>			
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>44%</b>			

**Austria:** The total number of first instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.11.5: First instance criminal cases - pending more than 2 years in 2022**

**Absolute values and as a percent (%) of the pending cases Dec 31st of the same category (Q94)**

States	Total number of criminal cases pending more than 2 years		Severe criminal ending more than 2 years cases		Misdemeanour and / or minor criminal cases ending more than 2 years		Other criminal ending more than 2 years cases	
	1+2+3		1		2		3	
	Number	As % of pending cases 31 Dec.	Number	As % of pending cases 31 Dec.	Number	As % of pending cases 31 Dec.	Number	As % of pending cases 31 Dec.
Austria	730	3,2%	166	3,2%	323	4,0%	NAP	NAP
Belgium	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP
Croatia	13 046	11,5%	12 248	39,6%	NA	NA	798	8,9%
Cyprus	NA	NA	NA	NA	NA	NA	NAP	NAP
Czech Republic	707	7,0%	NA	NA	NA	NA	NA	NA
Denmark	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	42	2,5%	29	5,2%	2	0,3%	11	2,2%
Finland	NA	NA	NA	NA	NA	NA	NAP	NAP
France	NA	NA	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA	NA	NA
Greece	10 317	9,1%	37	5,6%	10 280	9,1%	0	0,0%
Hungary	NA	NA	NA	NA	NA	NA	NAP	NAP
Ireland	NA	NA	NA	NA	NA	NA	NAP	NAP
Italy	NA	NA	350 775	33,9%	NA	NA	NAP	NAP
Latvia	639	14,8%	628	19,8%	4	0,5%	7	2,3%
Lithuania	255	8,2%	NA	NA	NA	NA	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA
Malta	NA	NA	NA	NA	NA	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NAP	NAP
Poland	NA	NA	NA	NA	NA	NA	NA	NA
Portugal	15 054	33,2%	14 435	35,4%	181	6,3%	438	27,0%
Romania	4 608	4,1%	NAP	NAP	NAP	NAP	NAP	NAP
Slovak Republic	2 630	11,1%	NA	NA	NA	NA	NA	NA
Slovenia	5 610	18,9%	4 483	41,1%	468	4,2%	659	8,6%
Spain	NA	NA	NA	NA	NA	NA	NAP	NAP
Sweden	2 432	5,2%	NA	NA	NA	NA	NA	NA
<b>Average</b>	<b>4 673</b>	<b>10,7%</b>	<b>47 850</b>	<b>23,0%</b>	<b>1 876</b>	<b>4,1%</b>	<b>319</b>	<b>8,2%</b>
<b>Median</b>	<b>2 531</b>	<b>8,7%</b>	<b>2 556</b>	<b>26,8%</b>	<b>252</b>	<b>4,1%</b>	<b>225</b>	<b>5,5%</b>
<b>Minimum</b>	<b>42</b>	<b>2,5%</b>	<b>29</b>	<b>3,2%</b>	<b>2</b>	<b>0,3%</b>	<b>0</b>	<b>0,0%</b>
<b>Maximum</b>	<b>15 054</b>	<b>33,2%</b>	<b>350 775</b>	<b>41,1%</b>	<b>10 280</b>	<b>9,1%</b>	<b>798</b>	<b>27,0%</b>
<b>% of NA</b>	<b>56%</b>	<b>56%</b>	<b>63%</b>	<b>63%</b>	<b>70%</b>	<b>70%</b>	<b>41%</b>	<b>41%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>37%</b>	<b>37%</b>

**Austria:** The total number of first instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Evolution of the first instance total of criminal cases,  
severe criminal cases and misdemeanour and / or minor  
criminal cases**

**Table 3.12.1: Evolution of the first instance total of criminal cases - pending on 1st Jan. 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,26	0,27	0,26
Belgium	NA	NA	NA
Bulgaria	0,31	0,34	0,36
Croatia	2,04	2,73	3,08
Cyprus	5,10	5,48	4,66
Czech Republic	0,12	0,12	0,10
Denmark	0,33	0,46	0,53
Estonia	0,14	0,13	0,12
Finland	0,37	0,51	0,52
France	NA	NA	NA
Germany	NA	NA	NA
Greece	NA	0,22	0,32
Hungary	0,43	0,54	0,53
Ireland	NA	NA	NA
Italy	2,01	2,10	1,98
Latvia	0,31	0,33	0,24
Lithuania	0,10	0,12	0,11
Luxembourg	NA	NA	NA
Malta	2,31	3,08	3,04
Netherlands	NA	NA	NA
Poland	0,98	1,08	1,06
Portugal	0,40	0,43	0,43
Romania	0,56	0,56	0,53
Slovak Republic	0,41	0,41	0,43
Slovenia	1,37	1,51	1,48
Spain	0,76	0,85	0,82
Sweden	0,41	0,45	0,45
<b>Average</b>	0,94	1,03	1,00
<b>Median</b>	0,41	0,46	0,52
<b>Minimum</b>	0,10	0,12	0,10
<b>Maximum</b>	5,10	5,48	4,66
<b>% of NA</b>	26%	22%	22%
<b>% of NAP</b>	0%	0%	0%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.2: Evolution of the first instance severe criminal cases - pending on 1st Jan. 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,06	0,06	0,06
Belgium	NA	NA	NA
Bulgaria	NA	NA	NAP
Croatia	0,67	0,76	0,81
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,17	0,24	0,25
Estonia	0,04	0,05	0,05
Finland	NAP	NAP	NA
France	NA	NA	0,40
Germany	0,30	0,31	0,29
Greece	NA	0,001	0,001
Hungary	0,21	0,24	0,24
Ireland	NA	NA	NA
Italy	1,85	1,92	1,82
Latvia	0,21	0,29	0,18
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	0,02
Netherlands	NA	NA	NA
Poland	0,45	0,50	0,50
Portugal	0,37	0,40	0,39
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,43	0,53	0,53
Spain	0,54	0,58	0,59
Sweden	NA	NA	NA
<b>Average</b>	0,44	0,45	0,41
<b>Median</b>	0,33	0,31	0,29
<b>Minimum</b>	0,04	0,00	0,00
<b>Maximum</b>	1,85	1,92	1,82
<b>% of NA</b>	48%	44%	37%
<b>% of NAP</b>	7%	7%	7%

Ireland: The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.3: Evolution of the first instance misdemeanour and / or minor criminal cases - pending on 1st Jan. 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,09	0,10	0,08
Belgium	NA	NA	NA
Bulgaria	NA	NA	NAP
Croatia	1,11	1,70	2,02
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,16	0,22	0,29
Estonia	0,05	0,04	0,04
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,13	0,14	0,13
Greece	NA	0,22	0,32
Hungary	0,22	0,30	0,29
Ireland	NA	NA	NA
Italy	0,17	0,18	0,16
Latvia	0,10	0,04	0,05
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	3,02
Netherlands	NA	NA	NA
Poland	0,21	0,23	0,23
Portugal	0,02	0,02	0,02
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,59	0,58	0,58
Spain	0,22	0,26	0,23
Sweden	NA	NA	NA
<b>Average</b>	0,26	0,31	0,53
<b>Median</b>	0,16	0,22	0,23
<b>Minimum</b>	0,02	0,02	0,02
<b>Maximum</b>	1,11	1,70	3,02
<b>% of NA</b>	48%	44%	41%
<b>% of NAP</b>	7%	7%	7%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.4: Evolution of the first instance total of criminal cases - incoming 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,75	0,73	0,75
Belgium	1,66	2,01	1,83
Bulgaria	1,88	1,92	1,93
Croatia	4,87	5,16	4,19
Cyprus	6,62	6,29	8,88
Czech Republic	0,61	0,59	0,60
Denmark	2,79	2,37	2,59
Estonia	1,53	1,46	1,32
Finland	1,03	1,27	1,16
France	1,43	NA	1,44
Germany	1,43	1,36	1,28
Greece	NA	1,58	2,48
Hungary	3,65	4,46	3,82
Ireland	7,24	7,33	6,99
Italy	1,76	1,91	1,87
Latvia	0,79	0,51	0,47
Lithuania	0,62	0,55	0,54
Luxembourg	NA	NA	NA
Malta	2,15	2,25	2,37
Netherlands	1,28	1,45	1,46
Poland	4,87	5,32	5,37
Portugal	0,62	0,72	0,75
Romania	1,78	1,90	1,92
Slovak Republic	1,21	1,15	1,20
Slovenia	3,48	3,43	3,43
Spain	1,32	1,52	1,59
Sweden	1,16	1,17	1,16
<b>Average</b>	<b>2,26</b>	<b>2,34</b>	<b>2,36</b>
<b>Median</b>	<b>1,53</b>	<b>1,58</b>	<b>1,71</b>
<b>Minimum</b>	<b>0,61</b>	<b>0,51</b>	<b>0,47</b>
<b>Maximum</b>	<b>7,24</b>	<b>7,33</b>	<b>8,88</b>
<b>% of NA</b>	<b>7%</b>	<b>7%</b>	<b>4%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.5: Evolution of the first instance severe criminal cases - incoming 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,25	0,24	0,25
Belgium	0,29	0,35	0,37
Bulgaria	NA	NA	NAP
Croatia	0,44	0,48	0,46
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,46	0,38	0,40
Estonia	0,39	0,36	0,29
Finland	NAP	NAP	NA
France	0,74	0,82	0,81
Germany	0,77	0,70	0,68
Greece	NA	0,01	0,01
Hungary	1,27	1,35	1,37
Ireland	0,43	0,43	0,41
Italy	1,56	1,71	1,69
Latvia	0,44	0,35	0,24
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	0,01
Netherlands	0,91	0,96	0,86
Poland	0,92	1,00	0,98
Portugal	0,50	0,57	0,59
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,45	0,42	0,41
Spain	0,53	0,65	0,68
Sweden	NA	NA	NA
<b>Average</b>	<b>0,65</b>	<b>0,63</b>	<b>0,58</b>
<b>Median</b>	<b>0,48</b>	<b>0,48</b>	<b>0,44</b>
<b>Minimum</b>	<b>0,25</b>	<b>0,01</b>	<b>0,01</b>
<b>Maximum</b>	<b>1,56</b>	<b>1,71</b>	<b>1,69</b>
<b>% of NA</b>	<b>33%</b>	<b>30%</b>	<b>26%</b>
<b>% of NAP</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>

Ireland: The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.6: Evolution of the first instance misdemeanour and / or minor criminal cases - incoming 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,27	0,24	0,27
Belgium	1,37	1,66	1,47
Bulgaria	NA	NA	NAP
Croatia	3,14	3,30	2,95
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	2,33	1,99	2,19
Estonia	0,45	0,41	0,38
Finland	NAP	NAP	NA
France	0,69	0,67	0,63
Germany	0,47	0,48	0,43
Greece	NA	1,54	2,43
Hungary	2,38	3,11	2,45
Ireland	7,68	6,90	6,58
Italy	0,20	0,20	0,18
Latvia	0,35	0,16	0,13
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	2,36
Netherlands	0,37	0,49	0,60
Poland	0,87	0,95	1,00
Portugal	0,04	0,06	0,08
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	1,33	1,32	1,24
Spain	0,79	0,87	0,92
Sweden	NA	NA	NA
<b>Average</b>	1,42	1,43	1,46
<b>Median</b>	0,74	0,87	0,96
<b>Minimum</b>	0,04	0,06	0,08
<b>Maximum</b>	7,68	6,90	6,58
<b>% of NA</b>	33%	30%	26%
<b>% of NAP</b>	7%	7%	7%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.7: Evolution of the first instance total of criminal cases - resolved 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,73	0,74	0,76
Belgium	1,57	2,00	1,84
Bulgaria	1,85	1,92	1,96
Croatia	4,29	4,80	4,54
Cyprus	6,27	7,02	7,19
Czech Republic	0,61	0,61	0,61
Denmark	2,66	2,29	2,57
Estonia	1,53	1,45	1,30
Finland	0,92	1,24	1,16
France	1,31	NA	1,37
Germany	NA	NA	NA
Greece	NA	1,06	1,74
Hungary	3,55	4,48	3,89
Ireland	4,50	5,54	5,65
Italy	1,60	1,92	1,96
Latvia	0,72	0,55	0,49
Lithuania	0,60	0,56	0,54
Luxembourg	2,18	2,21	2,12
Malta	1,42	1,98	2,20
Netherlands	1,22	1,46	1,40
Poland	4,78	5,35	5,41
Portugal	0,58	0,71	0,75
Romania	1,79	1,92	1,87
Slovak Republic	1,21	1,14	1,19
Slovenia	3,34	3,45	3,51
Spain	1,25	1,57	1,57
Sweden	1,11	1,17	1,17
<b>Average</b>	2,06	2,28	2,26
<b>Median</b>	1,53	1,92	1,79
<b>Minimum</b>	0,58	0,55	0,49
<b>Maximum</b>	6,27	7,02	7,19
<b>% of NA</b>	7%	7%	4%
<b>% of NAP</b>	0%	0%	0%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.8: Evolution of the first instance severe criminal cases - resolved 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,25	0,24	0,25
Belgium	0,30	0,35	0,36
Bulgaria	NA	NA	NAP
Croatia	0,39	0,44	0,47
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,39	0,37	0,37
Estonia	0,38	0,35	0,30
Finland	NAP	NAP	NA
France	0,73	NA	0,81
Germany	0,76	0,72	0,68
Greece	NA	0,01	0,01
Hungary	1,24	1,35	1,37
Ireland	0,35	0,37	0,47
Italy	1,41	1,70	1,75
Latvia	0,42	0,39	0,25
Lithuania	NA	NA	NA
Luxembourg	0,67	0,73	0,68
Malta	NA	NA	0,00
Netherlands	0,91	0,95	0,86
Poland	0,87	1,00	1,01
Portugal	0,47	0,57	0,60
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,36	0,42	0,43
Spain	0,49	0,66	0,67
Sweden	NA	NA	NA
<b>Average</b>	0,61	0,63	0,60
<b>Median</b>	0,47	0,44	0,47
<b>Minimum</b>	0,25	0,01	0,00
<b>Maximum</b>	1,41	1,70	1,75
<b>% of NA</b>	30%	30%	22%
<b>% of NAP</b>	7%	7%	7%

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.9: Evolution of the first instance misdemeanour and / or minor criminal cases - resolved 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,27	0,26	0,27
Belgium	1,27	1,65	1,48
Bulgaria	NA	NA	NAP
Croatia	2,61	3,01	3,28
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	2,27	1,93	2,20
Estonia	0,45	0,41	0,37
Finland	NAP	NAP	NA
France	0,58	0,57	0,56
Germany	0,46	0,48	0,42
Greece	NA	1,04	1,70
Hungary	2,31	3,12	2,51
Ireland	3,91	5,16	5,18
Italy	0,19	0,22	0,20
Latvia	0,30	0,16	0,13
Lithuania	NA	NA	NA
Luxembourg	1,26	1,22	1,18
Malta	NA	NA	2,19
Netherlands	0,31	0,50	0,55
Poland	0,84	0,95	1,00
Portugal	0,04	0,06	0,07
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	1,34	1,31	1,30
Spain	0,76	0,91	0,90
Sweden	NA	NA	NA
<b>Average</b>	1,13	1,28	1,34
<b>Median</b>	0,76	0,93	1,00
<b>Minimum</b>	0,04	0,06	0,07
<b>Maximum</b>	3,91	5,16	5,18
<b>% of NA</b>	30%	26%	22%
<b>% of NAP</b>	7%	7%	7%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.10: Evolution of the first instance total of criminal cases - pending on 31st Dec. 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,27	0,26	0,25
Belgium	NA	NA	NA
Bulgaria	0,34	0,34	0,33
Croatia	2,62	3,12	2,93
Cyprus	5,45	4,74	6,34
Czech Republic	0,12	0,10	0,09
Denmark	0,46	0,53	0,54
Estonia	0,13	0,12	0,13
Finland	0,48	0,54	0,52
France	NA	NA	NA
Germany	NA	NA	NA
Greece	NA	0,36	1,06
Hungary	0,53	0,53	0,47
Ireland	NA	NA	NA
Italy	2,18	2,09	1,90
Latvia	0,38	0,29	0,23
Lithuania	0,12	0,12	0,11
Luxembourg	NA	NA	NA
Malta	3,09	3,06	3,17
Netherlands	0,46	0,40	0,34
Poland	1,07	1,05	1,01
Portugal	0,44	0,44	0,43
Romania	0,55	0,53	0,58
Slovak Republic	0,41	0,43	0,44
Slovenia	1,51	1,49	1,40
Spain	0,85	0,83	0,87
Sweden	0,45	0,45	0,44
<b>Average</b>	1,04	0,99	1,07
<b>Median</b>	0,46	0,49	0,50
<b>Minimum</b>	0,12	0,10	0,09
<b>Maximum</b>	5,45	4,74	6,34
<b>% of NA</b>	22%	19%	19%
<b>% of NAP</b>	0%	0%	0%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.11: Evolution of the first instance severe criminal cases - pending on 31st Dec. 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,06	0,06	0,06
Belgium	NA	NA	NA
Bulgaria	NA	NA	NAP
Croatia	0,73	0,80	0,80
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,24	0,25	0,27
Estonia	0,05	0,05	0,04
Finland	NAP	NAP	NA
France	NA	NA	0,41
Germany	0,31	0,29	0,29
Greece	NA	0,00	0,01
Hungary	0,24	0,24	0,24
Ireland	NA	NA	NA
Italy	1,99	1,93	1,76
Latvia	0,24	0,24	0,17
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	0,02
Netherlands	0,32	0,27	0,19
Poland	0,50	0,50	0,47
Portugal	0,41	0,40	0,39
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,53	0,53	0,52
Spain	0,58	0,60	0,62
Sweden	NA	NA	NA
<b>Average</b>	0,48	0,44	0,39
<b>Median</b>	0,32	0,28	0,28
<b>Minimum</b>	0,05	0,00	0,01
<b>Maximum</b>	1,99	1,93	1,76
<b>% of NA</b>	44%	41%	33%
<b>% of NAP</b>	7%	7%	7%

Ireland: The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.12: Evolution of the first instance misdemeanour and / or minor criminal cases - pending on 31st Dec. 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,10	0,08	0,09
Belgium	NA	NA	NA
Bulgaria	NA	NA	NAP
Croatia	1,63	2,01	1,90
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,22	0,28	0,27
Estonia	0,04	0,04	0,05
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,14	0,14	0,13
Greece	NA	0,34	1,05
Hungary	0,29	0,29	0,23
Ireland	NA	NA	NA
Italy	0,18	0,17	0,14
Latvia	0,14	0,04	0,04
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	3,15
Netherlands	0,14	0,13	0,15
Poland	0,23	0,22	0,23
Portugal	0,02	0,02	0,03
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,57	0,59	0,53
Spain	0,26	0,23	0,26
Sweden	NA	NA	NA
<b>Average</b>	0,31	0,33	0,55
<b>Median</b>	0,18	0,20	0,23
<b>Minimum</b>	0,02	0,02	0,03
<b>Maximum</b>	1,63	2,01	3,15
<b>% of NA</b>	44%	41%	37%
<b>% of NAP</b>	7%	7%	7%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.13: Evolution of the first instance total criminal cases - pending more than 2 years 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,01	0,01	0,01
Belgium	NA	NA	NA
Bulgaria	NA	NA	NA
Croatia	NA	0,60	0,34
Cyprus	NA	NA	NA
Czech Republic	0,01	0,01	0,01
Denmark	NA	NA	NA
Estonia	0,00	0,00	0,00
Finland	NA	NA	NA
France	NA	NA	NA
Germany	NA	NA	NA
Greece	NA	0,19	0,10
Hungary	NA	NA	NA
Ireland	NA	NA	NA
Italy	NA	NA	NA
Latvia	0,05	0,05	0,03
Lithuania	0,01	0,01	0,01
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	0,15	0,16	0,14
Romania	0,02	0,02	0,02
Slovak Republic	0,05	0,05	0,05
Slovenia	0,20	0,22	0,27
Spain	NA	NA	NA
Sweden	0,02	0,02	0,02
<b>Average</b>	0,05	0,11	0,08
<b>Median</b>	0,02	0,04	0,03
<b>Minimum</b>	0,00	0,00	0,00
<b>Maximum</b>	0,20	0,60	0,34
<b>% of NA</b>	<b>63%</b>	<b>56%</b>	<b>56%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.14: Evolution of the first instance severe criminal cases - pending more than 2 years 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,00	0,00	0,00
Belgium	NA	NA	NA
Bulgaria	NA	NA	NAP
Croatia	0,36	0,39	0,32
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NA	NA	NA
Estonia	0,00	0,00	0,00
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	NA	NA	NA
Greece	NA	0,00	0,00
Hungary	NA	NA	NA
Ireland	NA	NA	NA
Italy	0,69	0,70	0,60
Latvia	0,05	0,05	0,03
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	0,15	0,15	0,14
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,15	0,17	0,21
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	0,20	0,18	0,16
<b>Median</b>	0,15	0,10	0,09
<b>Minimum</b>	0,00	0,00	0,00
<b>Maximum</b>	0,69	0,70	0,60
<b>% of NA</b>	<b>67%</b>	63%	63%
<b>% of NAP</b>	<b>7%</b>	7%	7%

Ireland: The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.12.15: Evolution of the first instance misdemeanour and / or minor criminal cases - pending more than 2 years 2020 - 2022**

Per 100 inhabitants (Q1, Q94)

States	2020	2021	2022
Austria	0,0045	0,0040	0,0035
Belgium	NA	NA	NA
Bulgaria	NA	NA	NAP
Croatia	NA	0,1650	NA
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NA	NA	NA
Estonia	0,0014	0,0002	0,0002
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	NA	NA	NA
Greece	NA	0,1889	0,0963
Hungary	NA	NA	NA
Ireland	NA	NA	NA
Italy	NA	NA	NA
Latvia	0,0008	0,0005	0,0002
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	0,0008	0,0017	0,0017
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,0247	0,0164	0,0221
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	0,0065	0,0538	0,0207
<b>Median</b>	0,0014	0,0040	0,0026
<b>Minimum</b>	0,0008	0,0002	0,0002
<b>Maximum</b>	0,0247	0,1889	0,0963
<b>% of NA</b>	<b>74%</b>	67%	70%
<b>% of NAP</b>	<b>7%</b>	7%	7%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

# **Clearance rate and Disposition time for first instance criminal cases**

**Table 3.13.1: Clearance rate (%) of first instance criminal cases in 2022 (Q94)**

States	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	101,3%	99,3%	97,7%	NAP
Belgium	100,1%	97,8%	100,7%	NA
Bulgaria	101,8%	NAP	NAP	NAP
Croatia	108,2%	101,8%	110,9%	101,6%
Cyprus	81,0%	NA	NA	NAP
Czech Republic	101,1%	NA	NA	NAP
Denmark	99,5%	93,8%	100,5%	NAP
Estonia	98,6%	100,9%	95,4%	99,5%
Finland	100,0%	NA	NA	NAP
France	94,7%	99,6%	88,5%	91,7%
Germany	NA	99,6%	99,1%	NA
Greece	70,2%	55,6%	69,9%	98,5%
Hungary	101,6%	100,2%	102,5%	NAP
Ireland	80,9%	114,3%	78,8%	NAP
Italy	104,5%	103,7%	112,1%	NAP
Latvia	103,0%	104,7%	105,2%	96,7%
Lithuania	100,9%	NA	NA	NA
Luxembourg	NA	NA	NA	79,1%
Malta	92,8%	38,5%	93,0%	NA
Netherlands	96,1%	99,7%	90,9%	NAP
Poland	100,8%	103,3%	99,9%	100,4%
Portugal	99,4%	100,3%	93,5%	98,4%
Romania	97,5%	NAP	NAP	NAP
Slovak Republic	99,2%	NA	NA	NA
Slovenia	102,3%	104,1%	104,6%	100,2%
Spain	98,6%	98,9%	98,4%	NAP
Sweden	100,7%	NA	NA	NA
Average	97,4%	95,3%	96,8%	96,2%
Median	100,0%	99,9%	98,7%	98,5%
Minimum	70,2%	38,5%	69,9%	79,1%
Maximum	108,2%	114,3%	112,1%	101,6%
% of NA	7%	26%	26%	22%
% of NAP	0%	7%	7%	44%

**Table 3.13.2: Disposition time (in days) of first instance criminal cases in 2022 (Q94)**

States	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
Austria	120	85	122	NAP
Belgium	NA	NA	NA	NA
Bulgaria	61	NAP	NAP	NAP
Croatia	236	626	212	107
Cyprus	322	NA	NA	NAP
Czech Republic	56	NA	NA	NAP
Denmark	77	265	45	NAP
Estonia	36	52	47	22
Finland	164	NA	NA	NAP
France	NA	184	NA	1 964
Germany	NA	156	111	NA
Greece	223	366	226	12
Hungary	44	64	33	NAP
Ireland	NA	NA	NA	NAP
Italy	355	366	257	NAP
Latvia	171	243	120	57
Lithuania	73	NA	NA	NA
Luxembourg	NA	NA	NA	NA
Malta	527	2 506	524	NA
Netherlands	89	80	102	NAP
Poland	68	170	83	34
Portugal	211	239	142	69
Romania	114	NAP	NAP	NAP
Slovak Republic	133	NA	NA	NA
Slovenia	146	441	148	74
Spain	203	336	104	NAP
Sweden	138	NA	NA	NA
<b>Average</b>	<b>162</b>	<b>386</b>	<b>152</b>	<b>293</b>
<b>Median</b>	<b>136</b>	<b>241</b>	<b>120</b>	<b>63</b>
<b>Minimum</b>	<b>36</b>	<b>52</b>	<b>33</b>	<b>12</b>
<b>Maximum</b>	<b>527</b>	<b>2 506</b>	<b>524</b>	<b>1 964</b>
<b>% of NA</b>	<b>19%</b>	<b>33%</b>	<b>37%</b>	<b>26%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>44%</b>

**Table 3.13.3: Evolution of the Clearance rate (%) of the first instance total criminal cases 2020 - 2022**

(Q94)

States	2020	2021	2022
Austria	98,2%	100,3%	101,3%
Belgium	94,7%	99,7%	100,1%
Bulgaria	98,4%	99,9%	101,8%
Croatia	88,1%	93,0%	108,2%
Cyprus	94,7%	111,7%	81,0%
Czech Republic	100,2%	103,2%	101,1%
Denmark	95,2%	96,7%	99,5%
Estonia	100,0%	99,4%	98,6%
Finland	89,3%	97,5%	100,0%
France	91,3%	NA	94,7%
Germany	NA	NA	NA
Greece	NA	67,2%	70,2%
Hungary	97,3%	100,3%	101,6%
Ireland	62,1%	75,5%	80,9%
Italy	90,7%	100,5%	104,5%
Latvia	91,2%	107,7%	103,0%
Lithuania	97,4%	100,7%	100,9%
Luxembourg	NA	NA	NA
Malta	66,0%	87,7%	92,8%
Netherlands	95,2%	100,1%	96,1%
Poland	98,0%	100,5%	100,8%
Portugal	93,5%	99,3%	99,4%
Romania	100,2%	101,2%	97,5%
Slovak Republic	99,9%	99,0%	99,2%
Slovenia	96,0%	100,6%	102,3%
Spain	95,1%	103,1%	98,6%
Sweden	96,0%	99,7%	100,7%
<b>Average</b>	92,9%	97,7%	97,4%
<b>Median</b>	95,2%	100,0%	100,0%
<b>Minimum</b>	62,1%	67,2%	70,2%
<b>Maximum</b>	100,2%	111,7%	108,2%
<b>% of NA</b>	11%	11%	7%
<b>% of NAP</b>	0%	0%	0%

**Table 3.13.4: Evolution of the Disposition Time (in days) of the first instance total criminal cases 2020 - 2022**

(Q94)

States	2020	2021	2022
Austria	133	131	120
Belgium	NA	NA	NA
Bulgaria	66	65	61
Croatia	223	238	236
Cyprus	317	246	322
Czech Republic	72	62	56
Denmark	64	85	77
Estonia	30	31	36
Finland	189	160	164
France	NA	NA	NA
Germany	NA	NA	NA
Greece	NA	123	223
Hungary	54	43	44
Ireland	NA	NA	NA
Italy	498	399	355
Latvia	192	192	171
Lithuania	73	76	73
Luxembourg	NA	NA	NA
Malta	792	566	527
Netherlands	139	100	89
Poland	82	72	68
Portugal	280	224	211
Romania	113	102	114
Slovak Republic	125	136	133
Slovenia	165	158	146
Spain	247	194	203
Sweden	149	142	138
<b>Average</b>	191	161	162
<b>Median</b>	139	134	136
<b>Minimum</b>	30	31	36
<b>Maximum</b>	792	566	527
<b>% of NA</b>	22%	19%	19%
<b>% of NAP</b>	0%	0%	0%

**Table 3.13.5: Evolution of the Clearance rate (%) of the first instance severe criminal cases 2020 - 2022**

(Q94)

States	2020	2021	2022
Austria	100,7%	101,0%	99,3%
Belgium	104,5%	100,0%	97,8%
Bulgaria	NA	NA	NAP
Croatia	87,9%	91,4%	101,8%
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	84,2%	97,0%	93,8%
Estonia	98,2%	98,7%	100,9%
Finland	NAP	NAP	NA
France	98,5%	NA	99,6%
Germany	98,2%	102,8%	99,6%
Greece	NA	77,7%	55,6%
Hungary	97,9%	100,1%	100,2%
Ireland	82,2%	87,1%	114,3%
Italy	90,5%	99,6%	103,7%
Latvia	94,6%	112,1%	104,7%
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	38,5%
Netherlands	99,6%	98,8%	99,7%
Poland	95,0%	100,3%	103,3%
Portugal	93,0%	99,9%	100,3%
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	79,0%	99,2%	104,1%
Spain	94,2%	101,0%	98,9%
Sweden	NA	NA	NA
<b>Average</b>	93,6%	97,9%	95,3%
<b>Median</b>	94,8%	99,8%	99,9%
<b>Minimum</b>	79,0%	77,7%	38,5%
<b>Maximum</b>	104,5%	112,1%	114,3%
<b>% of NA</b>	33%	33%	26%
<b>% of NAP</b>	7%	7%	7%

**Table 3.13.6: Evolution of the Disposition Time (in days) of the first instance severe criminal cases 2020 - 2022**

(Q94)

States	2020	2021	2022
Austria	88	86	85
Belgium	NA	NA	NA
Bulgaria	NA	NA	NAP
Croatia	679	668	626
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	226	246	265
Estonia	46	50	52
Finland	NAP	NAP	NA
France	NA	NA	184
Germany	150	148	156
Greece	NA	73	366
Hungary	70	65	64
Ireland	NA	NA	NA
Italy	517	414	366
Latvia	207	228	243
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	2506
Netherlands	130	104	80
Poland	209	182	170
Portugal	317	254	239
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	540	464	441
Spain	430	331	336
Sweden	NA	NA	NA
<b>Average</b>	278	237	386
<b>Median</b>	209	205	241
<b>Minimum</b>	46	50	52
<b>Maximum</b>	679	668	2506
<b>% of NA</b>	44%	41%	33%
<b>% of NAP</b>	7%	7%	7%

**Table 3.13.7: Evolution of the Clearance rate (%) of the first instance misdemeanour and / or minor criminal cases 2020 - 2022**

(Q94)

States	2020	2021	2022
Austria	98,0%	105,7%	97,7%
Belgium	92,6%	99,6%	100,7%
Bulgaria	NA	NA	NAP
Croatia	83,2%	91,2%	110,9%
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	97,4%	96,7%	100,5%
Estonia	99,6%	99,0%	95,4%
Finland	NAP	NAP	NA
France	83,7%	85,1%	88,5%
Germany	97,7%	99,9%	99,1%
Greece	NA	67,4%	69,9%
Hungary	96,9%	100,4%	102,5%
Ireland	50,9%	74,8%	78,8%
Italy	92,1%	107,5%	112,1%
Latvia	86,8%	98,1%	105,2%
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	93,0%
Netherlands	84,5%	102,7%	90,9%
Poland	97,4%	100,5%	99,9%
Portugal	89,5%	95,1%	93,5%
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	101,0%	99,2%	104,6%
Spain	95,7%	104,6%	98,4%
Sweden	NA	NA	NA
<b>Average</b>	90,4%	95,7%	96,8%
<b>Median</b>	94,1%	99,2%	98,7%
<b>Minimum</b>	50,9%	67,4%	69,9%
<b>Maximum</b>	101,0%	107,5%	112,1%
<b>% of NA</b>	33%	30%	26%
<b>% of NAP</b>	7%	7%	7%

**Table 3.13.8: Evolution of the Disposition Time (in days) of the first instance misdemeanour and / or minor criminal cases 2020 - 2022**

(Q94)

States	2020	2021	2022
Austria	134	119	122
Belgium	NA	NA	NA
Bulgaria	NA	NA	NAP
Croatia	227	244	212
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	36	54	45
Estonia	35	34	47
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	113	109	111
Greece	NA	121	226
Hungary	46	33	33
Ireland	NA	NA	NA
Italy	356	282	257
Latvia	172	102	120
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	524
Netherlands	164	91	102
Poland	98	85	83
Portugal	196	144	142
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	157	163	148
Spain	127	94	104
Sweden	NA	NA	NA
<b>Average</b>	143	120	152
<b>Median</b>	134	106	120
<b>Minimum</b>	35	33	33
<b>Maximum</b>	356	282	524
<b>% of NA</b>	44%	41%	37%
<b>% of NAP</b>	7%	7%	7%

# Variations for first instance criminal cases

Table 3.14.1: First instance courts, variation of the incoming criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q94)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	2,7%	3,6%	1,2%	3,9%	6,7%	13,4%
Belgium	12,2%	27,4%	9,0%	-7,7%	5,9%	-10,5%
Bulgaria	-4,7%	NAP	NAP	-5,6%	NAP	NAP
Croatia	-17,9%	-1,3%	-10,1%	-19,1%	-5,0%	-11,1%
Cyprus	37,8%	NA	NA	43,7%	NA	NA
Czech Republic	0,3%	NA	NA	4,7%	NA	NA
Denmark	-5,8%	-12,7%	-4,5%	10,1%	5,2%	11,0%
Estonia	-14,1%	-25,4%	-14,1%	-9,6%	-18,4%	-7,0%
Finland	13,6%	NA	NA	-8,1%	NA	NA
France	1,5%	10,7%	-8,1%	NA	-0,1%	-5,6%
Germany	-8,8%	-10,3%	-8,1%	-4,4%	-1,0%	-9,7%
Greece	NA	NA	NA	56,5%	25,7%	58,0%
Hungary	1,7%	5,2%	-0,1%	-15,1%	0,5%	-21,9%
Ireland	-0,2%	-0,6%	-11,4%	-4,1%	-3,7%	-4,1%
Italy	5,6%	7,9%	-12,2%	-2,2%	-1,1%	-11,8%
Latvia	-40,6%	-45,7%	-63,7%	-6,5%	-30,3%	-20,3%
Lithuania	-10,5%	NA	NA	-0,7%	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	11,1%	NA	NA	5,9%	NA	NA
Netherlands	16,4%	-3,8%	66,4%	2,3%	-9,1%	24,9%
Poland	8,9%	5,5%	13,9%	0,0%	-2,7%	4,2%
Portugal	24,1%	20,1%	79,5%	6,1%	4,8%	24,5%
Romania	7,2%	NAP	NAP	1,5%	NAP	NAP
Slovak Republic	-0,9%	NA	NA	4,2%	NA	NA
Slovenia	-1,0%	-9,3%	-6,0%	0,6%	-2,8%	-5,7%
Spain	22,9%	31,2%	17,3%	6,2%	5,4%	6,9%
Sweden	1,7%	NA	NA	-0,3%	NA	NA
Average	2,5%	0,2%	3,1%	2,5%	-1,2%	2,1%
Median	1,7%	1,5%	-5,2%	0,0%	-1,0%	-5,6%
Minimum	-40,6%	-45,7%	-63,7%	-19,1%	-30,3%	-21,9%
Maximum	37,8%	31,2%	79,5%	56,5%	25,7%	58,0%
% of NA	7%	33%	33%	7%	30%	30%
% of NAP	0%	7%	7%	0%	7%	7%

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

Table 3.14.2: First instance courts, variation of resolved criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q94)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	5,9%	2,1%	0,9%	4,9%	4,8%	4,7%
Belgium	18,7%	19,3%	18,5%	-7,2%	3,6%	-9,5%
Bulgaria	-1,4%	NAP	NAP	-3,9%	NAP	NAP
Croatia	0,9%	14,3%	19,8%	-5,9%	5,8%	8,1%
Cyprus	17,9%	NA	NA	4,2%	NA	NA
Czech Republic	1,2%	NA	NA	2,6%	NA	NA
Denmark	-1,6%	-2,8%	-1,4%	13,2%	1,7%	15,5%
Estonia	-15,3%	-23,3%	-17,7%	-10,3%	-16,6%	-10,4%
Finland	27,2%	NA	NA	-5,8%	NA	NA
France	5,3%	11,9%	-2,9%	NA	NA	-1,9%
Germany	NA	-9,0%	-6,8%	NA	-4,1%	-10,4%
Greece	NA	NA	NA	63,5%	-10,1%	63,8%
Hungary	6,3%	7,6%	5,6%	-14,0%	0,6%	-20,3%
Ireland	30,0%	38,2%	37,0%	2,6%	26,4%	0,9%
Italy	21,7%	23,7%	6,9%	1,8%	3,0%	-8,0%
Latvia	-32,8%	-40,0%	-56,0%	-10,5%	-34,9%	-14,6%
Lithuania	-7,4%	NA	NA	-0,5%	NA	NA
Luxembourg	1,1%	4,8%	-2,3%	-1,7%	-4,7%	-0,5%
Malta	56,1%	NA	NA	12,1%	NA	NA
Netherlands	17,4%	-3,7%	79,2%	-1,8%	-8,3%	10,6%
Poland	11,9%	14,7%	16,8%	0,3%	0,1%	3,6%
Portugal	32,0%	29,6%	87,4%	6,2%	5,2%	22,4%
Romania	4,2%	NAP	NAP	-2,2%	NAP	NAP
Slovak Republic	-1,6%	NA	NA	4,5%	NA	NA
Slovenia	5,4%	19,5%	-2,6%	2,3%	2,0%	-0,6%
Spain	27,4%	37,8%	20,7%	1,6%	3,2%	0,5%
Sweden	6,8%	NA	NA	0,7%	NA	NA
Average	9,5%	8,5%	11,9%	2,3%	-1,3%	3,0%
Median	5,9%	11,9%	5,6%	0,7%	1,7%	0,0%
Minimum	-32,8%	-40,0%	-56,0%	-14,0%	-34,9%	-20,3%
Maximum	56,1%	38,2%	87,4%	63,5%	26,4%	63,8%
% of NA	7%	30%	30%	7%	30%	26%
% of NAP	0%	7%	7%	0%	7%	7%

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

Table 3.14.3: First instance courts, variation of pending on 31 Dec. criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q94)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	-4,5%	-1,1%	-7,7%	-3,7%	3,2%	7,6%
Belgium	NA	NA	NA	NA	NA	NA
Bulgaria	-9,8%	NAP	NAP	-10,2%	NAP	NAP
Croatia	6,9%	5,3%	11,4%	-6,6%	-0,8%	-6,0%
Cyprus	19,6%	NA	NA	36,2%	NA	NA
Czech Republic	-21,2%	NA	NA	-6,6%	NA	NA
Denmark	19,6%	14,2%	25,3%	3,0%	9,7%	-3,0%
Estonia	0,3%	-13,2%	9,4%	4,4%	-13,4%	23,6%
Finland	10,5%	NA	NA	-3,3%	NA	NA
France	NA	NA	NA	NA	NA	NA
Germany	NA	-5,4%	-8,2%	NA	0,9%	-8,5%
Greece	NA	NA	NA	196,5%	352,4%	205,7%
Hungary	-14,3%	-1,6%	-24,5%	-11,8%	-1,0%	-20,9%
Ireland	NA	NA	NA	NA	NA	NA
Italy	-13,3%	-12,5%	-22,9%	-9,5%	-8,9%	-16,1%
Latvia	-40,3%	-29,4%	-69,4%	-20,1%	-30,4%	0,1%
Lithuania	-7,2%	NA	NA	-4,1%	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	3,9%	NA	NA	4,4%	NA	NA
Netherlands	-25,0%	-40,7%	11,2%	-12,7%	-29,5%	23,9%
Poland	-6,6%	-6,9%	-1,9%	-4,2%	-6,4%	0,2%
Portugal	-0,4%	-2,4%	36,4%	0,4%	-1,0%	20,9%
Romania	4,9%	NAP	NAP	9,2%	NAP	NAP
Slovak Republic	5,1%	NA	NA	2,2%	NA	NA
Slovenia	-6,5%	-2,4%	-8,1%	-5,3%	-3,1%	-9,7%
Spain	4,8%	7,5%	-1,4%	6,2%	4,4%	10,8%
Sweden	-1,1%	NA	NA	-1,9%	NA	NA
Average	-3,6%	-6,8%	-3,9%	7,4%	19,7%	16,3%
Median	-1,1%	-2,4%	-1,9%	-3,5%	-1,0%	0,2%
Minimum	-40,3%	-40,7%	-69,4%	-20,1%	-30,4%	-20,9%
Maximum	19,6%	14,2%	36,4%	196,5%	352,4%	205,7%
% of NA	22%	44%	44%	19%	41%	41%
% of NAP	0%	7%	7%	0%	7%	7%

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.14.4: First instance courts, variation of the Clearance Rate of resolved criminal cases between 2020 - 2022 and 2021 - 2022**

in percentage points (Q94)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	+3,1	-1,4	-0,3	+1,0	-1,8	-8,1
Belgium	+5,5	-6,7	+8,1	+0,5	-2,2	+1,1
Bulgaria	+3,4	NAP	NAP	+1,8	NAP	NAP
Croatia	+20,1	+13,9	+27,7	+15,2	+10,4	+19,7
Cyprus	-13,7	NA	NA	-30,7	NA	NA
Czech Republic	+0,9	NA	NA	-2,1	NA	NA
Denmark	+4,3	+9,5	+3,2	+2,8	-3,3	+3,8
Estonia	-1,3	+2,7	-4,2	-0,8	+2,1	-3,6
Finland	+10,7	NA	NA	+2,5	NA	NA
France	+3,4	+1,1	+4,8	NA	NA	+3,3
Germany	NA	+1,3	+1,4	NA	-3,2	-0,8
Greece	NA	NA	NA	+3,0	-22,1	+2,5
Hungary	+4,4	+2,3	+5,5	+1,3	+0,1	+2,0
Ireland	+18,7	+32,1	+27,8	+5,3	+27,2	+4,0
Italy	+13,8	+13,2	+20,0	+4,1	+4,1	+4,6
Latvia	+11,9	+10,0	+18,4	-4,6	-7,4	+7,0
Lithuania	+3,4	NA	NA	+0,1	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	+26,8	NA	NA	+5,1	NA	NA
Netherlands	+0,9	+0,1	+6,5	-4,0	+0,9	-11,7
Poland	+2,8	+8,2	+2,5	+0,3	+2,9	-0,6
Portugal	+5,9	+7,3	+4,0	+0,1	+0,4	-1,6
Romania	-2,8	NAP	NAP	-3,7	NAP	NAP
Slovak Republic	-0,7	NA	NA	+0,3	NA	NA
Slovenia	+6,3	+25,1	+3,6	+1,7	+4,9	+5,3
Spain	+3,5	+4,7	+2,7	-4,5	-2,1	-6,2
Sweden	+4,7	NA	NA	+1,1	NA	NA
<b>Average</b>	+5,7	+7,7	+8,2	-0,2	+0,7	+1,2
<b>Median</b>	+3,9	+6,0	+4,4	+0,7	+0,2	+2,0
<b>Minimum</b>	-13,7	-6,7	-4,2	-30,7	-22,1	-11,7
<b>Maximum</b>	+26,8	+32,1	+27,8	+15,2	+27,2	+19,7
<b>% of NA</b>	11%	33%	33%	11%	33%	30%
<b>% of NAP</b>	0%	7%	7%	0%	7%	7%

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.14.5: First instance courts, variation of the Disposition Time of pending on 31 Dec. criminal cases between 2020 - 2022 and 2021 - 2022**

in percentage (Q94)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	-9,9%	-3,1%	-8,5%	-8,3%	-1,6%	2,8%
Belgium	NA	NA	NA	NA	NA	NA
Bulgaria	-8,5%	NAP	NAP	-6,6%	NAP	NAP
Croatia	6,0%	-7,9%	-6,9%	-0,7%	-6,3%	-13,1%
Cyprus	1,4%	NA	NA	30,8%	NA	NA
Czech Republic	-22,1%	NA	NA	-9,0%	NA	NA
Denmark	21,5%	17,5%	27,1%	-9,1%	7,9%	-15,9%
Estonia	18,4%	13,2%	32,9%	16,5%	3,9%	38,0%
Finland	-13,1%	NA	NA	2,6%	NA	NA
France	NA	NA	NA	NA	NA	NA
Germany	NA	4,0%	-1,4%	NA	5,3%	2,2%
Greece	NA	NA	NA	81,4%	403,5%	86,6%
Hungary	-19,3%	-8,6%	-28,4%	2,5%	-1,6%	-0,7%
Ireland	NA	NA	NA	NA	NA	NA
Italy	-28,8%	-29,2%	-27,9%	-11,1%	-11,6%	-8,8%
Latvia	-11,2%	17,6%	-30,4%	-10,8%	6,9%	17,3%
Lithuania	0,1%	NA	NA	-3,6%	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	-33,5%	NA	NA	-6,9%	NA	NA
Netherlands	-36,2%	-38,4%	-37,9%	-11,1%	-23,2%	12,0%
Poland	-16,6%	-18,8%	-16,0%	-4,6%	-6,5%	-3,2%
Portugal	-24,5%	-24,6%	-27,3%	-5,5%	-5,9%	-1,2%
Romania	0,6%	NAP	NAP	11,7%	NAP	NAP
Slovak Republic	6,8%	NA	NA	-2,2%	NA	NA
Slovenia	-11,4%	-18,4%	-5,6%	-7,4%	-5,0%	-9,1%
Spain	-17,8%	-21,9%	-18,3%	4,5%	1,2%	10,2%
Sweden	-7,4%	NA	NA	-2,7%	NA	NA
<b>Average</b>	-9,8%	-9,1%	-11,4%	2,3%	26,2%	8,4%
<b>Median</b>	-11,2%	-8,6%	-16,0%	-4,1%	-1,6%	0,7%
<b>Minimum</b>	-36,2%	-38,4%	-37,9%	-11,1%	-23,2%	-15,9%
<b>Maximum</b>	21,5%	17,6%	32,9%	81,4%	403,5%	86,6%
<b>% of NA</b>	22%	44%	44%	19%	41%	41%
<b>% of NAP</b>	0%	7%	7%	0%	7%	7%

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Second instance criminal cases by case categories and by case status**

**Table 3.15.1a: Second instance criminal cases - pending on 1st Jan. 2022**

**Absolute values (Q98)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	1 420	771	649	NAP
Belgium	NA	6 304	NA	2 447
Bulgaria	1 862	NAP	NAP	NAP
Croatia	17 118	2 806	14 252	60
Cyprus	235	NA	NA	NAP
Czech Republic	1 778	NA	NA	NAP
Denmark	2 376	2 376	NAP	NAP
Estonia	154	146	8	NAP
Finland	2 858	NA	NA	NAP
France	NA	NA	NA	NA
Germany	NA	20 036	1 251	NA
Greece	5 999	3 913	2 066	20
Hungary	4 553	4 532	21	NAP
Ireland	NA	404	NA	NAP
Italy	264 950	261 704	3 246	NAP
Latvia	691	487	172	32
Lithuania	782	NA	NA	NA
Luxembourg	NA	NA	NA	NAP
Malta	723	NA	NA	NA
Netherlands	NA	NA	NA	NA
Poland	29 247	15 222	1 254	12 771
Portugal	3 600	NA	NA	NA
Romania	8 454	NAP	NAP	NAP
Slovak Republic	1 139	NA	NA	NA
Slovenia	927	424	495	8
Spain	9 926	6 832	3 094	NAP
Sweden	5 158	NA	NA	NA
<b>Average</b>	<b>17 331</b>	<b>23 283</b>	<b>2 410</b>	<b>2 556</b>
<b>Median</b>	<b>2 376</b>	<b>3 360</b>	<b>1 251</b>	<b>46</b>
<b>Minimum</b>	<b>154</b>	<b>146</b>	<b>8</b>	<b>8</b>
<b>Maximum</b>	<b>264 950</b>	<b>261 704</b>	<b>14 252</b>	<b>12 771</b>
<b>% of NA</b>	<b>22%</b>	<b>41%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>11%</b>	<b>48%</b>

**Austria:** The total number of Second instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Belgium:** Starting from 2021 cases dealt with by the Investigation chamber (Chambre des mises en accusation) are presented separately in the "other criminal cases" category. Before, they were included in the severe criminal cases.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.15.1b: Second instance criminal cases - pending on 1st Jan. 2022**

Per 100 inhabitants (Q1, Q98)

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	0,02	0,01	0,01	NAP
Belgium	NA	0,05	NA	0,02
Bulgaria	0,03	NAP	NAP	NAP
Croatia	0,44	0,07	0,37	0,00
Cyprus	0,03	NA	NA	NAP
Czech Republic	0,02	NA	NA	NAP
Denmark	0,04	0,04	NAP	NAP
Estonia	0,01	0,01	0,00	NAP
Finland	0,05	NA	NA	NAP
France	NA	NA	NA	NA
Germany	NA	0,02	0,00	NA
Greece	0,06	0,04	0,02	0,00
Hungary	0,05	0,05	0,00	NAP
Ireland	NA	0,01	NA	NAP
Italy	0,45	0,44	0,01	NAP
Latvia	0,04	0,03	0,01	0,00
Lithuania	0,03	NA	NA	NA
Luxembourg	NA	NA	NA	NAP
Malta	0,14	NA	NA	NA
Netherlands	NA	NA	NA	NA
Poland	0,08	0,04	0,00	0,03
Portugal	0,03	NA	NA	NA
Romania	0,04	NAP	NAP	NAP
Slovak Republic	0,02	NA	NA	NA
Slovenia	0,04	0,02	0,02	0,00
Spain	0,02	0,01	0,01	NAP
Sweden	0,05	NA	NA	NA
Average	0,08	0,06	0,04	0,01
Median	0,04	0,03	0,01	0,00
Minimum	0,01	0,01	0,00	0,00
Maximum	0,45	0,44	0,37	0,03
% of NA	22%	41%	48%	30%
% of NAP	0%	7%	11%	48%

Austria: The total number of Second instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Table 3.15.2a: Second instance criminal cases - incoming in 2022**

**Absolute values (Q98)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	9 588	6 403	3 185	NAP
Belgium	31 239	6 526	13 072	11 641
Bulgaria	10 121	NAP	NAP	NAP
Croatia	25 269	9 332	14 862	1 075
Cyprus	293	NA	NA	NAP
Czech Republic	20 246	NA	NA	NAP
Denmark	6 601	6 601	NAP	NAP
Estonia	1 782	1 635	147	NAP
Finland	5 460	NA	NA	NAP
France	NA	NA	NA	NA
Germany	53 899	41 998	11 729	172
Greece	38 201	25 762	11 910	529
Hungary	37 288	36 459	829	NAP
Ireland	17 245	2 022	15 190	NAP
Italy	108 757	105 471	3 286	NAP
Latvia	2 567	1 438	921	208
Lithuania	4 218	NA	NA	NA
Luxembourg	443	398	45	NAP
Malta	561	NA	NA	NA
Netherlands	26 371	NA	NA	NA
Poland	193 553	51 306	5 460	136 787
Portugal	10 468	NA	NA	NA
Romania	25 294	NAP	NAP	NAP
Slovak Republic	8 662	NA	NA	NA
Slovenia	6 273	3 575	2 378	320
Spain	54 975	38 041	16 934	NAP
Sweden	13 264	NA	NA	NA
<b>Average</b>	<b>27 409</b>	<b>22 464</b>	<b>7 139</b>	<b>21 533</b>
<b>Median</b>	<b>11 866</b>	<b>6 601</b>	<b>4 373</b>	<b>529</b>
<b>Minimum</b>	<b>293</b>	<b>398</b>	<b>45</b>	<b>172</b>
<b>Maximum</b>	<b>193 553</b>	<b>105 471</b>	<b>16 934</b>	<b>136 787</b>
<b>% of NA</b>	<b>4%</b>	<b>37%</b>	<b>37%</b>	<b>26%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>11%</b>	<b>48%</b>

**Austria:** The total number of Second instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Belgium:** Starting from 2021 cases dealt with by the Investigation chamber (Chambre des mises en accusation) are presented separately in the "other criminal cases" category. Before,

**Table 3.15.2b: Second instance criminal cases - incoming in 2022**

Per 100 inhabitants (Q1, Q98)

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	0,11	0,07	0,03	NAP
Belgium	0,27	0,06	0,11	0,10
Bulgaria	0,16	NAP	NAP	NAP
Croatia	0,66	0,24	0,39	0,03
Cyprus	0,03	NA	NA	NAP
Czech Republic	0,19	NA	NA	NAP
Denmark	0,11	0,11	NAP	NAP
Estonia	0,13	0,12	0,01	NAP
Finland	0,10	NA	NA	NAP
France	NA	NA	NA	NA
Germany	0,06	0,05	0,01	0,00
Greece	0,36	0,24	0,11	0,00
Hungary	0,39	0,38	0,01	NAP
Ireland	0,33	0,04	0,30	NAP
Italy	0,18	0,18	0,01	NAP
Latvia	0,14	0,08	0,05	0,01
Lithuania	0,15	NA	NA	NA
Luxembourg	0,07	0,06	0,01	NAP
Malta	0,11	NA	NA	NA
Netherlands	0,15	NA	NA	NA
Poland	0,51	0,14	0,01	0,36
Portugal	0,10	NA	NA	NA
Romania	0,13	NAP	NAP	NAP
Slovak Republic	0,16	NA	NA	NA
Slovenia	0,30	0,17	0,11	0,02
Spain	0,11	0,08	0,04	NAP
Sweden	0,13	NA	NA	NA
<b>Average</b>	<b>0,20</b>	<b>0,13</b>	<b>0,09</b>	<b>0,07</b>
<b>Median</b>	<b>0,14</b>	<b>0,11</b>	<b>0,04</b>	<b>0,02</b>
<b>Minimum</b>	<b>0,03</b>	<b>0,04</b>	<b>0,01</b>	<b>0,00</b>
<b>Maximum</b>	<b>0,66</b>	<b>0,38</b>	<b>0,39</b>	<b>0,36</b>
<b>% of NA</b>	<b>4%</b>	<b>37%</b>	<b>37%</b>	<b>26%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>11%</b>	<b>48%</b>

**Austria:** The total number of Second instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Belgium:** Starting from 2021 cases dealt with by the Investigation chamber (Chambre des mises en accusation) are presented separately in the "other criminal cases" category.

**Table 3.15.3a: Second instance criminal cases - resolved in 2022**

**Absolute values (Q98)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	9 597	6 320	3 277	NAP
Belgium	31 618	6 519	13 529	11 570
Bulgaria	10 158	NAP	NAP	NAP
Croatia	23 108	8 543	13 480	1 085
Cyprus	272	NA	NA	NAP
Czech Republic	20 405	NA	NA	NAP
Denmark	5 781	5 781	NAP	NAP
Estonia	1 794	1 650	144	NAP
Finland	5 390	NA	NA	NAP
France	NA	NA	NA	NA
Germany	NA	41 264	11 786	NA
Greece	24 470	13 979	9 989	502
Hungary	36 917	36 096	821	NAP
Ireland	17 751	1 872	15 851	NAP
Italy	122 329	119 083	3 246	NAP
Latvia	2 377	1 291	869	217
Lithuania	4 305	NA	NA	NA
Luxembourg	387	344	43	NAP
Malta	508	NA	NA	NA
Netherlands	26 367	NA	NA	NA
Poland	193 913	50 825	5 643	137 445
Portugal	10 044	NA	NA	NA
Romania	25 252	NAP	NAP	NAP
Slovak Republic	8 581	NA	NA	NA
Slovenia	6 275	3 659	2 290	326
Spain	54 368	37 248	17 120	NAP
Sweden	12 967	NA	NA	NA
<b>Average</b>	<b>26 197</b>	<b>22 298</b>	<b>7 006</b>	<b>25 191</b>
<b>Median</b>	<b>10 158</b>	<b>6 519</b>	<b>4 460</b>	<b>794</b>
<b>Minimum</b>	<b>272</b>	<b>344</b>	<b>43</b>	<b>217</b>
<b>Maximum</b>	<b>193 913</b>	<b>119 083</b>	<b>17 120</b>	<b>137 445</b>
<b>% of NA</b>	<b>7%</b>	<b>37%</b>	<b>37%</b>	<b>30%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>11%</b>	<b>48%</b>

**Austria:** The total number of Second instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Belgium:** Starting from 2021 cases dealt with by the Investigation chamber (Chambre des mises en accusation) are presented separately in the "other criminal cases" category. Before,

**Table 3.15.3b: Second instance criminal cases - resolved in 2022**

Per 100 inhabitants (Q1, Q98)

States	Total number of criminal cases	Severe criminal cases		Misdemeanour and / or minor criminal cases		Other criminal cases	
	1+2+3	1	2	3			
Austria	0,11	0,07	0,04	NAP			
Belgium	0,27	0,06	0,12	0,10			
Bulgaria	0,16	NAP	NAP	NAP			
Croatia	0,60	0,22	0,35	0,03			
Cyprus	0,03	NA	NA	NA			
Czech Republic	0,19	NA	NA	NA			
Denmark	0,10	0,10	NAP	NAP			
Estonia	0,14	0,12	0,01	NAP			
Finland	0,10	NA	NA	NA			
France	NA	NA	NA	NA			
Germany	NA	0,05	0,01	NA			
Greece	0,23	0,13	0,09	0,00			
Hungary	0,38	0,38	0,01	NAP			
Ireland	0,34	0,04	0,31	NAP			
Italy	0,21	0,20	0,01	NAP			
Latvia	0,13	0,07	0,05	0,01			
Lithuania	0,15	NA	NA	NA			
Luxembourg	0,06	0,05	0,01	NAP			
Malta	0,10	NA	NA	NA			
Netherlands	0,15	NA	NA	NA			
Poland	0,51	0,13	0,01	0,36			
Portugal	0,10	NA	NA	NA			
Romania	0,13	NAP	NAP	NAP			
Slovak Republic	0,16	NA	NA	NA			
Slovenia	0,30	0,17	0,11	0,02			
Spain	0,11	0,08	0,04	NAP			
Sweden	0,12	NA	NA	NA			
<b>Average</b>	<b>0,19</b>	<b>0,12</b>	<b>0,08</b>	<b>0,09</b>			
<b>Median</b>	<b>0,15</b>	<b>0,10</b>	<b>0,04</b>	<b>0,02</b>			
<b>Minimum</b>	<b>0,03</b>	<b>0,04</b>	<b>0,01</b>	<b>0,00</b>			
<b>Maximum</b>	<b>0,60</b>	<b>0,38</b>	<b>0,35</b>	<b>0,36</b>			
<b>% of NA</b>	<b>7%</b>	<b>37%</b>	<b>37%</b>	<b>30%</b>			
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>11%</b>	<b>48%</b>			

**Austria:** The total number of Second instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Belgium:** Starting from 2021 cases dealt with by the Investigation chamber (Chambre des mises en accusation) are presented separately in the "other criminal cases" category.

**Table 3.15.4a: Second instance criminal cases - pending on 31 Dec. 2022**

**Absolute values (Q98)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	1 411	854	557	NAP
Belgium	NA	6 311	NA	2 518
Bulgaria	1 825	NAP	NAP	NAP
Croatia	19 275	3 594	15 631	50
Cyprus	256	NA	NA	NAP
Czech Republic	1 619	NA	NA	NAP
Denmark	3 196	3 196	NAP	NAP
Estonia	142	131	11	NAP
Finland	2 928	NA	NA	NAP
France	NA	NA	NA	NA
Germany	NA	20 113	1 222	NA
Greece	19 730	15 696	3 987	47
Hungary	4 924	4 895	29	NAP
Ireland	NA	NA	NA	NAP
Italy	251 378	248 092	3 286	NAP
Latvia	881	634	224	23
Lithuania	695	NA	NA	NA
Luxembourg	NA	NA	NA	NAP
Malta	767	NA	NA	NA
Netherlands	21 315	NA	NA	NA
Poland	28 887	15 703	1 071	12 113
Portugal	4 024	NA	NA	NA
Romania	8 496	NAP	NAP	NAP
Slovak Republic	1 220	NA	NA	NA
Slovenia	925	340	583	2
Spain	10 580	7 886	2 694	NAP
Sweden	5 455	NA	NA	NA
Average	17 724	25 188	2 663	2 459
Median	3 062	4 895	1 071	49
Minimum	142	131	11	2
Maximum	251 378	248 092	15 631	12 113
% of NA	19%	44%	48%	30%
% of NAP	0%	7%	11%	48%

**Austria:** The total number of Second instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Table 3.15.4b: Second instance criminal cases - pending on 31 Dec. 2022**

Per 100 inhabitants (Q1, Q98)

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	0,02	0,01	0,01	NAP
Belgium	NA	0,05	NA	0,02
Bulgaria	0,03	NAP	NAP	NAP
Croatia	0,50	0,09	0,41	0,00
Cyprus	0,03	NA	NA	NAP
Czech Republic	0,01	NA	NA	NAP
Denmark	0,05	0,05	NAP	NAP
Estonia	0,01	0,01	0,00	NAP
Finland	0,05	NA	NA	NAP
France	NA	NA	NA	NA
Germany	NA	0,02	0,00	NA
Greece	0,18	0,15	0,04	0,00
Hungary	0,05	0,05	0,00	NAP
Ireland	NA	NA	NA	NAP
Italy	0,43	0,42	0,01	NAP
Latvia	0,05	0,03	0,01	0,00
Lithuania	0,02	NA	NA	NA
Luxembourg	NA	NA	NA	NAP
Malta	0,15	NA	NA	NA
Netherlands	0,12	NA	NA	NA
Poland	0,08	0,04	0,00	0,03
Portugal	0,04	NA	NA	NA
Romania	0,04	NAP	NAP	NAP
Slovak Republic	0,02	NA	NA	NA
Slovenia	0,04	0,02	0,03	0,00
Spain	0,02	0,02	0,01	NAP
Sweden	0,05	NA	NA	NA
Average	0,09	0,07	0,05	0,01
Median	0,05	0,04	0,01	0,00
Minimum	0,01	0,01	0,00	0,00
Maximum	0,50	0,42	0,41	0,03
% of NA	19%	44%	48%	30%
% of NAP	0%	7%	11%	48%

**Austria:** The total number of Second instance criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Table 3.15.5: Second instance criminal cases - pending more than 2 years in 2022**

**Absolute values and as a percent (%) of the pending cases Dec 31st of the same category (Q98)**

States	Total number of criminal cases pending more than 2 years		Severe criminal ending more than 2 years cases		Misdemeanour and / or minor criminal cases ending more than 2 years		Other criminal ending more than 2 years cases	
	1+2+3		1		2		3	
	Number	As % of pending cases 31 Dec.	Number	As % of pending cases 31 Dec.	Number	As % of pending cases 31 Dec.	Number	As % of pending cases 31 Dec.
Austria	3	0,2%	1	0,1%	2	0,4%	NAP	NAP
Belgium	NA	NA	1 307	20,7%	129	NA	NA	NA
Bulgaria	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP
Croatia	1 335	6,9%	127	3,5%	1 207	7,7%	1	2,0%
Cyprus	NA	NA	NA	NA	NA	NA	NAP	NAP
Czech Republic	22	1,4%	NA	NA	NA	NA	NAP	NAP
Denmark	NA	NA	NA	NA	NAP	NAP	NAP	NAP
Estonia	0	0,0%	0	0,0%	0	0,0%	NAP	NAP
Finland	NA	NA	NA	NA	NA	NA	NAP	NAP
France	NA	NA	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA	NA	NA
Greece	234	1,2%	191	1,2%	43	1,1%	0	0,0%
Hungary	NA	NA	NA	NA	NA	NA	NAP	NAP
Ireland	NA	NA	NA	NA	NA	NA	NA	NA
Italy	114 370	45,5%	113 901	45,9%	469	14,3%	NAP	NAP
Latvia	10	1,1%	10	1,6%	0	0,0%	0	0,0%
Lithuania	11	1,6%	NA	NA	NA	NA	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA	NAP	NAP
Malta	NA	NA	NA	NA	NA	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA
Poland	NA	NA	NA	NA	NA	NA	NA	NA
Portugal	NA	NA	NA	NA	NA	NA	NA	NA
Romania	116	1,4%	NAP	NAP	NAP	NAP	NAP	NAP
Slovak Republic	13	1,1%	NA	NA	NA	NA	NA	NA
Slovenia	1	0,1%	0	0,0%	1	0,2%	0	0,0%
Spain	NA	NA	NA	NA	NA	NA	NAP	NAP
Sweden	65	1,2%	NA	NA	NA	NA	NA	NA
<b>Average</b>	<b>9 682</b>	<b>5,1%</b>	<b>14 442</b>	<b>9,1%</b>	<b>231</b>	<b>3,4%</b>	<b>0</b>	<b>0,5%</b>
<b>Median</b>	<b>18</b>	<b>1,2%</b>	<b>69</b>	<b>1,4%</b>	<b>23</b>	<b>0,4%</b>	<b>0</b>	<b>0,0%</b>
<b>Minimum</b>	<b>0</b>	<b>0,0%</b>	<b>0</b>	<b>0,0%</b>	<b>0</b>	<b>0,0%</b>	<b>0</b>	<b>0,0%</b>
<b>Maximum</b>	<b>114 370</b>	<b>45,5%</b>	<b>113 901</b>	<b>45,9%</b>	<b>1 207</b>	<b>14,3%</b>	<b>1</b>	<b>2,0%</b>
<b>% of NA</b>	<b>56%</b>	<b>56%</b>	<b>63%</b>	<b>63%</b>	<b>59%</b>	<b>63%</b>	<b>41%</b>	<b>41%</b>
<b>% of NAP</b>	<b>0%</b>	<b>0%</b>	<b>7%</b>	<b>7%</b>	<b>11%</b>	<b>11%</b>	<b>44%</b>	<b>44%</b>

**Evolution of the second instance total of criminal cases, severe criminal cases and misdemeanour and / or minor criminal cases**

**Table 3.16.1: Evolution of the second instance total of criminal cases - pending on 1st Jan. 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,02	0,02	0,02
Belgium	NA	0,07	NA
Bulgaria	0,02	0,02	0,03
Croatia	0,34	0,37	0,44
Cyprus	0,03	0,03	0,03
Czech Republic	0,02	0,02	0,02
Denmark	0,04	0,04	0,04
Estonia	0,01	0,01	0,01
Finland	0,05	0,05	0,05
France	0,06	0,06	NA
Germany	NA	NA	NA
Greece	NA	0,06	0,06
Hungary	0,05	0,05	0,05
Ireland	NA	NA	NA
Italy	0,45	0,46	0,45
Latvia	0,03	0,03	0,04
Lithuania	0,03	0,03	0,03
Luxembourg	NA	NA	NA
Malta	0,16	0,13	0,14
Netherlands	NA	NA	NA
Poland	0,07	0,07	0,08
Portugal	0,03	0,03	0,03
Romania	0,04	0,04	0,04
Slovak Republic	0,02	0,02	0,02
Slovenia	0,03	0,02	0,04
Spain	0,02	0,02	0,02
Sweden	0,03	0,04	0,05
<b>Average</b>	0,07	0,07	0,08
<b>Median</b>	0,03	0,04	0,04
<b>Minimum</b>	0,01	0,01	0,01
<b>Maximum</b>	0,45	0,46	0,45
<b>% of NA</b>	22%	15%	22%
<b>% of NAP</b>	0%	0%	0%

Ireland: The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.2: Evolution of the second instance severe criminal cases - pending on 1st Jan. 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,01	0,01	0,01
Belgium	NA	0,06	0,05
Bulgaria	NA	NA	NAP
Croatia	0,06	0,06	0,07
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,04	0,04	0,04
Estonia	0,01	0,01	0,01
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,03	0,02	0,02
Greece	NA	0,04	0,04
Hungary	0,05	0,05	0,05
Ireland	NA	NA	0,01
Italy	0,44	0,45	0,44
Latvia	0,02	0,02	0,03
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	0,04	0,04	0,04
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	0,02	NA	NA
Slovenia	0,02	0,01	0,02
Spain	0,01	0,01	0,01
Sweden	NA	NA	NA
<b>Average</b>	0,06	0,06	0,06
<b>Median</b>	0,02	0,04	0,03
<b>Minimum</b>	0,01	0,01	0,01
<b>Maximum</b>	0,44	0,45	0,44
<b>% of NA</b>	48%	44%	41%
<b>% of NAP</b>	7%	7%	7%

Ireland: The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.3: Evolution of the second instance misdemeanour and / or minor criminal cases - pending on 1st Jan. 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,01	0,01	0,01
Belgium	NA	0,00	NA
Bulgaria	NA	NA	NAP
Croatia	0,28	0,31	0,37
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	0,00	0,00	0,00
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,00	0,00	0,00
Greece	NA	0,02	0,02
Hungary	0,00	0,00	0,00
Ireland	NA	NA	NA
Italy	0,01	0,01	0,01
Latvia	0,01	0,01	0,01
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	0,00	0,00	0,00
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,00	0,00	0,02
Spain	0,01	0,00	0,01
Sweden	NA	NA	NA
<b>Average</b>	0,03	0,03	0,04
<b>Median</b>	0,01	0,00	0,01
<b>Minimum</b>	0,00	0,00	0,00
<b>Maximum</b>	0,28	0,31	0,37
<b>% of NA</b>	52%	44%	48%
<b>% of NAP</b>	11%	11%	11%

Ireland: The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.4: Evolution of the second instance total of criminal cases - incoming 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,11	0,11	0,11
Belgium	0,23	0,27	0,27
Bulgaria	0,16	0,16	0,16
Croatia	0,56	0,65	0,66
Cyprus	0,03	0,02	0,03
Czech Republic	0,21	0,20	0,19
Denmark	0,10	0,11	0,11
Estonia	0,15	0,15	0,13
Finland	0,09	0,10	0,10
France	0,06	0,07	NA
Germany	0,07	0,07	0,06
Greece	0,17	0,26	0,36
Hungary	0,34	0,38	0,39
Ireland	0,25	0,31	0,33
Italy	0,15	0,17	0,18
Latvia	0,14	0,14	0,14
Lithuania	0,16	0,15	0,15
Luxembourg	0,07	0,06	0,07
Malta	0,06	0,10	0,11
Netherlands	0,15	0,15	0,15
Poland	0,45	0,51	0,51
Portugal	0,09	0,09	0,10
Romania	0,12	0,13	0,13
Slovak Republic	0,17	0,15	0,16
Slovenia	0,22	0,30	0,30
Spain	0,09	0,12	0,11
Sweden	0,10	0,12	0,13
<b>Average</b>	0,17	0,19	0,20
<b>Median</b>	0,15	0,15	0,14
<b>Minimum</b>	0,03	0,02	0,03
<b>Maximum</b>	0,56	0,65	0,66
<b>% of NA</b>	0%	0%	4%
<b>% of NAP</b>	0%	0%	0%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.5: Evolution of the second instance severe criminal cases - incoming 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,08	0,07	0,07
Belgium	0,14	0,06	0,06
Bulgaria	NA	NA	NAP
Croatia	0,21	0,24	0,24
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,10	0,11	0,11
Estonia	0,14	0,14	0,12
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,05	0,05	0,05
Greece	NA	0,15	0,24
Hungary	0,34	0,38	0,38
Ireland	0,03	0,03	0,04
Italy	0,15	0,16	0,18
Latvia	0,07	0,08	0,08
Lithuania	NA	NA	NA
Luxembourg	0,06	0,05	0,06
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	0,11	0,13	0,14
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	0,17	NA	NA
Slovenia	0,16	0,17	0,17
Spain	0,06	0,08	0,08
Sweden	NA	NA	NA
<b>Average</b>	0,12	0,13	0,13
<b>Median</b>	0,11	0,11	0,11
<b>Minimum</b>	0,03	0,03	0,04
<b>Maximum</b>	0,34	0,38	0,38
<b>% of NA</b>	37%	37%	37%
<b>% of NAP</b>	7%	7%	7%

**Belgium:** Starting from 2021 cases dealt with by the Investigation chamber (Chambre des mises en accusation) are presented separately in the “other criminal cases” category. Before, they were included in the severe criminal cases.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.6: Evolution of the second instance misdemeanour and / or minor criminal cases - incoming 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,04	0,04	0,03
Belgium	0,09	0,11	0,11
Bulgaria	NA	NA	NAP
Croatia	0,33	0,38	0,39
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	0,01	0,01	0,01
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,02	0,01	0,01
Greece	NA	0,10	0,11
Hungary	0,00	0,01	0,01
Ireland	0,22	0,28	0,30
Italy	0,00	0,01	0,01
Latvia	0,07	0,05	0,05
Lithuania	NA	NA	NA
Luxembourg	0,01	0,01	0,01
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	0,01	0,01	0,01
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,05	0,12	0,11
Spain	0,03	0,04	0,04
Sweden	NA	NA	NA
<b>Average</b>	0,07	0,08	0,09
<b>Median</b>	0,03	0,04	0,04
<b>Minimum</b>	0,00	0,01	0,01
<b>Maximum</b>	0,33	0,38	0,39
<b>% of NA</b>	41%	37%	37%
<b>% of NAP</b>	11%	11%	11%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.7: Evolution of the second instance total of criminal cases - resolved 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,11	0,11	0,11
Belgium	0,23	0,27	0,27
Bulgaria	0,16	0,16	0,16
Croatia	0,76	0,58	0,60
Cyprus	0,03	0,03	0,03
Czech Republic	0,20	0,20	0,19
Denmark	0,10	0,10	0,10
Estonia	0,15	0,15	0,14
Finland	0,09	0,09	0,10
France	0,06	0,06	NA
Germany	NA	NA	NA
Greece	0,19	0,16	0,23
Hungary	0,35	0,38	0,38
Ireland	0,27	0,30	0,34
Italy	0,14	0,18	0,21
Latvia	0,15	0,13	0,13
Lithuania	0,16	0,15	0,15
Luxembourg	0,07	0,07	0,06
Malta	0,09	0,09	0,10
Netherlands	0,15	0,17	0,15
Poland	0,45	0,50	0,51
Portugal	0,09	0,09	0,10
Romania	0,11	0,13	0,13
Slovak Republic	0,17	0,15	0,16
Slovenia	0,23	0,28	0,30
Spain	0,10	0,11	0,11
Sweden	0,10	0,11	0,12
<b>Average</b>	0,18	0,18	0,19
<b>Median</b>	0,15	0,15	0,15
<b>Minimum</b>	0,03	0,03	0,03
<b>Maximum</b>	0,76	0,58	0,60
<b>% of NA</b>	4%	4%	7%
<b>% of NAP</b>	0%	0%	0%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.8: Evolution of the second instance severe criminal cases - resolved 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,07	0,08	0,07
Belgium	0,14	0,06	0,06
Bulgaria	NA	NA	NAP
Croatia	0,21	0,22	0,22
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,10	0,10	0,10
Estonia	0,14	0,14	0,12
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,05	0,05	0,05
Greece	NA	0,09	0,13
Hungary	0,35	0,38	0,38
Ireland	0,03	0,03	0,04
Italy	0,14	0,18	0,20
Latvia	0,07	0,08	0,07
Lithuania	NA	NA	NA
Luxembourg	0,06	0,06	0,05
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	0,10	0,13	0,13
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	0,17	NA	NA
Slovenia	0,16	0,17	0,17
Spain	0,07	0,08	0,08
Sweden	NA	NA	NA
<b>Average</b>	0,13	0,12	0,12
<b>Median</b>	0,10	0,09	0,10
<b>Minimum</b>	0,03	0,03	0,04
<b>Maximum</b>	0,35	0,38	0,38
<b>% of NA</b>	37%	37%	37%
<b>% of NAP</b>	7%	7%	7%

**Belgium:** Starting from 2021 cases dealt with by the Investigation chamber (Chambre des mises en accusation) are presented separately in the “other criminal cases” category. Before, they were included in the severe criminal cases.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.9: Evolution of the second instance misdemeanour and / or minor criminal cases - resolved 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,04	0,04	0,04
Belgium	0,09	0,11	0,12
Bulgaria	NA	NA	NAP
Croatia	0,31	0,33	0,35
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	0,01	0,01	0,01
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,02	0,01	0,01
Greece	NA	0,06	0,09
Hungary	0,00	0,01	0,01
Ireland	0,23	0,27	0,31
Italy	0,01	0,01	0,01
Latvia	0,08	0,05	0,05
Lithuania	NA	NA	NA
Luxembourg	0,01	0,01	0,01
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	0,01	0,01	0,01
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,05	0,09	0,11
Spain	0,03	0,04	0,04
Sweden	NA	NA	NA
<b>Average</b>	0,07	0,08	0,08
<b>Median</b>	0,03	0,04	0,04
<b>Minimum</b>	0,00	0,01	0,01
<b>Maximum</b>	0,31	0,33	0,35
<b>% of NA</b>	41%	37%	37%
<b>% of NAP</b>	11%	11%	11%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.10: Evolution of the second instance total of criminal cases - pending on 31st Dec. 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,02	0,02	0,02
Belgium	NA	0,08	NA
Bulgaria	0,02	0,03	0,03
Croatia	0,36	0,44	0,50
Cyprus	0,03	0,03	0,03
Czech Republic	0,02	0,02	0,01
Denmark	0,04	0,04	0,05
Estonia	0,01	0,01	0,01
Finland	0,05	0,05	0,05
France	0,06	0,07	NA
Germany	NA	NA	NA
Greece	NA	0,06	0,18
Hungary	0,05	0,05	0,05
Ireland	NA	NA	NA
Italy	0,46	0,45	0,43
Latvia	0,03	0,04	0,05
Lithuania	0,03	0,03	0,02
Luxembourg	NA	NA	NA
Malta	0,13	0,14	0,15
Netherlands	0,14	0,12	0,12
Poland	0,07	0,08	0,08
Portugal	0,03	0,03	0,04
Romania	0,04	0,04	0,04
Slovak Republic	0,02	0,02	0,02
Slovenia	0,02	0,04	0,04
Spain	0,02	0,02	0,02
Sweden	0,04	0,05	0,05
<b>Average</b>	0,08	0,08	0,09
<b>Median</b>	0,04	0,04	0,05
<b>Minimum</b>	0,01	0,01	0,01
<b>Maximum</b>	0,46	0,45	0,50
<b>% of NA</b>	19%	11%	19%
<b>% of NAP</b>	0%	0%	0%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.11: Evolution of the second instance severe criminal cases - pending on 31st Dec. 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,01	0,01	0,01
Belgium	NA	0,05	0,05
Bulgaria	NA	NA	NAP
Croatia	0,06	0,07	0,09
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	0,04	0,04	0,05
Estonia	0,01	0,01	0,01
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,03	0,02	0,02
Greece	NA	0,04	0,15
Hungary	0,05	0,05	0,05
Ireland	NA	NA	NA
Italy	0,46	0,44	0,42
Latvia	0,02	0,03	0,03
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	0,04	0,04	0,04
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	0,02	NA	NA
Slovenia	0,01	0,02	0,02
Spain	0,01	0,01	0,02
Sweden	NA	NA	NA
<b>Average</b>	0,06	0,06	0,07
<b>Median</b>	0,02	0,04	0,04
<b>Minimum</b>	0,01	0,01	0,01
<b>Maximum</b>	0,46	0,44	0,42
<b>% of NA</b>	48%	44%	44%
<b>% of NAP</b>	7%	7%	7%

**Belgium:** Starting from 2021 cases dealt with by the Investigation chamber (Chambre des mises en accusation) are presented separately in the “other criminal cases” category. Before, they were included in the severe criminal cases.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.12: Evolution of the second instance misdemeanour and / or minor criminal cases - pending on 31st Dec. 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,01	0,01	0,01
Belgium	NA	0,00	NA
Bulgaria	NA	NA	NAP
Croatia	0,30	0,37	0,41
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	0,00	0,00	0,00
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	0,00	0,00	0,00
Greece	NA	0,02	0,04
Hungary	0,00	0,00	0,00
Ireland	NA	NA	NA
Italy	0,01	0,01	0,01
Latvia	0,01	0,01	0,01
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	0,00	0,00	0,00
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,00	0,02	0,03
Spain	0,00	0,01	0,01
Sweden	NA	NA	NA
<b>Average</b>	0,03	0,04	0,05
<b>Median</b>	0,00	0,01	0,01
<b>Minimum</b>	0,00	0,00	0,00
<b>Maximum</b>	0,30	0,37	0,41
<b>% of NA</b>	52%	44%	48%
<b>% of NAP</b>	11%	11%	11%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.13: Evolution of the second instance total criminal cases - pending more than 2 years 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,00	0,00	0,00
Belgium	NA	NA	NA
Bulgaria	NA	NA	NA
Croatia	NA	0,04	0,03
Cyprus	NA	NA	NA
Czech Republic	0,00	0,00	0,00
Denmark	NA	NA	NA
Estonia	0,00	0,00	0,00
Finland	NA	NA	NA
France	NA	NA	NA
Germany	NA	NA	NA
Greece	NA	0,01	0,002
Hungary	NA	NA	NA
Ireland	NA	NA	NA
Italy	0,22	0,21	0,19
Latvia	0,00	0,00	0,00
Lithuania	0,00	0,00	0,00
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NA	NA	NA
Romania	0,00	0,00	0,00
Slovak Republic	0,00	0,00	0,00
Slovenia	0,00	0,00	0,00
Spain	NA	NA	NA
Sweden	0,00	0,00	0,00
<b>Average</b>	0,02	0,02	0,02
<b>Median</b>	0,00	0,00	0,00
<b>Minimum</b>	0,00	0,00	0,00
<b>Maximum</b>	0,22	0,21	0,19
<b>% of NA</b>	63%	56%	56%
<b>% of NAP</b>	0%	0%	0%

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.14: Evolution of the second instance severe criminal cases - pending more than 2 years 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,00	0,00	0,00
Belgium	NA	0,01	0,01
Bulgaria	NA	NA	NAP
Croatia	0,00	0,00	0,00
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NA	NA	NA
Estonia	0,00	0,00	0,00
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	NA	NA	NA
Greece	NA	0,003	0,002
Hungary	NA	NA	NA
Ireland	NA	NA	NA
Italy	0,22	0,21	0,19
Latvia	0,00	0,00	0,00
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	0,00	NA	NA
Slovenia	0,00	0,00	0,00
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	0,03	0,03	0,03
<b>Median</b>	0,00	0,00	0,00
<b>Minimum</b>	0,00	0,00	0,00
<b>Maximum</b>	0,22	0,21	0,19
<b>% of NA</b>	67%	63%	63%
<b>% of NAP</b>	7%	7%	7%

**Belgium:** Starting from 2021 cases dealt with by the Investigation chamber (Chambre des mises en accusation) are presented separately in the “other criminal cases” category. Before, they were included in the severe criminal cases.

**Ireland:** The first and second instance criminal cases are generally counted by offence rather than case.

**Table 3.16.15: Evolution of the second instance misdemeanour and / or minor criminal cases - pending more than 2 years 2020 - 2022**

Per 100 inhabitants (Q1, Q98)

States	2020	2021	2022
Austria	0,0000	0,0000	0,0000
Belgium	NA	0,0011	0,0011
Bulgaria	NA	NA	NAP
Croatia	NA	0,0334	0,0313
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	0,0000	0,0000	0,0000
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	NA	NA	NA
Greece	NA	0,0024	0,0004
Hungary	NA	NA	NA
Ireland	NA	NA	NA
Italy	0,0014	0,0014	0,0008
Latvia	0,0000	0,0000	0,0000
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0,0001	0,0001	0,0000
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	0,0003	0,0048	0,0042
<b>Median</b>	0,0000	0,0006	0,0002
<b>Minimum</b>	0,0000	0,0000	0,0000
<b>Maximum</b>	0,0014	0,0334	0,0313
<b>% of NA</b>	70%	59%	59%
<b>% of NAP</b>	11%	11%	11%

Ireland: The first and second instance criminal cases are generally counted by offence rather than case.

# **Clearance rate and Disposition time for second instance criminal cases**

**Table 3.17.1: Clearance rate (%) of second instance criminal cases in 2022 (Q98)**

States	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	100,1%	98,7%	102,9%	NAP
Belgium	101,2%	99,9%	103,5%	99,4%
Bulgaria	100,4%	NAP	NAP	NAP
Croatia	91,4%	91,5%	90,7%	100,9%
Cyprus	92,8%	NA	NA	NAP
Czech Republic	100,8%	NA	NA	NAP
Denmark	87,6%	87,6%	NAP	NAP
Estonia	100,7%	100,9%	98,0%	NAP
Finland	98,7%	NA	NA	NAP
France	NA	NA	NA	NA
Germany	NA	98,3%	100,5%	NA
Greece	64,1%	54,3%	83,9%	94,9%
Hungary	99,0%	99,0%	99,0%	NAP
Ireland	102,9%	92,6%	104,4%	NAP
Italy	112,5%	112,9%	98,8%	NAP
Latvia	92,6%	89,8%	94,4%	104,3%
Lithuania	102,1%	NA	NA	NA
Luxembourg	87,4%	86,4%	95,6%	NAP
Malta	90,6%	NA	NA	NA
Netherlands	100,0%	NA	NA	NA
Poland	100,2%	99,1%	103,4%	100,5%
Portugal	95,9%	NA	NA	NA
Romania	99,8%	NAP	NAP	NAP
Slovak Republic	99,1%	NA	NA	NA
Slovenia	100,0%	102,3%	96,3%	101,9%
Spain	98,9%	97,9%	101,1%	NAP
Sweden	97,8%	NA	NA	NA
Average	96,7%	94,1%	98,0%	100,3%
Median	99,1%	98,3%	98,9%	100,7%
Minimum	64,1%	54,3%	83,9%	94,9%
Maximum	112,5%	112,9%	104,4%	104,3%
% of NA	7%	37%	37%	30%
% of NAP	0%	7%	11%	48%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.17.2: Disposition time (in days) of second instance criminal cases in 2022 (Q98)**

States	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
Austria	54	49	62	NAP
Belgium	NA	353	NA	79
Bulgaria	66	NAP	NAP	NAP
Croatia	304	154	423	17
Cyprus	344	NA	NA	NAP
Czech Republic	29	NA	NA	NAP
Denmark	202	202	NAP	NAP
Estonia	29	29	28	NAP
Finland	198	NA	NA	NAP
France	NA	NA	NA	NA
Germany	NA	178	38	NA
Greece	294	410	146	34
Hungary	49	49	13	NAP
Ireland	NA	NA	NA	NAP
Italy	750	760	369	NAP
Latvia	135	179	94	39
Lithuania	59	NA	NA	NA
Luxembourg	NA	NA	NA	NAP
Malta	551	NA	NA	NA
Netherlands	295	NA	NA	NA
Poland	54	113	69	32
Portugal	146	NA	NA	NA
Romania	123	NAP	NAP	NAP
Slovak Republic	52	NA	NA	NA
Slovenia	54	34	93	2
Spain	71	77	57	NAP
Sweden	154	NA	NA	NA
<b>Average</b>	<b>182</b>	<b>199</b>	<b>127</b>	<b>34</b>
<b>Median</b>	<b>129</b>	<b>154</b>	<b>69</b>	<b>33</b>
<b>Minimum</b>	<b>29</b>	<b>29</b>	<b>13</b>	<b>2</b>
<b>Maximum</b>	<b>750</b>	<b>760</b>	<b>423</b>	<b>79</b>
<b>% of NA</b>	<b>19%</b>	<b>44%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>0%</b>	<b>7%</b>	<b>11%</b>	<b>48%</b>

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.17.3: Evolution of the Clearance rate (%) of the second instance total criminal cases 2020 - 2022**

(Q98)

States	2020	2021	2022
Austria	99,5%	101,1%	100,1%
Belgium	100,6%	100,7%	101,2%
Bulgaria	99,2%	98,5%	100,4%
Croatia	136,9%	89,8%	91,4%
Cyprus	108,4%	105,8%	92,8%
Czech Republic	98,5%	101,0%	100,8%
Denmark	97,6%	98,1%	87,6%
Estonia	99,4%	99,5%	100,7%
Finland	104,5%	94,5%	98,7%
France	102,4%	94,7%	NA
Germany	NA	NA	NA
Greece	108,9%	60,5%	64,1%
Hungary	102,4%	100,0%	99,0%
Ireland	108,8%	97,5%	102,9%
Italy	93,8%	107,5%	112,5%
Latvia	101,4%	97,6%	92,6%
Lithuania	98,9%	100,6%	102,1%
Luxembourg	109,8%	114,1%	87,4%
Malta	148,9%	94,6%	90,6%
Netherlands	94,5%	109,0%	100,0%
Poland	99,0%	99,6%	100,2%
Portugal	101,3%	98,5%	95,9%
Romania	99,2%	95,6%	99,8%
Slovak Republic	99,7%	99,7%	99,1%
Slovenia	105,5%	91,1%	100,0%
Spain	103,0%	95,6%	98,9%
Sweden	92,5%	92,5%	97,8%
<b>Average</b>	104,4%	97,6%	96,7%
<b>Median</b>	101,0%	98,5%	99,1%
<b>Minimum</b>	92,5%	60,5%	64,1%
<b>Maximum</b>	148,9%	114,1%	112,5%
<b>% of NA</b>	4%	4%	7%
<b>% of NAP</b>	0%	0%	0%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.17.4: Evolution of the Disposition Time (in days) of the second instance total criminal cases 2020 - 2022**

(Q98)

States	2020	2021	2022
Austria	55	51	54
Belgium	NA	105	NA
Bulgaria	56	63	66
Croatia	171	276	304
Cyprus	347	354	344
Czech Republic	34	31	29
Denmark	141	143	202
Estonia	27	29	29
Finland	182	197	198
France	399	382	NA
Germany	NA	NA	NA
Greece	NA	144	294
Hungary	48	45	49
Ireland	NA	NA	NA
Italy	1167	897	750
Latvia	81	99	135
Lithuania	67	66	59
Luxembourg	NA	NA	NA
Malta	545	542	551
Netherlands	348	272	295
Poland	61	56	54
Portugal	142	137	146
Romania	122	128	123
Slovak Republic	45	50	52
Slovenia	26	58	54
Spain	59	67	71
Sweden	156	169	154
<b>Average</b>	194	182	182
<b>Median</b>	101	117	129
<b>Minimum</b>	26	29	29
<b>Maximum</b>	1167	897	750
<b>% of NA</b>	19%	11%	19%
<b>% of NAP</b>	0%	0%	0%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.17.5: Evolution of the Clearance rate (%) of the second instance severe criminal cases 2020 - 2022**

(Q98)

States	2020	2021	2022
Austria	99,2%	101,5%	98,7%
Belgium	100,7%	104,4%	99,9%
Bulgaria	NA	NA	NAP
Croatia	102,8%	95,0%	91,5%
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	97,6%	98,1%	87,6%
Estonia	99,3%	99,6%	100,9%
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	100,4%	101,7%	98,3%
Greece	NA	56,2%	54,3%
Hungary	102,4%	100,0%	99,0%
Ireland	122,3%	101,0%	92,6%
Italy	92,7%	107,3%	112,9%
Latvia	100,6%	96,9%	89,8%
Lithuania	NA	NA	NA
Luxembourg	106,4%	110,4%	86,4%
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	98,9%	98,4%	99,1%
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	99,7%	NA	NA
Slovenia	105,5%	96,9%	102,3%
Spain	103,1%	96,0%	97,9%
Sweden	NA	NA	NA
<b>Average</b>	102,1%	97,6%	94,1%
<b>Median</b>	100,6%	99,6%	98,3%
<b>Minimum</b>	92,7%	56,2%	54,3%
<b>Maximum</b>	122,3%	110,4%	112,9%
<b>% of NA</b>	37%	37%	37%
<b>% of NAP</b>	7%	7%	7%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.17.6: Evolution of the Disposition Time (in days) of the second instance severe criminal cases 2020 - 2022**

(Q98)

States	2020	2021	2022
Austria	48	42	49
Belgium	NA	331	353
Bulgaria	NA	NA	NAP
Croatia	96	118	154
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	141	143	202
Estonia	27	29	29
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	168	162	178
Greece	NA	168	410
Hungary	48	45	49
Ireland	NA	NA	NA
Italy	1196	913	760
Latvia	119	119	179
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	132	113	113
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	45	NA	NA
Slovenia	33	44	34
Spain	60	69	77
Sweden	NA	NA	NA
<b>Average</b>	176	177	199
<b>Median</b>	78	118	154
<b>Minimum</b>	27	29	29
<b>Maximum</b>	1196	913	760
<b>% of NA</b>	48%	44%	44%
<b>% of NAP</b>	7%	7%	7%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.17.7: Evolution of the Clearance rate (%) of the second instance misdemeanour and / or minor criminal cases 2020 - 2022**

(Q98)

States	2020	2021	2022
Austria	100,2%	100,4%	102,9%
Belgium	100,4%	100,2%	103,5%
Bulgaria	NA	NA	NAP
Croatia	93,8%	85,8%	90,7%
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	102,5%	99,3%	98,0%
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	102,8%	99,9%	100,5%
Greece	NA	64,1%	83,9%
Hungary	98,9%	100,2%	99,0%
Ireland	107,1%	97,2%	104,4%
Italy	129,5%	111,1%	98,8%
Latvia	102,2%	98,8%	94,4%
Lithuania	NA	NA	NA
Luxembourg	138,6%	146,2%	95,6%
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	99,2%	98,7%	103,4%
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	107,4%	81,2%	96,3%
Spain	102,7%	94,9%	101,1%
Sweden	NA	NA	NA
<b>Average</b>	106,6%	98,4%	98,0%
<b>Median</b>	102,5%	99,0%	98,9%
<b>Minimum</b>	93,8%	64,1%	83,9%
<b>Maximum</b>	138,6%	146,2%	104,4%
<b>% of NA</b>	41%	37%	37%
<b>% of NAP</b>	11%	11%	11%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.17.8: Evolution of the Disposition Time (in days) of the second instance misdemeanour and / or minor criminal cases 2020 - 2022**

(Q98)

States	2020	2021	2022
Austria	70	69	62
Belgium	NA	9	NA
Bulgaria	NA	NA	NAP
Croatia	356	407	423
Cyprus	NA	NA	NA
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	21	21	28
Finland	NAP	NAP	NA
France	NA	NA	NA
Germany	35	38	38
Greece	NA	129	146
Hungary	23	15	13
Ireland	NA	NA	NA
Italy	435	376	369
Latvia	44	68	94
Lithuania	NA	NA	NA
Luxembourg	NA	NA	NA
Malta	NA	NA	NA
Netherlands	NA	NA	NA
Poland	100	82	69
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	11	91	93
Spain	57	64	57
Sweden	NA	NA	NA
<b>Average</b>	115	114	127
<b>Median</b>	50	69	69
<b>Minimum</b>	11	9	13
<b>Maximum</b>	435	407	423
<b>% of NA</b>	52%	44%	48%
<b>% of NAP</b>	11%	11%	11%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

# Variations for second instance criminal cases

Table 3.18.1: Second instance courts, variation of the incoming criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q98)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	-6,1%	-5,2%	-8,1%	-4,7%	-3,7%	-6,8%
Belgium	17,9%	-60,5%	31,1%	-0,1%	-2,1%	0,3%
Bulgaria	-10,2%	NAP	NAP	-8,0%	NAP	NAP
Croatia	12,1%	11,8%	12,0%	0,2%	2,3%	-0,3%
Cyprus	17,7%	NA	NA	29,6%	NA	NA
Czech Republic	-7,8%	NA	NA	-3,8%	NA	NA
Denmark	10,0%	10,0%	NAP	6,9%	6,9%	NAP
Estonia	-10,6%	-12,8%	23,5%	-9,1%	-10,1%	2,8%
Finland	12,0%	NA	NA	-2,0%	NA	NA
France	NA	NA	NA	NA	NA	NA
Germany	-6,9%	-6,7%	-8,1%	-4,6%	-5,5%	-1,5%
Greece	107,9%	NA	NA	39,0%	58,4%	14,5%
Hungary	10,7%	9,3%	138,2%	0,8%	0,0%	59,4%
Ireland	41,2%	43,9%	40,5%	10,0%	45,4%	6,3%
Italy	19,1%	18,7%	31,5%	8,5%	8,5%	9,6%
Latvia	-6,2%	7,0%	-33,8%	0,8%	-7,6%	-6,9%
Lithuania	-5,6%	NA	NA	-1,4%	NA	NA
Luxembourg	6,0%	6,4%	2,3%	15,4%	15,4%	15,4%
Malta	80,4%	NA	NA	8,9%	NA	NA
Netherlands	-2,2%	NA	NA	-0,5%	NA	NA
Poland	12,5%	27,1%	25,4%	0,4%	2,9%	-3,5%
Portugal	19,3%	NA	NA	7,2%	NA	NA
Romania	13,7%	NAP	NAP	0,5%	NAP	NAP
Slovak Republic	-4,6%	NA	NA	4,4%	NA	NA
Slovenia	36,5%	8,4%	142,9%	-2,4%	-0,4%	-3,1%
Spain	24,7%	23,6%	27,1%	-2,9%	0,4%	-9,5%
Sweden	23,2%	NA	NA	10,1%	NA	NA
<b>Average</b>	15,6%	5,8%	32,7%	4,0%	7,4%	5,5%
<b>Median</b>	12,0%	8,9%	25,4%	0,5%	0,4%	0,0%
<b>Minimum</b>	-10,6%	-60,5%	-33,8%	-9,1%	-10,1%	-9,5%
<b>Maximum</b>	107,9%	43,9%	142,9%	39,0%	58,4%	59,4%
<b>% of NA</b>	4%	41%	41%	4%	37%	37%
<b>% of NAP</b>	0%	7%	11%	0%	7%	11%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

Table 3.18.2: Second instance courts, variation of resolved criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q98)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	-5,6%	-5,7%	-5,6%	-5,7%	-6,3%	-4,4%
Belgium	18,6%	-60,8%	35,1%	0,3%	-6,4%	3,5%
Bulgaria	-9,1%	NAP	NAP	-6,3%	NAP	NAP
Croatia	-25,1%	-0,4%	8,3%	2,0%	-1,4%	5,4%
Cyprus	0,7%	NA	NA	13,8%	NA	NA
Czech Republic	-5,7%	NA	NA	-4,0%	NA	NA
Denmark	-1,3%	-1,3%	NAP	-4,5%	-4,5%	NAP
Estonia	-9,5%	-11,3%	18,0%	-8,1%	-8,8%	1,4%
Finland	5,8%	NA	NA	2,3%	NA	NA
France	NA	NA	NA	NA	NA	NA
Germany	NA	-8,6%	-10,2%	NA	-8,7%	-1,0%
Greece	22,3%	NA	NA	47,2%	53,1%	49,7%
Hungary	7,0%	5,7%	138,7%	-0,2%	-1,0%	57,6%
Ireland	33,5%	8,9%	37,0%	16,1%	33,2%	14,2%
Italy	42,9%	44,6%	0,3%	13,6%	14,1%	-2,5%
Latvia	-14,3%	-4,5%	-38,9%	-4,3%	-14,4%	-11,1%
Lithuania	-2,6%	NA	NA	0,1%	NA	NA
Luxembourg	-15,7%	-13,6%	-29,5%	-11,6%	-9,7%	-24,6%
Malta	9,7%	NA	NA	4,3%	NA	NA
Netherlands	3,5%	NA	NA	-8,8%	NA	NA
Poland	13,9%	27,3%	30,7%	1,0%	3,6%	1,1%
Portugal	12,9%	NA	NA	4,4%	NA	NA
Romania	14,5%	NAP	NAP	5,0%	NAP	NAP
Slovak Republic	-5,2%	NA	NA	3,8%	NA	NA
Slovenia	29,3%	5,2%	117,9%	7,2%	5,2%	15,0%
Spain	19,7%	17,4%	25,1%	0,4%	2,4%	-3,7%
Sweden	30,2%	NA	NA	16,4%	NA	NA
Average	6,8%	0,2%	25,1%	3,4%	3,4%	7,2%
Median	5,8%	-0,9%	18,0%	1,0%	-1,4%	1,3%
Minimum	-25,1%	-60,8%	-38,9%	-11,6%	-14,4%	-24,6%
Maximum	42,9%	44,6%	138,7%	47,2%	53,1%	57,6%
% of NA	7%	41%	41%	7%	37%	37%
% of NAP	0%	7%	11%	0%	7%	11%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

Table 3.18.3: Second instance courts, variation of pending on 31 Dec. criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q98)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	-8,0%	-2,2%	-15,7%	-0,6%	10,8%	-14,2%
Belgium	NA	NA	NA	NA	0,0%	NA
Bulgaria	7,0%	NAP	NAP	-2,2%	NAP	NAP
Croatia	33,4%	59,7%	28,8%	12,6%	28,1%	9,7%
Cyprus	-0,4%	NA	NA	10,3%	NA	NA
Czech Republic	-18,7%	NA	NA	-9,0%	NA	NA
Denmark	41,6%	41,6%	NAP	34,8%	34,8%	NAP
Estonia	-2,7%	-5,8%	57,1%	-7,8%	-10,3%	37,5%
Finland	15,2%	NA	NA	2,8%	NA	NA
France	NA	NA	NA	NA	NA	NA
Germany	NA	-3,3%	-1,9%	NA	0,4%	-2,3%
Greece	NA	NA	NA	200,4%	273,4%	69,3%
Hungary	8,2%	8,1%	31,8%	8,1%	8,0%	38,1%
Ireland	NA	NA	NA	NA	NA	NA
Italy	-8,2%	-8,1%	-14,8%	-4,9%	-5,0%	-4,1%
Latvia	44,0%	43,4%	31,8%	30,9%	29,1%	23,1%
Lithuania	-13,9%	NA	NA	-11,1%	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	11,0%	NA	NA	6,1%	NA	NA
Netherlands	-12,2%	NA	NA	-0,9%	NA	NA
Poland	1,6%	8,8%	-9,1%	-1,2%	3,2%	-14,6%
Portugal	16,3%	NA	NA	11,8%	NA	NA
Romania	15,6%	NAP	NAP	0,5%	NAP	NAP
Slovak Republic	9,8%	NA	NA	7,1%	NA	NA
Slovenia	163,5%	9,0%	1721,9%	-0,1%	-19,8%	18,0%
Spain	44,4%	51,8%	26,4%	6,6%	15,4%	-12,9%
Sweden	28,4%	NA	NA	5,8%	NA	NA
<b>Average</b>	17,9%	18,5%	185,6%	13,6%	28,3%	13,4%
<b>Median</b>	9,8%	8,8%	27,6%	4,3%	8,0%	9,7%
<b>Minimum</b>	-18,7%	-8,1%	-15,7%	-11,1%	-19,8%	-14,6%
<b>Maximum</b>	163,5%	59,7%	1721,9%	200,4%	273,4%	69,3%
<b>% of NA</b>	22%	52%	52%	19%	44%	48%
<b>% of NAP</b>	0%	7%	11%	0%	7%	11%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

Table 3.18.4: Second instance courts, variation of the Clearance Rate of resolved criminal cases between 2020 - 2022 and 2021 - 2022

in percentage points (Q98)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	+0,5	-0,5	+2,7	-1,0	-2,8	+2,5
Belgium	+0,6	-0,8	+3,1	+0,5	-4,5	+3,3
Bulgaria	+1,2	NAP	NAP	+1,8	NAP	NAP
Croatia	-45,4	-11,3	-3,1	+1,6	-3,4	+4,9
Cyprus	-15,6	NA	NA	-12,9	NA	NA
Czech Republic	+2,2	NA	NA	-0,2	NA	NA
Denmark	-10,0	-10,0	NAP	-10,5	-10,5	NAP
Estonia	+1,2	+1,7	-4,6	+1,1	+1,4	-1,3
Finland	-5,8	NA	NA	+4,2	NA	NA
France	NA	NA	NA	NA	NA	NA
Germany	NA	-2,1	-2,3	NA	-3,5	+0,5
Greece	-44,8	NA	NA	+3,6	-1,9	+19,7
Hungary	-3,4	-3,4	+0,2	-1,0	-1,0	-1,2
Ireland	-5,9	-29,8	-2,7	+5,4	-8,4	+7,2
Italy	+18,7	+20,2	-30,7	+5,0	+5,6	-12,3
Latvia	-8,8	-10,8	-7,8	-5,0	-7,1	-4,4
Lithuania	+3,1	NA	NA	+1,5	NA	NA
Luxembourg	-22,4	-20,0	-43,1	-26,7	-24,0	-50,6
Malta	-58,3	NA	NA	-4,0	NA	NA
Netherlands	+5,5	NA	NA	-9,0	NA	NA
Poland	+1,2	+0,1	+4,2	+0,6	+0,7	+4,7
Portugal	-5,4	NA	NA	-2,6	NA	NA
Romania	+0,7	NAP	NAP	+4,2	NAP	NAP
Slovak Republic	-0,6	NA	NA	-0,6	NA	NA
Slovenia	-5,5	-3,2	-11,1	+9,0	+5,5	+15,1
Spain	-4,1	-5,2	-1,6	+3,3	+1,9	+6,2
Sweden	+5,2	NA	NA	+5,3	NA	NA
Average	-7,8	-5,4	-7,4	-1,1	-3,5	-0,4
Median	-3,4	-3,3	-2,7	+0,6	-2,8	+2,9
Minimum	-58,3	-29,8	-43,1	-26,7	-24,0	-50,6
Maximum	+18,7	+20,2	+4,2	+9,0	+5,6	+19,7
% of NA	7%	41%	41%	7%	37%	37%
% of NAP	0%	7%	11%	0%	7%	11%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.18.5: Second instance courts, variation of the Disposition Time of pending on 31 Dec. criminal cases between 2020 - 2022 and 2021 - 2022**

in percentage (Q98)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	-2,5%	3,7%	-10,7%	5,4%	18,3%	-10,2%
Belgium	NA	NA	NA	NA	6,8%	NA
Bulgaria	17,7%	NAP	NAP	4,4%	NAP	NAP
Croatia	78,2%	60,4%	19,0%	10,3%	29,9%	4,0%
Cyprus	-1,1%	NA	NA	-3,0%	NA	NA
Czech Republic	-13,8%	NA	NA	-5,2%	NA	NA
Denmark	43,5%	43,5%	NAP	41,2%	41,2%	NAP
Estonia	7,5%	6,2%	33,1%	0,3%	-1,6%	35,6%
Finland	8,9%	NA	NA	0,5%	NA	NA
France	NA	NA	NA	NA	NA	NA
Germany	NA	5,8%	9,2%	NA	10,0%	-1,3%
Greece	NA	NA	NA	104,1%	143,9%	13,1%
Hungary	1,2%	2,3%	-44,8%	8,4%	9,1%	-12,4%
Ireland	NA	NA	NA	NA	NA	NA
Italy	-35,7%	-36,4%	-15,1%	-16,3%	-16,7%	-1,7%
Latvia	68,0%	50,2%	115,6%	36,9%	50,8%	38,4%
Lithuania	-11,6%	NA	NA	-11,2%	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	1,2%	NA	NA	1,7%	NA	NA
Netherlands	-15,1%	NA	NA	8,7%	NA	NA
Poland	-10,8%	-14,5%	-30,4%	-2,2%	-0,4%	-15,5%
Portugal	3,0%	NA	NA	7,1%	NA	NA
Romania	1,0%	NAP	NAP	-4,3%	NAP	NAP
Slovak Republic	15,9%	NA	NA	3,2%	NA	NA
Slovenia	103,8%	3,6%	736,2%	-6,9%	-23,8%	2,6%
Spain	20,6%	29,3%	1,0%	6,2%	12,8%	-9,6%
Sweden	-1,4%	NA	NA	-9,1%	NA	NA
<b>Average</b>	13,2%	14,0%	81,3%	8,2%	21,6%	3,9%
<b>Median</b>	1,2%	5,8%	5,1%	2,4%	10,0%	-1,3%
<b>Minimum</b>	-35,7%	-36,4%	-44,8%	-16,3%	-23,8%	-15,5%
<b>Maximum</b>	103,8%	60,4%	736,2%	104,1%	143,9%	38,4%
<b>% of NA</b>	22%	52%	52%	19%	44%	48%
<b>% of NAP</b>	0%	7%	11%	0%	7%	11%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

# **Supreme courts, criminal cases by case categories and by case status**

**Table 3.19.1a: Supreme courts, criminal cases - pending on 1st Jan. 2022**

**Absolute values (Q100)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	600	178	NAP	NAP
Belgium	390	NA	NA	NA
Bulgaria	296	239	23	34
Croatia	274	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	147	NA	NA	NAP
Denmark	28	28	NAP	NAP
Estonia	28	NAP	NAP	NAP
Finland	308	NA	NA	NAP
France	3 300	NAP	NAP	27
Germany	801	NA	NA	NA
Greece	680	NA	NA	NA
Hungary	414	414	NAP	NAP
Ireland	16	16	NAP	NAP
Italy	23 735	20 822	479	2 434
Latvia	235	NA	NA	NA
Lithuania	140	NA	NA	NA
Luxembourg	31	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	2 015	NA	NA	NA
Poland	1 372	NA	NA	NA
Portugal	153	153	NAP	NAP
Romania	143	NAP	NAP	NAP
Slovak Republic	316	NA	NA	NAP
Slovenia	201	183	18	NAP
Spain	6 379	NA	NA	NAP
Sweden	324	NA	NA	NA
<b>Average</b>	<b>1 693</b>	<b>2 754</b>	<b>173</b>	<b>832</b>
<b>Median</b>	<b>308</b>	<b>181</b>	<b>23</b>	<b>34</b>
<b>Minimum</b>	<b>16</b>	<b>16</b>	<b>18</b>	<b>27</b>
<b>Maximum</b>	<b>23 735</b>	<b>20 822</b>	<b>479</b>	<b>2 434</b>
<b>% of NA</b>	<b>0%</b>	<b>48%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>7%</b>	<b>22%</b>	<b>41%</b>	<b>59%</b>

**Austria:** The total number of Supreme court, criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.19.1b: Supreme courts, criminal cases - pending on 1st Jan. 2022**

Per 100 inhabitants (Q1, Q100)

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	0,007	0,002	NAP	NAP
Belgium	0,003	NA	NA	NA
Bulgaria	0,005	0,004	0,0004	0,0005
Croatia	0,007	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	0,001	NA	NA	NAP
Denmark	0,000	0,000	NAP	NAP
Estonia	0,002	NAP	NAP	NAP
Finland	0,006	NA	NA	NAP
France	0,005	NAP	NAP	0,0000
Germany	0,001	NA	NA	NA
Greece	0,006	NA	NA	NA
Hungary	0,004	0,004	NAP	NAP
Ireland	0,000	0,000	NAP	NAP
Italy	0,040	0,035	0,0008	0,0041
Latvia	0,012	NA	NA	NA
Lithuania	0,005	NA	NA	NA
Luxembourg	0,005	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	0,011	NA	NA	NA
Poland	0,004	NA	NA	NA
Portugal	0,001	0,001	NAP	NAP
Romania	0,001	NAP	NAP	NAP
Slovak Republic	0,006	NA	NA	NAP
Slovenia	0,009	0,009	0,0009	NAP
Spain	0,013	NA	NA	NAP
Sweden	0,003	NA	NA	NA
<b>Average</b>	<b>0,006</b>	<b>0,007</b>	<b>0,001</b>	<b>0,002</b>
<b>Median</b>	<b>0,005</b>	<b>0,003</b>	<b>0,001</b>	<b>0,001</b>
<b>Minimum</b>	<b>0,000</b>	<b>0,000</b>	<b>0,000</b>	<b>0,000</b>
<b>Maximum</b>	<b>0,040</b>	<b>0,035</b>	<b>0,001</b>	<b>0,004</b>
<b>% of NA</b>	<b>0%</b>	<b>48%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>7%</b>	<b>22%</b>	<b>41%</b>	<b>59%</b>

**Austria:** The total number of Supreme court, criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.19.2a: Supreme courts, criminal cases - incoming in 2022**

**Absolute values (Q100)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	1 404	655	NAP	NAP
Belgium	1 780	NA	NA	NA
Bulgaria	1 027	468	72	487
Croatia	440	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	1 207	NA	NA	NAP
Denmark	63	63	NAP	NAP
Estonia	136	NAP	NAP	NAP
Finland	921	NA	NA	NAP
France	7 500	NAP	NAP	212
Germany	3 026	NA	NA	NA
Greece	1 260	NA	NA	NA
Hungary	1 549	1 549	NAP	NAP
Ireland	33	33	NAP	NAP
Italy	45 363	37 990	697	6 676
Latvia	558	NA	NA	NA
Lithuania	288	NA	NA	NA
Luxembourg	39	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	3 174	NA	NA	NA
Poland	4 224	NA	NA	NA
Portugal	1 024	1 024	NAP	NAP
Romania	205	NAP	NAP	NAP
Slovak Republic	942	NA	NA	NAP
Slovenia	714	650	64	NAP
Spain	9 467	NA	NA	NAP
Sweden	3 184	NA	NA	NA
<b>Average</b>	<b>3 581</b>	<b>5 304</b>	<b>278</b>	<b>2 458</b>
<b>Median</b>	<b>1 027</b>	<b>653</b>	<b>72</b>	<b>487</b>
<b>Minimum</b>	<b>33</b>	<b>33</b>	<b>64</b>	<b>212</b>
<b>Maximum</b>	<b>45 363</b>	<b>37 990</b>	<b>697</b>	<b>6 676</b>
<b>% of NA</b>	<b>0%</b>	<b>48%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>7%</b>	<b>22%</b>	<b>41%</b>	<b>59%</b>

**Austria:** The total number of Supreme court, criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.19.2b: Supreme courts, criminal cases - incoming in 2022**

Per 100 inhabitants (Q1, Q100)

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	0,015	0,007	NAP	NAP
Belgium	0,015	NA	NA	NA
Bulgaria	0,016	0,007	0,001	0,008
Croatia	0,011	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	0,011	NA	NA	NAP
Denmark	0,001	0,001	NAP	NAP
Estonia	0,010	NAP	NAP	NAP
Finland	0,017	NA	NA	NAP
France	0,011	NAP	NAP	0,000
Germany	0,004	NA	NA	NA
Greece	0,012	NA	NA	NA
Hungary	0,016	0,016	NAP	NAP
Ireland	0,001	0,001	NAP	NAP
Italy	0,077	0,065	0,001	0,011
Latvia	0,030	NA	NA	NA
Lithuania	0,010	NA	NA	NA
Luxembourg	0,006	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	0,018	NA	NA	NA
Poland	0,011	NA	NA	NA
Portugal	0,010	0,010	NAP	NAP
Romania	0,001	NAP	NAP	NAP
Slovak Republic	0,017	NA	NA	NAP
Slovenia	0,034	0,031	0,003	NAP
Spain	0,020	NA	NA	NAP
Sweden	0,030	NA	NA	NA
<b>Average</b>	<b>0,016</b>	<b>0,017</b>	<b>0,002</b>	<b>0,006</b>
<b>Median</b>	<b>0,012</b>	<b>0,009</b>	<b>0,001</b>	<b>0,008</b>
<b>Minimum</b>	<b>0,001</b>	<b>0,001</b>	<b>0,001</b>	<b>0,000</b>
<b>Maximum</b>	<b>0,077</b>	<b>0,065</b>	<b>0,003</b>	<b>0,011</b>
<b>% of NA</b>	<b>0%</b>	<b>48%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>7%</b>	<b>22%</b>	<b>41%</b>	<b>59%</b>

**Austria:** The total number of Supreme court, criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.19.3a: Supreme courts, criminal cases - resolved in 2022**

**Absolute values (Q100)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	1 418	695	NAP	NAP
Belgium	1 704	NA	NA	NA
Bulgaria	1 062	500	77	485
Croatia	600	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	1 214	NA	NA	NAP
Denmark	50	50	NAP	NAP
Estonia	134	NAP	NAP	NAP
Finland	856	NA	NA	NAP
France	7 622	NAP	NAP	217
Germany	3 058	NA	NA	NA
Greece	1 058	NA	NA	NA
Hungary	1 521	1 521	NAP	NAP
Ireland	28	28	NAP	NAP
Italy	50 775	42 765	811	7 199
Latvia	633	NA	NA	NA
Lithuania	267	NA	NA	NA
Luxembourg	44	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	2 849	NA	NA	NA
Poland	4 161	NA	NA	NA
Portugal	998	998	NAP	NAP
Romania	306	NAP	NAP	NAP
Slovak Republic	922	NA	NA	NAP
Slovenia	728	653	75	NAP
Spain	8 648	NA	NA	NAP
Sweden	3 065	NA	NA	NA
<b>Average</b>	<b>3 749</b>	<b>5 901</b>	<b>321</b>	<b>2 634</b>
<b>Median</b>	<b>1 058</b>	<b>674</b>	<b>77</b>	<b>485</b>
<b>Minimum</b>	<b>28</b>	<b>28</b>	<b>75</b>	<b>217</b>
<b>Maximum</b>	<b>50 775</b>	<b>42 765</b>	<b>811</b>	<b>7 199</b>
<b>% of NA</b>	<b>0%</b>	<b>48%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>7%</b>	<b>22%</b>	<b>41%</b>	<b>59%</b>

**Austria:** The total number of Supreme court, criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.19.3b: Supreme courts, criminal cases - resolved in 2022**

Per 100 inhabitants (Q1, Q100)

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	0,016	0,008	NAP	NAP
Belgium	0,015	NA	NA	NA
Bulgaria	0,016	0,008	0,001	0,008
Croatia	0,016	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	0,011	NA	NA	NAP
Denmark	0,001	0,001	NAP	NAP
Estonia	0,010	NAP	NAP	NAP
Finland	0,015	NA	NA	NAP
France	0,011	NAP	NAP	0,000
Germany	0,004	NA	NA	NA
Greece	0,010	NA	NA	NA
Hungary	0,016	0,016	NAP	NAP
Ireland	0,001	0,001	NAP	NAP
Italy	0,086	0,073	0,001	0,012
Latvia	0,034	NA	NA	NA
Lithuania	0,009	NA	NA	NA
Luxembourg	0,007	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	0,016	NA	NA	NA
Poland	0,011	NA	NA	NA
Portugal	0,010	0,010	NAP	NAP
Romania	0,002	NAP	NAP	NAP
Slovak Republic	0,017	NA	NA	NAP
Slovenia	0,034	0,031	0,004	NAP
Spain	0,018	NA	NA	NAP
Sweden	0,029	NA	NA	NA
<b>Average</b>	<b>0,017</b>	<b>0,018</b>	<b>0,002</b>	<b>0,007</b>
<b>Median</b>	<b>0,015</b>	<b>0,009</b>	<b>0,001</b>	<b>0,008</b>
<b>Minimum</b>	<b>0,001</b>	<b>0,001</b>	<b>0,001</b>	<b>0,000</b>
<b>Maximum</b>	<b>0,086</b>	<b>0,073</b>	<b>0,004</b>	<b>0,012</b>
<b>% of NA</b>	<b>0%</b>	<b>48%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>7%</b>	<b>22%</b>	<b>41%</b>	<b>59%</b>

**Austria:** The total number of Supreme court, criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.19.4a: Supreme courts, criminal cases - pending on 31 Dec. 2022**

**Absolute values (Q100)**

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	586	138	NAP	NAP
Belgium	466	NA	NA	NA
Bulgaria	261	207	18	36
Croatia	113	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	140	NA	NA	NAP
Denmark	41	41	NAP	NAP
Estonia	30	NAP	NAP	NAP
Finland	373	NA	NA	NAP
France	3 178	NAP	NAP	22
Germany	769	NA	NA	NA
Greece	882	NA	NA	NA
Hungary	442	442	NAP	NAP
Ireland	21	21	NAP	NAP
Italy	18 323	16 047	365	1 911
Latvia	160	NA	NA	NA
Lithuania	161	NA	NA	NA
Luxembourg	26	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	2 183	NA	NA	NA
Poland	1 435	NA	NA	NA
Portugal	179	179	NAP	NAP
Romania	42	NAP	NAP	NAP
Slovak Republic	336	NA	NA	NAP
Slovenia	188	180	8	NAP
Spain	7 198	NA	NA	NAP
Sweden	443	NA	NA	NA
<b>Average</b>	<b>1 519</b>	<b>2 157</b>	<b>130</b>	<b>656</b>
<b>Median</b>	<b>336</b>	<b>180</b>	<b>18</b>	<b>36</b>
<b>Minimum</b>	<b>21</b>	<b>21</b>	<b>8</b>	<b>22</b>
<b>Maximum</b>	<b>18 323</b>	<b>16 047</b>	<b>365</b>	<b>1 911</b>
<b>% of NA</b>	<b>0%</b>	<b>48%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>7%</b>	<b>22%</b>	<b>41%</b>	<b>59%</b>

**Austria:** The total number of Supreme court, criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.19.4b: Supreme courts, criminal cases - pending on 31 Dec. 2022**

Per 100 inhabitants (Q1, Q100)

States	Total number of criminal cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	0,006	0,002	NAP	NAP
Belgium	0,004	NA	NA	NA
Bulgaria	0,004	0,003	0,0003	0,0006
Croatia	0,003	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	0,001	NA	NA	NAP
Denmark	0,001	0,001	NAP	NAP
Estonia	0,002	NAP	NAP	NAP
Finland	0,007	NA	NA	NAP
France	0,005	NAP	NAP	0,0000
Germany	0,001	NA	NA	NA
Greece	0,008	NA	NA	NA
Hungary	0,005	0,005	NAP	NAP
Ireland	0,000	0,000	NAP	NAP
Italy	0,031	0,027	0,0006	0,0032
Latvia	0,008	NA	NA	NA
Lithuania	0,006	NA	NA	NA
Luxembourg	0,004	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	0,012	NA	NA	NA
Poland	0,004	NA	NA	NA
Portugal	0,002	0,002	NAP	NAP
Romania	0,000	NAP	NAP	NAP
Slovak Republic	0,006	NA	NA	NAP
Slovenia	0,009	0,009	0,0004	NAP
Spain	0,015	NA	NA	NAP
Sweden	0,004	NA	NA	NA
<b>Average</b>	<b>0,006</b>	<b>0,006</b>	<b>0,0004</b>	<b>0,0013</b>
<b>Median</b>	<b>0,004</b>	<b>0,002</b>	<b>0,0004</b>	<b>0,0006</b>
<b>Minimum</b>	<b>0,000</b>	<b>0,000</b>	<b>0,0003</b>	<b>0,0000</b>
<b>Maximum</b>	<b>0,031</b>	<b>0,027</b>	<b>0,0006</b>	<b>0,0032</b>
<b>% of NA</b>	<b>0%</b>	<b>48%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>7%</b>	<b>22%</b>	<b>41%</b>	<b>59%</b>

**Austria:** The total number of Supreme court, criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.19.5: Supreme courts, criminal cases - pending more than 2 years in 2022**

**Absolute values and as a percent (%) of the pending cases Dec 31st of the same category (Q100)**

States	Total number of criminal cases pending more than 2 years		Severe criminal ending more than 2 years cases		Misdemeanour and / or minor criminal cases ending more than 2 years		Other criminal ending more than 2 years cases	
	1+2+3		1		2		3	
	Number	As % of pending cases 31 Dec.	Number	As % of pending cases 31 Dec.	Number	As % of pending cases 31 Dec.	Number	As % of pending cases 31 Dec.
Austria	47	8,0%	0	0,0%	NAP	NAP	NAP	NAP
Belgium	9	1,9%	NA	NA	NA	NA	NA	NA
Bulgaria	4	1,5%	4	1,9%	0	0,0%	0	0,0%
Croatia	NA	NA	NA	NA	NA	NA	NAP	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	NA	NA	NA	NA	NA	NA	NAP	NAP
Denmark	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Finland	NA	NA	NA	NA	NA	NA	NAP	NAP
France	54	1,7%	NAP	NAP	NAP	NAP	9	40,9%
Germany	NA	NA	NA	NA	NA	NA	NA	NA
Greece	5	0,6%	5	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NA	NAP	NAP	NAP	NAP
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP
Italy	0	0,0%	0	0,0%	0	0,0%	0	0,0%
Latvia	1	0,6%	NA	NA	NA	NA	NA	NA
Lithuania	0	0,0%	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA
Poland	NA	NA	NA	NA	NA	NA	NA	NA
Portugal	NA	NA	NA	NA	NAP	NAP	NAP	NAP
Romania	1	2,4%	NAP	NAP	NAP	NAP	NAP	NAP
Slovak Republic	9	2,7%	NA	NA	NA	NA	NA	NA
Slovenia	3	1,6%	3	1,7%	0	0,0%	NAP	NAP
Spain	NA	NA	NA	NA	NA	NA	NAP	NAP
Sweden	0	0,0%	NA	NA	NA	NA	NA	NA
<b>Average</b>	<b>11</b>	<b>1,8%</b>	<b>2</b>	<b>0,9%</b>	<b>0</b>	<b>0,0%</b>	<b>3</b>	<b>13,6%</b>
<b>Median</b>	<b>4</b>	<b>1,6%</b>	<b>3</b>	<b>0,8%</b>	<b>0</b>	<b>0,0%</b>	<b>0</b>	<b>0,0%</b>
<b>Minimum</b>	<b>0</b>	<b>0,0%</b>	<b>0</b>	<b>0,0%</b>	<b>0</b>	<b>0,0%</b>	<b>0</b>	<b>0,0%</b>
<b>Maximum</b>	<b>54</b>	<b>8,0%</b>	<b>5</b>	<b>1,9%</b>	<b>0</b>	<b>0,0%</b>	<b>9</b>	<b>40,9%</b>
<b>% of NA</b>	<b>44%</b>	<b>44%</b>	<b>56%</b>	<b>59%</b>	<b>48%</b>	<b>48%</b>	<b>33%</b>	<b>33%</b>
<b>% of NAP</b>	<b>11%</b>	<b>11%</b>	<b>26%</b>	<b>26%</b>	<b>41%</b>	<b>41%</b>	<b>56%</b>	<b>56%</b>

**Austria:** The total number of Supreme court, criminal cases is higher than the sum of the subcategories because it also includes administrative criminal cases for which the distinction between severe and minor offences is not possible.

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

# **Supreme courts, Evolution of the absolute number of criminal cases**

**Table 3.20.1: Supreme courts, Evolution of the total of criminal cases - pending on 1st Jan. 2020 - 2022**

Absolute values (Q100)

States	2020	2021	2022
Austria	621	610	600
Belgium	380	301	390
Bulgaria	293	266	296
Croatia	724	704	274
Cyprus	NAP	NAP	NAP
Czech Republic	183	150	147
Denmark	35	33	28
Estonia	10	23	28
Finland	205	243	308
France	3302	2998	3300
Germany	784	658	801
Greece	NA	16	680
Hungary	325	265	414
Ireland	25	26	16
Italy	23583	24478	23735
Latvia	141	177	235
Lithuania	93	89	140
Luxembourg	39	31	31
Malta	NAP	NAP	NAP
Netherlands	2363	2318	2015
Poland	1819	1487	1372
Portugal	156	173	153
Romania	145	134	143
Slovak Republic	268	278	316
Slovenia	303	278	201
Spain	4373	6302	6379
Sweden	188	268	324
Average	1682	1692	1693
Median	281	266	308
Minimum	10	16	16
Maximum	23583	24478	23735
% of NA	4%	0%	0%
% of NAP	7%	7%	7%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.20.2: Supreme courts, Evolution of the severe criminal cases - pending on 1st Jan.**  
**Absolute values (Q100)**

States	2020	2021	2022
Austria	165	146	178
Belgium	NA	NA	NA
Bulgaria	231	215	239
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	35	33	28
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	0	NA
Hungary	325	265	414
Ireland	25	26	16
Italy	21261	21398	20822
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	156	173	153
Romania	NAP	NAP	NAP
Slovak Republic	268	NA	NA
Slovenia	294	266	183
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	<b>2529</b>	<b>2502</b>	<b>2754</b>
<b>Median</b>	<b>231</b>	<b>173</b>	<b>181</b>
<b>Minimum</b>	<b>25</b>	<b>0</b>	<b>16</b>
<b>Maximum</b>	<b>21261</b>	<b>21398</b>	<b>20822</b>
<b>% of NA</b>	<b>41%</b>	<b>41%</b>	<b>48%</b>
<b>% of NAP</b>	<b>26%</b>	<b>26%</b>	<b>22%</b>

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.20.3: Supreme courts, Evolution of the misdemeanour and / or minor criminal cases - Absolute values (Q100)**

States	2020	2021	2022
Austria	NAP	NAP	NAP
Belgium	NA	NA	NA
Bulgaria	22	29	23
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	16	NA
Hungary	NAP	NAP	NAP
Ireland	NAP	NAP	NAP
Italy	510	550	479
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NAP	NAP	NAP
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	9	12	18
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	180	152	173
<b>Median</b>	22	23	23
<b>Minimum</b>	9	12	18
<b>Maximum</b>	510	550	479
<b>% of NA</b>	44%	41%	48%
<b>% of NAP</b>	44%	44%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.20.4: Supreme courts, Evolution of the total of criminal cases - incoming**  
**Absolute values (Q100)**

States	2020	2021	2022
Austria	1393	1336	1404
Belgium	1353	1698	1780
Bulgaria	1035	1141	1027
Croatia	2100	704	440
Cyprus	NAP	NAP	NAP
Czech Republic	1410	1383	1207
Denmark	60	49	63
Estonia	101	81	136
Finland	833	889	921
France	7199	7360	7500
Germany	2984	3257	3026
Greece	NA	1323	1260
Hungary	1414	1527	1549
Ireland	33	35	33
Italy	38508	46298	45363
Latvia	686	662	558
Lithuania	261	303	288
Luxembourg	42	50	39
Malta	NAP	NAP	NAP
Netherlands	3414	3346	3174
Poland	3226	3915	4224
Portugal	959	986	1024
Romania	353	408	205
Slovak Republic	1016	1099	942
Slovenia	663	714	714
Spain	7506	8990	9467
Sweden	2236	2649	3184
<b>Average</b>	<b>3283</b>	<b>3608</b>	<b>3581</b>
<b>Median</b>	<b>1194</b>	<b>1141</b>	<b>1027</b>
<b>Minimum</b>	<b>33</b>	<b>35</b>	<b>33</b>
<b>Maximum</b>	<b>38508</b>	<b>46298</b>	<b>45363</b>
<b>% of NA</b>	<b>4%</b>	<b>0%</b>	<b>0%</b>
<b>% of NAP</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.20.5: Evolution of the first instance severe criminal cases - incoming**  
**Absolute values (Q100)**

States	2020	2021	2022
Austria	679	741	655
Belgium	NA	NA	NA
Bulgaria	525	609	468
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	60	49	63
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	1260	NA
Hungary	1414	1527	1549
Ireland	33	35	33
Italy	31695	38544	37990
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	959	986	1024
Romania	NAP	NAP	NAP
Slovak Republic	1016	NA	NA
Slovenia	622	671	650
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	4111	4936	5304
<b>Median</b>	679	741	653
<b>Minimum</b>	33	35	33
<b>Maximum</b>	31695	38544	37990
<b>% of NA</b>	41%	41%	48%
<b>% of NAP</b>	26%	26%	22%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.20.6: Evolution of the first instance misdemeanour and / or minor criminal cases - incoming**  
**Absolute values (Q100)**

States	2020	2021	2022
Austria	NAP	NAP	NAP
Belgium	NA	NA	NA
Bulgaria	88	68	72
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	63	NA
Hungary	NAP	NAP	NAP
Ireland	NAP	NAP	NAP
Italy	598	687	697
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NAP	NAP	NAP
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	42	43	64
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	243	215	278
<b>Median</b>	88	66	72
<b>Minimum</b>	42	43	64
<b>Maximum</b>	598	687	697
<b>% of NA</b>	44%	41%	48%
<b>% of NAP</b>	44%	44%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.20.7: Evolution of the first instance total of criminal cases - resolved**  
**Absolute values (Q100)**

States	2020	2021	2022
Austria	1428	1348	1418
Belgium	1372	1609	1704
Bulgaria	1062	1110	1062
Croatia	2120	1133	600
Cyprus	NAP	NAP	NAP
Czech Republic	1443	1386	1214
Denmark	62	54	50
Estonia	88	62	134
Finland	778	800	856
France	7503	7382	7622
Germany	3110	3114	3058
Greece	NA	1162	1058
Hungary	1474	1378	1521
Ireland	34	46	28
Italy	37618	47040	50775
Latvia	650	604	633
Lithuania	265	252	267
Luxembourg	50	50	44
Malta	NAP	NAP	NAP
Netherlands	3246	3417	2849
Poland	3570	4018	4161
Portugal	942	1006	998
Romania	364	399	306
Slovak Republic	1006	1061	922
Slovenia	688	791	728
Spain	5577	8834	8648
Sweden	2156	2592	3065
<b>Average</b>	3192	3626	3749
<b>Median</b>	1217	1133	1058
<b>Minimum</b>	34	46	28
<b>Maximum</b>	37618	47040	50775
<b>% of NA</b>	4%	0%	0%
<b>% of NAP</b>	7%	7%	7%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.20.8: Evolution of the first instance severe criminal cases - resolved**  
**Absolute values (Q100)**

States	2020	2021	2022
Austria	698	709	695
Belgium	NA	NA	NA
Bulgaria	541	584	500
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	62	54	50
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	1106	NA
Hungary	1474	1378	1521
Ireland	34	46	28
Italy	31558	39119	42765
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	942	1006	998
Romania	NAP	NAP	NAP
Slovak Republic	1006	NA	NA
Slovenia	650	754	653
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	4107	4973	5901
<b>Median</b>	698	754	674
<b>Minimum</b>	34	46	28
<b>Maximum</b>	31558	39119	42765
<b>% of NA</b>	41%	41%	48%
<b>% of NAP</b>	26%	26%	22%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.20.9: Supreme courts, Evolution of the misdemeanour and / or minor criminal cases - resolved**  
**Absolute values (Q100)**

States	2020	2021	2022
Austria	NAP	NAP	NAP
Belgium	NA	NA	NA
Bulgaria	81	74	77
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	56	NA
Hungary	NAP	NAP	NAP
Ireland	NAP	NAP	NAP
Italy	558	758	811
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NAP	NAP	NAP
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	38	37	75
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	226	231	321
<b>Median</b>	81	65	77
<b>Minimum</b>	38	37	75
<b>Maximum</b>	558	758	811
<b>% of NA</b>	44%	41%	48%
<b>% of NAP</b>	44%	44%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.20.10: Supreme courts, Evolution of the total of criminal cases - pending on 31st Dec.**

**Absolute values (Q100)**

States	2020	2021	2022
Austria	586	598	586
Belgium	361	390	466
Bulgaria	266	297	261
Croatia	704	274	113
Cyprus	NAP	NAP	NAP
Czech Republic	150	147	140
Denmark	33	28	41
Estonia	23	42	30
Finland	260	332	373
France	2998	2976	3178
Germany	658	801	769
Greece	NA	177	882
Hungary	265	414	442
Ireland	24	15	21
Italy	24473	23736	18323
Latvia	177	235	160
Lithuania	86	140	161
Luxembourg	31	31	26
Malta	NAP	NAP	NAP
Netherlands	2318	2015	2183
Poland	1475	1384	1435
Portugal	173	153	179
Romania	134	143	42
Slovak Republic	278	316	336
Slovenia	278	201	188
Spain	6302	6379	7198
Sweden	268	325	443
<b>Average</b>	1763	1662	1519
<b>Median</b>	267	297	336
<b>Minimum</b>	23	15	21
<b>Maximum</b>	24473	23736	18323
<b>% of NA</b>	4%	0%	0%
<b>% of NAP</b>	7%	7%	7%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.20.11: Supreme courts, Evolution of the severe criminal cases - pending on 31st Dec.**

**Absolute values (Q100)**

States	2020	2021	2022
Austria	146	178	138
Belgium	NA	NA	NA
Bulgaria	215	240	207
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	33	28	41
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	154	NA
Hungary	265	414	442
Ireland	24	15	21
Italy	21398	20823	16047
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	173	153	179
Romania	NAP	NAP	NAP
Slovak Republic	278	NA	NA
Slovenia	266	183	180
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	2533	2465	2157
<b>Median</b>	215	178	180
<b>Minimum</b>	24	15	21
<b>Maximum</b>	21398	20823	16047
<b>% of NA</b>	41%	41%	48%
<b>% of NAP</b>	26%	26%	22%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.20.12: Supreme courts, Evolution of the misdemeanour and / or minor criminal cases - pending on 31st Dec.**  
**Absolute values (Q100)**

States	2020	2021	2022
Austria	NAP	NAP	NAP
Belgium	NA	NA	NA
Bulgaria	29	23	18
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	23	NA
Hungary	NAP	NAP	NAP
Ireland	NAP	NAP	NAP
Italy	550	479	365
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NAP	NAP	NAP
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	12	18	8
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	197	136	130
<b>Median</b>	29	23	18
<b>Minimum</b>	12	18	8
<b>Maximum</b>	550	479	365
<b>% of NA</b>	44%	41%	48%
<b>% of NAP</b>	44%	44%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.20.13: Supreme courts, Evolution of the total criminal cases - pending more than 2 years**

Absolute values (Q100)

States	2020	2021	2022
Austria	9	25	47
Belgium	61	1	9
Bulgaria	4	5	4
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	NA	NA	NA
Estonia	0	0	NAP
Finland	NA	NA	NA
France	NA	NA	54
Germany	NA	NA	NA
Greece	NA	0	5
Hungary	NA	NA	NA
Ireland	NA	NA	NA
Italy	48	99	0
Latvia	0	0	1
Lithuania	0	0	0
Luxembourg	NA	NA	NA
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NA	NA	NA
Romania	4	2	1
Slovak Republic	NA	7	9
Slovenia	2	5	3
Spain	NA	NA	NA
Sweden	1	0	0
<b>Average</b>	<b>13</b>	<b>12</b>	<b>11</b>
<b>Median</b>	<b>3</b>	<b>2</b>	<b>4</b>
<b>Minimum</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Maximum</b>	<b>61</b>	<b>99</b>	<b>54</b>
<b>% of NA</b>	<b>56%</b>	<b>48%</b>	<b>44%</b>
<b>% of NAP</b>	<b>7%</b>	<b>7%</b>	<b>11%</b>

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.20.14: Supreme courts, Evolution of the severe criminal cases - pending more than 2 years**

Absolute values (Q100)

States	2020	2021	2022
Austria	0	0	0
Belgium	NA	NA	NA
Bulgaria	4	5	4
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	NA	NA	NA
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	0	5
Hungary	NA	NA	NA
Ireland	NA	NA	NA
Italy	43	91	0
Latvia	NA	NA	NA
Lithuania	NAP	NAP	NAP
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NA	NA	NA
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	2	5	3
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	12	20	2
<b>Median</b>	3	5	3
<b>Minimum</b>	0	0	0
<b>Maximum</b>	43	91	5
<b>% of NA</b>	56%	52%	56%
<b>% of NAP</b>	30%	30%	26%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.20.15: Supreme courts, Evolution of the misdemeanour and / or minor criminal cases - pending more than 2 years**  
**Absolute values (Q100)**

States	2020	2021	2022
Austria	NAP	NAP	NAP
Belgium	NA	NA	NA
Bulgaria	0	0	0
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	NA	NA	NA
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	0	NA
Hungary	NAP	NAP	NAP
Ireland	NAP	NAP	NAP
Italy	5	4	0
Latvia	NA	NA	NA
Lithuania	NAP	NAP	NAP
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NAP	NAP	NAP
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	0	0	0
Spain	NA	NA	NA
Sweden	NA	NA	NA
Average	2	1	0
Median	0	0	0
Minimum	0	0	0
Maximum	5	4	0
% of NA	44%	41%	48%
% of NAP	44%	44%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

# **Clearance rate and Disposition time for Supreme court criminal cases**

**Table 3.21.1: Supreme courts, Clearance rate (%) of criminal cases in 2022 (Q100)**

States	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
	1+2+3	1	2	3
Austria	101,0%	106,1%	NAP	NAP
Belgium	95,7%	NA	NA	NA
Bulgaria	103,4%	106,8%	106,9%	99,6%
Croatia	136,4%	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	100,6%	NA	NA	NAP
Denmark	79,4%	79,4%	NAP	NAP
Estonia	98,5%	NAP	NAP	NAP
Finland	92,9%	NA	NA	NAP
France	101,6%	NAP	NAP	102,4%
Germany	101,1%	NA	NA	NA
Greece	84,0%	NA	NA	NA
Hungary	98,2%	98,2%	NAP	NAP
Ireland	84,8%	84,8%	NAP	NAP
Italy	111,9%	112,6%	116,4%	107,8%
Latvia	113,4%	NA	NA	NA
Lithuania	92,7%	NA	NA	NA
Luxembourg	112,8%	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	89,8%	NA	NA	NA
Poland	98,5%	NA	NA	NA
Portugal	97,5%	97,5%	NAP	NAP
Romania	149,3%	NAP	NAP	NAP
Slovak Republic	97,9%	NA	NA	NAP
Slovenia	102,0%	100,5%	117,2%	NAP
Spain	91,3%	NA	NA	NAP
Sweden	96,3%	NA	NA	NA
Average	101,2%	98,2%	113,5%	103,3%
Median	98,5%	99,3%	116,4%	102,4%
Minimum	79,4%	79,4%	106,9%	99,6%
Maximum	149,3%	112,6%	117,2%	107,8%
% of NA	0%	48%	48%	30%
% of NAP	7%	22%	41%	59%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.21.2: Supreme courts, Disposition time (in days) of criminal cases in 2022 (Q100)**

States	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Other criminal cases
Austria	151	72	NAP	NAP
Belgium	100	NA	NA	NA
Bulgaria	90	151	85	27
Croatia	69	NA	NA	NAP
Cyprus	NAP	NAP	NAP	NAP
Czech Republic	42	NA	NA	NAP
Denmark	299	299	NAP	NAP
Estonia	82	NAP	NAP	NAP
Finland	159	NA	NA	NAP
France	152	NAP	NAP	37
Germany	92	NA	NA	NA
Greece	304	NA	NA	NA
Hungary	106	106	NAP	NAP
Ireland	274	274	NAP	NAP
Italy	132	137	164	97
Latvia	92	NA	NA	NA
Lithuania	220	NA	NA	NA
Luxembourg	216	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP
Netherlands	280	NA	NA	NA
Poland	126	NA	NA	NA
Portugal	65	65	NAP	NAP
Romania	50	NAP	NAP	NAP
Slovak Republic	133	NA	NA	NAP
Slovenia	94	101	39	NAP
Spain	304	NA	NA	NAP
Sweden	53	NA	NA	NA
<b>Average</b>	<b>147</b>	<b>151</b>	<b>96</b>	<b>54</b>
<b>Median</b>	<b>126</b>	<b>122</b>	<b>85</b>	<b>37</b>
<b>Minimum</b>	<b>42</b>	<b>65</b>	<b>39</b>	<b>27</b>
<b>Maximum</b>	<b>304</b>	<b>299</b>	<b>164</b>	<b>97</b>
<b>% of NA</b>	<b>0%</b>	<b>48%</b>	<b>48%</b>	<b>30%</b>
<b>% of NAP</b>	<b>7%</b>	<b>22%</b>	<b>41%</b>	<b>59%</b>

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.21.3: Supreme courts, Evolution of the Clearance rate (%) of the total criminal cases 2020 - 2022**

(Q100)

States	2020	2021	2022
Austria	102,5%	100,9%	101,0%
Belgium	101,4%	94,8%	95,7%
Bulgaria	102,6%	97,3%	103,4%
Croatia	101,0%	160,9%	136,4%
Cyprus	NAP	NAP	NAP
Czech Republic	102,3%	100,2%	100,6%
Denmark	103,3%	110,2%	79,4%
Estonia	87,1%	76,5%	98,5%
Finland	93,4%	90,0%	92,9%
France	104,2%	100,3%	101,6%
Germany	104,2%	95,6%	101,1%
Greece	NA	87,8%	84,0%
Hungary	104,2%	90,2%	98,2%
Ireland	103,0%	131,4%	84,8%
Italy	97,7%	101,6%	111,9%
Latvia	94,8%	91,2%	113,4%
Lithuania	101,5%	83,2%	92,7%
Luxembourg	119,0%	100,0%	112,8%
Malta	NAP	NAP	NAP
Netherlands	95,1%	102,1%	89,8%
Poland	110,7%	102,6%	98,5%
Portugal	98,2%	102,0%	97,5%
Romania	103,1%	97,8%	149,3%
Slovak Republic	99,0%	96,5%	97,9%
Slovenia	103,8%	110,8%	102,0%
Spain	74,3%	98,3%	91,3%
Sweden	96,4%	97,8%	96,3%
<b>Average</b>	100,1%	100,8%	101,2%
<b>Median</b>	101,9%	98,3%	98,5%
<b>Minimum</b>	74,3%	76,5%	79,4%
<b>Maximum</b>	119,0%	160,9%	149,3%
<b>% of NA</b>	4%	0%	0%
<b>% of NAP</b>	7%	7%	7%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.21.4: Supreme courts, Evolution of the Disposition Time (in days) of the total criminal cases 2020 - 2022**

(Q100)

States	2020	2021	2022
Austria	150	162	151
Belgium	96	88	100
Bulgaria	91	98	90
Croatia	121	88	69
Cyprus	NAP	NAP	NAP
Czech Republic	38	39	42
Denmark	194	189	299
Estonia	95	247	82
Finland	122	151	159
France	146	147	152
Germany	77	94	92
Greece	NA	56	304
Hungary	66	110	106
Ireland	258	119	274
Italy	237	184	132
Latvia	99	142	92
Lithuania	118	203	220
Luxembourg	226	226	216
Malta	NAP	NAP	NAP
Netherlands	261	215	280
Poland	151	126	126
Portugal	67	56	65
Romania	134	131	50
Slovak Republic	101	109	133
Slovenia	147	93	94
Spain	412	264	304
Sweden	45	46	53
<b>Average</b>	144	135	147
<b>Median</b>	122	126	126
<b>Minimum</b>	38	39	42
<b>Maximum</b>	412	264	304
<b>% of NA</b>	4%	0%	0%
<b>% of NAP</b>	7%	7%	7%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Greece:** The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

**Table 3.21.5: Supreme courts, Evolution of the Clearance rate (%) of the severe criminal cases 2020 - 2022**

(Q100)

States	2020	2021	2022
Austria	102,8%	95,7%	106,1%
Belgium	NA	NA	NA
Bulgaria	103,0%	95,9%	106,8%
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	103,3%	110,2%	79,4%
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	87,8%	NA
Hungary	104,2%	90,2%	98,2%
Ireland	103,0%	131,4%	84,8%
Italy	99,6%	101,5%	112,6%
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	98,2%	102,0%	97,5%
Romania	NAP	NAP	NAP
Slovak Republic	99,0%	NA	NA
Slovenia	104,5%	112,4%	100,5%
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	102,0%	103,0%	98,2%
<b>Median</b>	103,0%	101,5%	99,3%
<b>Minimum</b>	98,2%	87,8%	79,4%
<b>Maximum</b>	104,5%	131,4%	112,6%
<b>% of NA</b>	41%	41%	48%
<b>% of NAP</b>	26%	26%	22%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.21.6: Supreme courts, Evolution of the Disposition Time (in days) of the severe criminal cases 2020 - 2022**

(Q100)

States	2020	2021	2022
Austria	76	92	72
Belgium	NA	NA	NA
Bulgaria	145	150	151
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	194	189	299
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	51	NA
Hungary	66	110	106
Ireland	258	119	274
Italy	247	194	137
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	67	56	65
Romania	NAP	NAP	NAP
Slovak Republic	101	NA	NA
Slovenia	149	89	101
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	145	117	151
<b>Median</b>	145	110	122
<b>Minimum</b>	66	51	65
<b>Maximum</b>	258	194	299
<b>% of NA</b>	41%	41%	48%
<b>% of NAP</b>	26%	26%	22%

**Cyprus and Malta** have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.21.7: Supreme courts, Evolution of the Clearance rate (%) of the misdemeanour and / or minor criminal cases 2020 - 2022**

(Q100)

States	2020	2021	2022
Austria	NAP	NAP	NAP
Belgium	NA	NA	NA
Bulgaria	92,0%	108,8%	106,9%
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	88,9%	NA
Hungary	NAP	NAP	NAP
Ireland	NAP	NAP	NAP
Italy	93,3%	110,3%	116,4%
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NAP	NAP	NAP
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	90,5%	86,0%	117,2%
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	91,9%	98,5%	113,5%
<b>Median</b>	92,0%	98,9%	116,4%
<b>Minimum</b>	90,5%	86,0%	106,9%
<b>Maximum</b>	93,3%	110,3%	117,2%
<b>% of NA</b>	44%	41%	48%
<b>% of NAP</b>	44%	44%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

**Table 3.21.8: Supreme courts, Evolution of the Disposition Time (in days) of the misdemeanour and / or minor criminal cases 2020 - 2022**

(Q100)

States	2020	2021	2022
Austria	NAP	NAP	NAP
Belgium	NA	NA	NA
Bulgaria	131	113	85
Croatia	NA	NA	NA
Cyprus	NAP	NAP	NAP
Czech Republic	NA	NA	NA
Denmark	NAP	NAP	NAP
Estonia	NAP	NAP	NAP
Finland	NAP	NAP	NA
France	NAP	NAP	NAP
Germany	NA	NA	NA
Greece	NA	150	NA
Hungary	NAP	NAP	NAP
Ireland	NAP	NAP	NAP
Italy	360	231	164
Latvia	NA	NA	NA
Lithuania	NA	NA	NA
Luxembourg	NAP	NAP	NAP
Malta	NAP	NAP	NAP
Netherlands	NA	NA	NA
Poland	NA	NA	NA
Portugal	NAP	NAP	NAP
Romania	NAP	NAP	NAP
Slovak Republic	NA	NA	NA
Slovenia	115	178	39
Spain	NA	NA	NA
Sweden	NA	NA	NA
<b>Average</b>	202	168	96
<b>Median</b>	131	164	85
<b>Minimum</b>	115	113	39
<b>Maximum</b>	360	231	164
<b>% of NA</b>	44%	41%	48%
<b>% of NAP</b>	44%	44%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

# Supreme courts, Variations for criminal cases

Table 3.22.1: Supreme courts, variation of the incoming criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q100)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	0,8%	-3,5%	NAP	5,1%	-11,6%	NAP
Belgium	31,6%	NA	NA	4,8%	NA	NA
Bulgaria	-0,8%	-10,9%	-18,2%	-10,0%	-23,2%	5,9%
Croatia	-79,0%	NA	NA	-37,5%	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	-14,4%	NA	NA	-12,7%	NA	NA
Denmark	5,0%	5,0%	NAP	28,6%	28,6%	NAP
Estonia	34,7%	NAP	NAP	67,9%	NAP	NAP
Finland	10,6%	NA	NA	3,6%	NA	NA
France	4,2%	NAP	NAP	1,9%	NAP	NAP
Germany	1,4%	NA	NA	-7,1%	NA	NA
Greece	NA	NA	NA	-4,8%	NA	NA
Hungary	9,5%	9,5%	NAP	1,4%	1,4%	NAP
Ireland	0,0%	0,0%	NAP	-5,7%	-5,7%	NAP
Italy	17,8%	19,9%	16,6%	-2,0%	-1,4%	1,5%
Latvia	-18,7%	NA	NA	-15,7%	NA	NA
Lithuania	10,3%	NA	NA	-5,0%	NA	NA
Luxembourg	-7,1%	NAP	NAP	-22,0%	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	-7,0%	NA	NA	-5,1%	NA	NA
Poland	30,9%	NA	NA	7,9%	NA	NA
Portugal	6,8%	6,8%	NAP	3,9%	3,9%	NAP
Romania	-41,9%	NAP	NAP	-49,8%	NAP	NAP
Slovak Republic	-7,3%	NA	NA	-14,3%	NA	NA
Slovenia	7,7%	4,5%	52,4%	0,0%	-3,1%	48,8%
Spain	26,1%	NA	NA	5,3%	NA	NA
Sweden	42,4%	NA	NA	20,2%	NA	NA
<b>Average</b>	2,6%	3,9%	16,9%	-1,6%	-1,4%	18,7%
<b>Median</b>	4,6%	4,8%	16,6%	-2,0%	-2,3%	5,9%
<b>Minimum</b>	-79,0%	-10,9%	-18,2%	-49,8%	-23,2%	1,5%
<b>Maximum</b>	42,4%	19,9%	52,4%	67,9%	28,6%	48,8%
<b>% of NA</b>	4%	48%	48%	0%	48%	48%
<b>% of NAP</b>	7%	22%	41%	7%	22%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Table 3.22.2: Supreme courts, variation of resolved criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q100)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	-0,7%	-0,4%	NAP	5,2%	-2,0%	NAP
Belgium	24,2%	NA	NA	5,9%	NA	NA
Bulgaria	0,0%	-7,6%	-4,9%	-4,3%	-14,4%	4,1%
Croatia	-71,7%	NA	NA	-47,0%	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	-15,9%	NA	NA	-12,4%	NA	NA
Denmark	-19,4%	-19,4%	NAP	-7,4%	-7,4%	NAP
Estonia	52,3%	NAP	NAP	116,1%	NAP	NAP
Finland	10,0%	NA	NA	7,0%	NA	NA
France	1,6%	NAP	NAP	3,3%	NAP	NAP
Germany	-1,7%	NA	NA	-1,8%	NA	NA
Greece	NA	NA	NA	-9,0%	NA	NA
Hungary	3,2%	3,2%	NAP	10,4%	10,4%	NAP
Ireland	-17,6%	-17,6%	NAP	-39,1%	-39,1%	NAP
Italy	35,0%	35,5%	45,3%	7,9%	9,3%	7,0%
Latvia	-2,6%	NA	NA	4,8%	NA	NA
Lithuania	0,8%	NA	NA	6,0%	NA	NA
Luxembourg	-12,0%	NAP	NAP	-12,0%	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	-12,2%	NA	NA	-16,6%	NA	NA
Poland	16,6%	NA	NA	3,6%	NA	NA
Portugal	5,9%	5,9%	NAP	-0,8%	-0,8%	NAP
Romania	-15,9%	NAP	NAP	-23,3%	NAP	NAP
Slovak Republic	-8,3%	NA	NA	-13,1%	NA	NA
Slovenia	5,8%	0,5%	97,4%	-8,0%	-13,4%	102,7%
Spain	55,1%	NA	NA	-2,1%	NA	NA
Sweden	42,2%	NA	NA	18,2%	NA	NA
<b>Average</b>	3,1%	0,0%	45,9%	-0,3%	-7,2%	37,9%
<b>Median</b>	0,4%	0,0%	45,3%	-1,8%	-4,7%	7,0%
<b>Minimum</b>	-71,7%	-19,4%	-4,9%	-47,0%	-39,1%	4,1%
<b>Maximum</b>	55,1%	35,5%	97,4%	116,1%	10,4%	102,7%
<b>% of NA</b>	4%	48%	48%	0%	48%	48%
<b>% of NAP</b>	7%	22%	41%	7%	22%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Table 3.22.3: Supreme courts, variation of pending on 31 Dec. criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q100)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	0,0%	-5,5%	NAP	-2,0%	-22,5%	NAP
Belgium	29,1%	NA	NA	19,5%	NA	NA
Bulgaria	-1,9%	-3,7%	-37,9%	-12,1%	-13,8%	-21,7%
Croatia	-83,9%	NA	NA	-58,8%	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	-6,7%	NA	NA	-4,8%	NA	NA
Denmark	24,2%	24,2%	NAP	46,4%	46,4%	NAP
Estonia	30,4%	NAP	NAP	-28,6%	NAP	NAP
Finland	43,5%	NA	NA	12,3%	NA	NA
France	6,0%	NAP	NAP	6,8%	NAP	NAP
Germany	16,9%	NA	NA	-4,0%	NA	NA
Greece	NA	NA	NA	398,3%	NA	NA
Hungary	66,8%	66,8%	NAP	6,8%	6,8%	NAP
Ireland	-12,5%	-12,5%	NAP	40,0%	40,0%	NAP
Italy	-25,1%	-25,0%	-33,6%	-22,8%	-22,9%	-23,8%
Latvia	-9,6%	NA	NA	-31,9%	NA	NA
Lithuania	87,2%	NA	NA	15,0%	NA	NA
Luxembourg	-16,1%	NAP	NAP	-16,1%	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	-5,8%	NA	NA	8,3%	NA	NA
Poland	-2,7%	NA	NA	3,7%	NA	NA
Portugal	3,5%	3,5%	NAP	17,0%	17,0%	NAP
Romania	-68,7%	NAP	NAP	-70,6%	NAP	NAP
Slovak Republic	20,9%	NA	NA	6,3%	NA	NA
Slovenia	-32,4%	-32,3%	-33,3%	-6,5%	-1,6%	-55,6%
Spain	14,2%	NA	NA	12,8%	NA	NA
Sweden	65,3%	NA	NA	36,3%	NA	NA
<b>Average</b>	5,9%	1,9%	-35,0%	14,9%	6,2%	-33,7%
<b>Median</b>	1,7%	-4,6%	-33,6%	6,3%	2,6%	-23,8%
<b>Minimum</b>	-83,9%	-32,3%	-37,9%	-70,6%	-22,9%	-55,6%
<b>Maximum</b>	87,2%	66,8%	-33,3%	398,3%	46,4%	-21,7%
<b>% of NA</b>	4%	48%	48%	0%	48%	48%
<b>% of NAP</b>	7%	22%	41%	7%	22%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

Table 3.22.4: Supreme courts, variation of the Clearance Rate of resolved criminal cases between 2020 - 2022 and 2021 - 2022

in percentage points (Q100)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	-1,5	+3,3	NAP	+0,1	+10,4	NAP
Belgium	-5,7	NA	NA	+1,0	NA	NA
Bulgaria	+0,8	+3,8	+14,9	+6,1	+10,9	-1,9
Croatia	+35,4	NA	NA	-24,6	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	-1,8	NA	NA	+0,4	NA	NA
Denmark	-24,0	-24,0	NAP	-30,8	-30,8	NAP
Estonia	+11,4	NAP	NAP	+22,0	NAP	NAP
Finland	-0,5	NA	NA	+3,0	NA	NA
France	-2,6	NAP	NAP	+1,3	NAP	NAP
Germany	-3,2	NA	NA	+5,4	NA	NA
Greece	NA	NA	NA	-3,9	NA	NA
Hungary	-6,1	-6,1	NAP	+8,0	+8,0	NAP
Ireland	-18,2	-18,2	NAP	-46,6	-46,6	NAP
Italy	+14,2	+13,0	+23,0	+10,3	+11,1	+6,0
Latvia	+18,7	NA	NA	+22,2	NA	NA
Lithuania	-8,8	NA	NA	+9,5	NA	NA
Luxembourg	-6,2	NAP	NAP	+12,8	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	-5,3	NA	NA	-12,4	NA	NA
Poland	-12,2	NA	NA	-4,1	NA	NA
Portugal	-0,8	-0,8	NAP	-4,6	-4,6	NAP
Romania	+46,2	NAP	NAP	+51,5	NAP	NAP
Slovak Republic	-1,1	NA	NA	+1,3	NA	NA
Slovenia	-1,8	-4,0	+26,7	-8,8	-11,9	+31,1
Spain	+17,0	NA	NA	-6,9	NA	NA
Sweden	-0,2	NA	NA	-1,6	NA	NA
<b>Average</b>	+1,8	-4,1	+21,6	+0,4	-6,7	+11,8
<b>Median</b>	-1,6	-2,4	+23,0	+1,0	+1,7	+6,0
<b>Minimum</b>	-24,0	-24,0	+14,9	-46,6	-46,6	-1,9
<b>Maximum</b>	+46,2	+13,0	+26,7	+51,5	+11,1	+31,1
<b>% of NA</b>	4%	48%	48%	0%	48%	48%
<b>% of NAP</b>	7%	22%	41%	7%	22%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Table 3.22.5: Supreme courts, variation of the Disposition Time of pending on 31 Dec. criminal cases between 2020 - 2022 and 2021 - 2022

in percentage (Q100)

States	Variations 2020 - 2022			Variations 2021 - 2022		
	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total number of criminal law cases	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	0,7%	-5,1%	NAP	-6,8%	-20,9%	NAP
Belgium	3,9%	NA	NA	12,8%	NA	NA
Bulgaria	-1,9%	4,2%	-34,7%	-8,1%	0,7%	-24,8%
Croatia	-43,3%	NA	NA	-22,1%	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	10,9%	NA	NA	8,7%	NA	NA
Denmark	54,1%	54,1%	NAP	58,1%	58,1%	NAP
Estonia	-14,3%	NAP	NAP	-67,0%	NAP	NAP
Finland	30,4%	NA	NA	5,0%	NA	NA
France	4,3%	NAP	NAP	3,4%	NAP	NAP
Germany	18,9%	NA	NA	-2,2%	NA	NA
Greece	NA	NA	NA	447,3%	NA	NA
Hungary	61,6%	61,6%	NAP	-3,3%	-3,3%	NAP
Ireland	6,2%	6,2%	NAP	130,0%	130,0%	NAP
Italy	-44,5%	-44,7%	-54,3%	-28,5%	-29,5%	-28,8%
Latvia	-7,2%	NA	NA	-35,0%	NA	NA
Lithuania	85,8%	NA	NA	8,5%	NA	NA
Luxembourg	-4,7%	NAP	NAP	-4,7%	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	7,3%	NA	NA	29,9%	NA	NA
Poland	-16,5%	NA	NA	0,1%	NA	NA
Portugal	-2,3%	-2,3%	NAP	17,9%	17,9%	NAP
Romania	-62,7%	NAP	NAP	-61,7%	NAP	NAP
Slovak Republic	31,9%	NA	NA	22,4%	NA	NA
Slovenia	-36,1%	-32,6%	-66,2%	1,6%	13,6%	-78,1%
Spain	-26,3%	NA	NA	15,3%	NA	NA
Sweden	16,3%	NA	NA	15,3%	NA	NA
<b>Average</b>	3,0%	5,2%	-51,8%	21,5%	20,8%	-43,9%
<b>Median</b>	2,3%	0,9%	-54,3%	3,4%	7,2%	-28,8%
<b>Minimum</b>	-62,7%	-44,7%	-66,2%	-67,0%	-29,5%	-78,1%
<b>Maximum</b>	85,8%	61,6%	-34,7%	447,3%	130,0%	-24,8%
<b>% of NA</b>	4%	48%	48%	0%	48%	48%
<b>% of NAP</b>	7%	22%	41%	7%	22%	41%

Cyprus and Malta have a two-tier system, where the Supreme Court is the second, highest and final instance court. It was agreed to present the data for the Supreme Court in the second instance.

Greece: The methodology to present data in line with CEPEJ categories was updated and the comparison with previous cycles can not be made.

# Indicator 3: The performance of courts at all stages of the proceedings

## Comments provided by the national correspondents organised by country

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

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

*Question 093. Please indicate the case categories included in the category “other cases”:*

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

*Question 097. Second instance courts (appeal): Number of “other than criminal law” cases.*

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

*Question 099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:*

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

### Austria

**Q091 (2022):** Starting from 2022, “non-litigious family matters” are taken into consideration in the category “general civil non-litigious cases”, while before they were communicated in “other”.

**Q091 (2021):** “Non litigious business registry cases”: Sec. 3a para. 2 of the COVID-19 act concerning corporate law (“Gesellschaftsrechtliches COVID-19-Gesetz”) allows corporations to file their annual accounts and other documents, that have to be published by law, not only within 9 but within 12 months from the account date (mostly: December 31st of a year). Usually, the duty to file these reports within 9 months leads to a high number of incoming files in September. 2020 and 2021 the special rules lead to such high incoming file numbers in December and thereby to an increase in pending cases at the end of the year.

**Q091 (2020):** "Non litigious business registry cases": Sec. 3a para. 2 of the COVID-19 act concerning corporate law ("Gesellschaftsrechtliches COVID-19-Gesetz") allows corporations to file their annual accounts and other documents, that have to be published by law, not only within 9 but within 12 months from the account date (mostly: December 31st of a year). Usually, the duty to file these reports within 9 months leads to a high number of incoming files in September. 2020 the special rules lead to such high incoming file numbers in December and thereby to an increase in pending cases at the end of the year.

"4. Other cases": The number of incoming and resolved cases surged due to an increase of "general civil proceedings, that are not allocated to other categories of cases" because the district administrative authorities (Bezirksverwaltungsbehörden) had to notify the district courts of every single person against which a quarantine measure (SARS-CoV-2) had been taken. In concerns of statistical data every such notification resulted in an incoming (and resolved) case.

Generally, no courts were closed during the lockdowns. During the first lockdown (middle of March until the end of April 2020) the number of incoming cases dropped significantly. Nearly all court hearings had to be postponed during the first lockdown. In total (all case types) in April 2020 there were 89.25 % less court hearings than in April 2019. In general litigious civil matters of first instance there were even 94.59 % less hearings. A comparison of the total number of court hearings held in the period of March 2019 to February 2020 on the one hand and of March 2020 to February 2021 on the other hand shows that there were 22.22 % less hearings since the first lockdown. The significant drop in incoming cases and held court hearings in April 2020 resulted in the opportunity to concentrate on finishing pending cases in which all hearings had already been held. The statistical data shows that the number of judgments pending more than 2 months since the final hearing declined considerably (1st of July 2020: -75 % compared to 1st of April 2020). Judges did always (even before the Covid-19 pandemic) have the opportunity to work from home. Many have made use of this option during the lockdowns. The Federal Ministry of Justice does not keep statistics on this matter (number of judges working from home) since judges are not obliged to record their working times or places.

**Q091 (2019):** There is a lack of horizontal consistency concerning the category "general civil and commercial non-litigious cases". Figures provided by the statistical system were double checked in this respect and are correct.

**Q091 (2017):** Due to the absolute low numbers of pending cases on 1 Jan./31 Dec. high deviations in percentage are normal. Note to 2.1.1.: Because of an inaccuracy by analysing pending non-litigious business registry cases the count had to be corrected on 1st December 2017. Therefore the pending cases on 31.12.2016 do not comply with those of 01.01.2017.

**Q091 (2016):** Due to the low absolute numbers of pending cases on 1 Jan./31 Dec. high deviations in percentage are normal.

**Q091 (2015):** In the category litigious are counted all proceedings (in civil matters, labour and social security cases at first instance courts) which are marked as being litigious in the court register (f.e. from the second court hearing on).

Civil and commercial non-litigious cases include commencement of bankruptcy proceedings, Bankruptcy proceedings, composition proceedings, non-litigious proceedings about rent, non profit cooperative association for housing, home ownership, proceedings about Lease of farm land, wardship cases in connection with administration of assets, custody and maintenance, uncontested payment orders, enforcement cases.

Category "other" includes Probate Proceedings, cases concerning the Administration of justice, Cancellation proceedings and proceedings in connection with [official] declaration of death authentication of signatures, proceedings to render legal assistance in civil matters for other courts (also international ones), General civil proceedings, that are not allocated to other categories of cases, Some Non litigious family matters.

**Q091 (2012):** In 2012, a legislative reform entailed more obligations for companies to register.

**Q092 (2014):** For the year 2014, this category has been extended to the enforcement cases.

**Q094 (2021):** The distinction between misdemeanour criminal cases and severe criminal cases is possible only for the criminal courts. However the total number includes administrative criminal law cases as well, where distinction is not possible.

**Q094 (2020):** The distinction between misdemeanour criminal cases and severe criminal cases is possible only for the criminal courts. However the total number includes administrative criminal law cases as well, where distinction is not possible.

**Q094 (2018):** The distinction between misdemeanour criminal cases and severe criminal cases is possible only for the criminal courts. However the total number includes administrative criminal law cases as well, where distinction is not possible.

**Q094 (2016):** Administrative criminal cases are included in misdemeanour and in total

**Q097 (General Comment):** From January 1st, 2014 there are 11 newly found courts for administrative law in Austria, namely 9 regional administrative courts, 1 Federal Administrative Court and 1 Federal Tax Court (all courts of first instances). Furthermore, there is also the Supreme Administrative Court (final instance). With regard to administrative law cases there is no second instance. The statistical evidence of the Federal Ministry of Justice of Austria does not distinguish between the types of second instance cases mentioned under 2.1., 2.2. and 2.3. Data regarding the general categories "litigious cases" (1.) and "non-litigious cases" (2.) is available. The number of "Other cases" (4.) is included in the category "litigious cases" (1.).

**Q097 (2022):** Non litigious family matters in the second instance have always been represented within the category of "non-litigious cases".

**Q097 (2021):** "Civil and commercial litigious cases" – the number of incoming civil litigious cases slightly increased between 2020 and 2021. The number of resolved such cases increased but to a lesser extent than incoming cases. Accordingly, the number of pending civil litigious cases at the end of the year increased. There is no explicit explanation for these variations. It should be recalled that 2020 year was a particular year due to the pandemic. In 2021, the data are back at the level of 2019.

**Q097 (2017):** In the area of appeal cases concerning other than criminal law cases only the categories of general civil law, labour law and social law are gathered. The administrative cases are NAP in second instance since they are presented in first and final instance.

**Q097 (2016):** In the area of appeal cases concerning other than criminal law cases only the categories of general civil law, labour law and social law are gathered. The administrative cases are NAP in second instance since they are presented in first and final instance.

**Q098 (2020):** "Misdemeanour and / or minor criminal cases": compared to the previous 10 years the pending, incoming and resolved cases in this category in the year 2020 showed a slight decrease. There is no specific explanation for this circumstance.

**Q098 (2016):** There is significant discrepancy in the number of incoming and resolved misdemeanour cases because the administrative criminal cases of second instance are included in third instance.

**Q099 (2022):** Administrative Law Cases: The number of 3547 pending administrative cases on 1 January ref. year corresponds to 3392 procedures adopted from previous years and 155 procedures completed in previous years and reopened in the reference year.

**Q099 (2021):** Discrepancy between number of pending administrative law cases on 31 December 2020 and number for pending administrative cases on 1 January 2021: 3043 procedures adopted from previous years and 139 procedures completed in previous years and reopen in the reference year. "Administrative law cases": The COVID-19 pandemic posed significant and new challenges to international and government institutions worldwide, including the Supreme Administrative Court. Social distancing necessary to combat the pandemic required profound changes in the service of the Supreme Administrative Court to guarantee its functioning. In addition to internal organisational measures such as the possibility of remote work and new electronic communication tools, changes to the legal framework were necessary to enable the passing of resolutions via circular letter without physical contact between the members of the judicial body. These legal changes became effective in the course of 2020 and 2021. The continuing high level of new cases in asylum and aliens law is due to the numerous applications for international protection filed in Austria from 2015 onwards. The increase in staff at both the Federal Office for Immigration and Asylum and the Federal Administrative Court has led to an increase in the number of cases dealt with by these authorities and thus also in the number of cases brought before the Supreme Administrative Court, which has now been at a relatively high level for several years.

**Q099 (2020):** Discrepancy between number of pending administrative cases on 31 December 2019 and number for pending administrative cases on 1 January 2020: the number of 3 064 pending administrative cases on 1 January 2020 corresponds to 2762 procedures adopted from previous years and 302 procedures completed in previous years and reopen in the reference year.

Pending administrative law cases older than 2 years: the observed increase is a consequence of the high number of cases in the field of asylum and aliens.

**Q099 (2019):** The reason for the increased number of incoming administrative cases and accordingly the increase in the number of pending administrative cases is related to the high number of cases in the field of asylum and aliens law characterizing the period 2016 - 2019.

**Q099 (2018):** The reasons for this increase of the incoming administrative cases is related to the high number of cases in the field of asylum and aliens law.

**Q099 (2017):** To 3.:

Because of the model of business cases installed at the Supreme Administrative Court pending cases at the begin of a reporting year have to be analysed by calculation. Incoming cases are subtracted from the sum of resolved cases and of pending cases at the end of the reporting year. New applications within the same case cause a reopening of the concerned cases. Thus the number of pending cases changes. Therefore a completely consistent image of figures of pending cases from the end of previous year and those from the begin of the current year is not feasible.

**Q099 (2016):** The big variation is due to the fact that this cycle the administrative cases were included. The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

**Q100 (2022):** The total figure includes data on administrative criminal cases before the Supreme Administrative Court.

**Q100 (2021):** The total figure includes data on administrative criminal cases before the Supreme Administrative Court.

**Q100 (2020):** The total figure includes data on administrative criminal cases before the Supreme Administrative Court.

**Q100 (2016):** The big variation is due to the fact that this cycle the administrative cases were included. The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

## Belgium

**Q091 (2022):** In relation to administrative matters, the total number of cases includes figures for the Council of State, the Council for Alien Law Litigation and the Flemish administrative courts Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege and Raad voor Verkiezingsbetwistingen. However, the figure of 1392 (in the last column 'Cases pending for more than 2 years from the date on which a case is brought before first instance courts') only concerns the Council of State. Thus: - For the Council of State: 4.425; 2.214; 1.996; 4.523 and 1.392 - For The Council for Alien Law Litigation: 9.273 ;16 ,456 (a judgment may close different cases hence lack complete horizontal logic); 16 ,139 ;9 ,584 and NA.

**Q091 (2021):** Administrative law cases are those of the Council of State, the Aliens Litigation Council and the Flemish administrative courts Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege and Raad voor Verkiezingsbetwistingen. However, the figure 1 428 (in the last column "Pending cases older than 2 years from the date the case came to the first instance court") concerns the sole Council of State. Thus, with regard to the Council of State, the figures are the following: 4 936; 2 191; 2 208; 4 420 and 1 428; with regard to the Aliens Litigation Council: 14 415; 14 124 (one judgment can close several cases which may result in a lack of horizontal consistency); 19 256; 9 273 and NA. Juvenile cases are not counted in the category "other cases". In fact, this case type includes both civil and criminal litigation.

### Q091 (2020):

"The health crisis has impacted the numbers.

\*Justice of the Peace: no pending cases (start + end). The way justice of the peace cases are counted has been adapted and unlike previous cycles, all dockets have also been taken into account for 2020. \*Civil courts of first instance: no pending cases (start + end). The same counting method was applied as last year. Omissions as well as so-called "dormant cases" are counted in the closed cases. \*Corporate courts: same counting method as last year. Only cases registered in the corporate court computer application, called TCKH, are counted in these figures. There are also corporate court cases that are only recorded in the RegSol computer application (since mid-2017) in bankruptcy proceedings, for example, between the receiver and the bankruptcy judge. Cases only registered in RegSol are not counted in these figures, which induces an underestimation. Commercial investigations (chambers of distressed companies) are not taken into account as the figures are unreliable due to the very disparate registration methods in the different company courts. No pending cases.

\*As far as administrative cases are concerned, the total number of cases includes the figures for the Council of State, the Aliens Litigation Council and the Flemish administrative courts Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege and Raad voor Verkiezingsbetwistingen. However, the figure of 1489 (in the last column ""Cases pending for more than 2 years from the date on which the case is brought before the courts of first instance" ) concerns only the Council of State. Thus, - for the Council of State, the figures are: 4,564; 2,119; 2,019; 4,936 and 1,489; for the Conseil du Contentieux des Etrangers: 16,009; 14,238 (a judgment can close different cases hence the absence of complete horizontal logic); 15,769; 14,451 and NA.

"

**Q091 (2019):** Regarding the category "4. other cases" which refers to "protection cases", the statistical service does not have figures for 2019, following discussions on the counting rules between the courts. However, we kept the total for "other than criminal" cases since protection cases represent more or less 10,000 cases, or 1% of the total. Their actual number will not change the total figure significantly.

"Administrative cases pending at the end of the year": the lack of horizontal consistency is due to the fact that the number of judgments does not necessarily correspond to the number of closed cases. For example, a judgement that closes two cases is recorded as one stop

**Q091 (2018):** Civil and commercial cases include cases of justices of the peace, courts of first instance, civil, family and youth sections, labour courts and company courts (known as "commercial courts")

Civil and family courts: no data for pending cases. New rules for counting and recording cases mean that the statistics are not comparable to previous years. In particular, cases where there is a permanent referral are now counted as a case.

Concerning juvenile courts: no data for completed or pending cases due to the lack of uniform practice and low registration of completed cases.

Concerning registry cases: these are immediate acts, which is why the number of incoming cases is equal to the number of resolved cases. Administrative affairs: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen.

**Q091 (2017):** The difference with the 2016 data is due to the lack of data on justices of the peace cases. In respect of justices of the peace, from July 2017 to June 2018, a deployment of new codes was carried out at the national level. The support service of the College of Courts and Tribunals is currently in the process of defining accounting rules for justices of the peace. For this reason, no figures were issued in 2018 pertaining to 2017 data.

Civil data are not included or only partially included for 5 courts; Youth courts: no data from Brussels (Dutch-speaking); no data for resolved cases and pending cases; No data for civil cases from police courts; Commercial courts: no data for pending cases + new counting rules for resolved cases. For this reason, comparison with previous data is made difficult; not all activities carried out in commercial courts are reflected in the statistics provided. Indeed, the following services are not covered: commercial investigation service, business continuity law, bankruptcy and dissolutions/liquidations.

**Q091 (2016):** Administrative cases: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen.

The sharp decrease in administrative cases is due to immigration cases. There are 5 administrative courts, two of which are at federal (national) level: the State Council and the Aliens Litigation Council. It is within the latter that there has been a decrease in the number of cases. Immigration and asylum cases are handled by the Conseil du Contentieux des Etrangers. The Aliens Litigation Council is an independent administrative court, which deals with cases "in the first instance", i.e. full substantive litigation or "in cassation", i.e. a decision "in annulment" or "suspension". The Council may be seized with appeals against decisions of the "Commissariat général aux Réfugiés et aux Apatrides", against decisions of the "Office des Etrangers" and against all other individual decisions taken pursuant to the Act of 15 December 1980 on access to the territory, residence, establishment and removal of aliens (Aliens Act).

Please also note that figures for juvenile courts as well as figures for civil cases treated by the police courts are not included in this cycle. These figures present very small number from the total number of cases.

**Q091 (2015):** The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included.

Included in pending cases are: labor courts, police courts, courts of appeal.

**Q091 (2014):** With regard to non-litigious business registry cases, the central register of notices of seizure, delegation, transfer, collective debt settlement and loan is managed by the National Chamber of Bailiffs. Administrative cases are handled by the State Council (except for cassation rulings), the Alien Litigation Council and the Flemish regional administrative colleges, "Raad voor verkiezingsbetwistingen, Raad voor milieuhandhaving by Raad voor vergunningbetwistingen".

**Q091 (2012):** The category 1 "civil (and commercial) litigious cases" refers to cases tried by first instance courts, commercial courts and justices of peace, and civil cases dealt with by the police courts. Civil cases concerning youth are not included, as well as cases tried in second instance by courts of first instance. For 2010, there are no available data on the labour courts because the project to build a data warehouse 'Statistics labour courts' is not yet finalised. Cases from categories 1 and 2 cannot be distinguished and are all grouped in category 1.

**Q094 (2022):** Also to be noted: 9,398 for 'youth court cases' (only the category 'new cases' is available), not accounted for in the table. Point 3: Other criminal cases: the figure of 15,309 corresponds to cases before the Council Chamber (this figure is not included in the total of new criminal cases because data on completed cases is unavailable). The figures for pending and completed cases are not available.

**Q094 (2021):** "Severe criminal cases": all cases that are dealt with by first instance criminal courts; "Minor criminal cases": all cases that are dealt with by the Police courts. Protectional cases - youth: 9 227 incoming cases in matters of youth protection. For this case category the number of resolved cases is not available for 2021. These are protectional cases dealt with by the juvenile court (in respect of parents, situations of concern, extremely urgent situations of concern, facts classified as offences).

**Q094 (2020):** "The health crisis has had an impact on the numbers.

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**Q094 (2016):** Severe: all cases that are dealt with at first instance by the criminal courts of first instance; Minors: all cases that are dealt with by the police court

Three sites could not provide statistics for severe cases.

**Q094 (2014):** Offences handled by the police court (although this court can pronounce prison sentences) are considered as minor offences.

**Q097 (General Comment):** Data on pending appeals against first instance decisions of the Justices of the peace and Police courts (civil cases) are not available.

**Q097 (2022):** In the Court of Appeal (Civil Matters): - Cases pending as of 01/01/2022 = 28525; cases pending as of 31/12/2022 = 27375; Cases pending for more than 2 years from the date on which the case is brought before the courts at second instance = 11578. Employment Tribunal: - Cases pending as of 01/01/2022 = 5461; cases pending as of 31/12/2022 = 5294; Cases pending for more than two years from the date on which The case is brought before The courts at second instance = 1416. Source: datawarehouse (data extraction date: August, 1st, 2023).

**Q097 (2021):** Court of appeal (civil matters): Pending cases on 1/01/2021 = 29 320 ; Pending cases on 31/12/2021 = 28 507 ; Pending cases older than 2 years from the date the case came to the second instance court = 12 133. Bron: datawarehouse (date of data extraction: 01/07/2022).

**Q097 (2020):** \*Cases in the second instance courts , labor courts and cases on appeal against decisions of justices of the peace and police courts (civil matters), at the trial level.

\*Court of second instance (civil matters): Cases pending as of 1/01/2020 = 30668; Cases pending as of 12/31/2020 = 29300; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 12391. \*Labor Court: Cases pending as of 1/01/2020 = 6033; Cases pending as of 12/31/2020 = 5841; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 1730. Source: datawarehouse (data extraction date: 06/16/2021)

\*Civil litigation cases: for 2020, there is a decrease in the number of new cases and an even greater decrease in the number of completed cases due to the pandemic that has affected the operation of the courts

**Q097 (2018):** Number of cases before courts of appeal, labour courts and cases of appeal against decisions of justices of the peace and police courts, at the first instance level.

Court of Appeal (civil matters): pending cases at 1/01/2018 = 33,018; pending cases at 31/12/2018 = 32,321; pending cases for more than 2 years from the date in which the case is brought before the courts of second instance = 13,507. Labour Court: pending cases at 1/01/2018 = 6236; pending cases at 31/12/2018 = 6201; pending cases for more than 2 years from the date in which the case is brought before the courts of second instance = 1535. Bron: datawarehouse (extraction 1/09/2019) no data on pending appeals against decisions of the justices of the peace and police courts at the first instance level. In administrative matters, there is no second instance. The Council of State is the only supreme court.

**Q097 (2017):** Number of cases before courts of appeal, labour courts and appeals against decisions of justices of the peace and police courts at the first instance level.

Courts of Appeal: Justice in numbers

**Q097 (2016):** Number of cases before courts of appeal, labour courts and cases of appeals against decisions of justices of the peace and police courts, at first instance.

**Q098 (General Comment):** Serious offenses: cases brought on appeal before the Court of Appeal (criminal matters) Minor offenses: cases brought on appeal before the lower court - criminal jurisdictions - for cases handled by the police court (therefore handled in second instance by criminal jurisdictions) Youth protection cases: included under minor offenses Criminal cases (under point 3. other criminal matters) now also include cases from the chambers of indictment. The chamber of indictment intervenes in judicial investigation oversight, particularly controls pre-trial detention, and decides on referral to trial.

**Q098 (2022):** Court of Appeal (criminal matters): - Totals: Pending cases on 1/01/2022 = 6610; pending cases on 31/12/2022 = 6677; Cases pending for more than 2 years from the date when the case is brought before the courts of second instance = 1436. - Serious offenses (involving criminal and social penal cases): Pending cases on 1/01/2022 = 6304; pending cases on 31/12 /2022 = 6311; Cases pending for more than two years from the date when the case is brought before the courts of second instance = 1307. - Protection-related youth affairs: Pending cases as at January 1, 2022 = 306 ; pending as at December 31 , 2022 = 366 ; Cases pending since over two years from the date when a case is brought before the courts of second instance = 129. Source: datawarehouse (data extraction date : 1/18 /2022) - Other criminal matters = figures for the chamber of indictments.

**Q098 (2021):** Protectional cases - youth: these cases have been included in point 2 "Minor criminal cases". Here are the figures: pending cases on 1/01/2021 = 337; pending cases on 31/12/2021 = 306; Pending cases older than 2 years from the date the case came to the second instance court = 124. Bron: data warehouse (data extraction date: 01/07/2022). The category "3. Other criminal cases" corresponds to the cases dealt with by the Investigation Chamber (Chambre des mises en accusation).

**Q098 (2020):** "Second instance Courts (Criminal Matters): \* Totals: Cases pending as of 1/01/2020 = 9434; Cases pending as of 12/31/2020 = 9317; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 2616. \* Serious offenses (involves correctional and indictment division cases): Cases pending as of 1/01/2020 = 9095; Cases pending as of 12/31/2020 = 8981; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 2499.

\* Minor offences: youth cases are included in the figures shown in the table (1,374 new cases and 1,377 completed cases respectively). Also noteworthy are the youth cases: Cases pending on 1/01/2020 = 339; Cases pending on 31/12/2020 = 336; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 117.

Source: datawarehouse (data extraction date: 16/06/2021)

\*For 2020, there is a decrease in the number of new cases and in the number of completed cases due to the pandemic that affected court operations."

**Q098 (2016):** The category "Severe criminal cases" concerns appeals to the courts of appeal against the judgements of the courts of first instance ruling in criminal matters. The category "Misdemeanour and / or minor criminal cases" refers to appeals to the courts of first instance against decisions of police courts in criminal matters.

**Q099 (2022):** - The category "2.3 Other non-contentious matters" contains cases G (applications for judicial assistance) brought before/dealt with by the Court of Cassation. - The category "4. Other matters" contains cases D (disciplinary matters) brought before/dealt with by the Court of Cassation. - The category "3. Administrative matters" includes, on one hand, administrative cases dealt with by the Council of State and, on the other hand, administrative cases handled by the Court of Cassation. In this latter case, it encompasses a portion of C-type cases - civil affairs; a substantial number of S-type cases - social affairs; and all F-type cases - fiscal affairs - processed by the Court of Cassation. Among completed matters under point "3.Administrative matters" (total 763 = 353 + 410), concerning the Council of State, it should be noted that figure 410 includes final judgments and orders refusing leave to appeal (189+221). For "administrative matters", a new methodology has been adapted to comply with CEPEJ's definition for "an administrative matter" (i.e., disputes between citizens and any public authority at local, regional or national level). Under previous cycles only those issues dealt with by the Council of State were counted under point "3.Administrative matters

**Q099 (2021):** "Civil (and commercial) litigious cases": in 2021, the Court of cassation managed to adopt a higher number of final decisions compared to 2020 (973 final decisions in 2021 compared to 853 in 2020). This is largely due to a series of 72 similar cases in which final decisions were delivered in 2021, as well as to the endeavours to increase the number of final decisions in tax matters (+30 final decisions compared to 2020). The number of incoming civil (and commercial) litigious cases in 2021 is more or less comparable to the one in 2020. In the long term, an upward general trend is to be noticed. However, more specific evolutions have been observed within this case category: in 2021, compared to 2020, the number of incoming civil cases (including commercial and administrative cases), as well as the number of incoming social cases has slightly decreased, while the number of incoming tax cases has increased. The latter is increasing from year to year.

The category "2.3 Other non-litigious cases" encompasses cases related to requests for judicial assistance introduced before and dealt with by the Court of cassation in 2021.

The category "4. Other cases", concerns disciplinary cases brought before and resolved by the Court of cassation in 2021.

Incoming disciplinary cases, as well as resolved disciplinary cases are higher in 2021 compared to 2020 (+ 15 incoming cases; + 11 final judgments). Given that the Court processes a small number of disciplinary cases each year, it is not possible to draw relevant conclusions based on the observed variations.

"3. Administrative law cases": data communicated by the State Council; in respect of the number of resolved cases, there were 170 final decisions and 255 non-admission orders.

**Q099 (2020):** In the category '1. contentious civil (and commercial) cases' are included the C, F and S cases (civil; fiscal and social cases) that were filed/processed before the Court of Cassation in 2020.

The category '4. other cases' contains the D cases (disciplinary cases) filed before/processed by the Court of Cassation.

It should be noted that the Court of Cassation is also competent to decide on applications for legal aid. The category 3

"administrative cases" was provided by the highest administrative Court.

(source Cour de Cassation)

With regard to the category "administrative cases" (Council of State), for completed cases: it should be noted that the figure of 479 covers 177 final judgments and 302 orders of non-admission. (source Council of State). It should be noted that the lack of horizontal coherence is due to the fact that the number of judgments does not necessarily correspond to the number of closed cases. For example, a judgment that closes two cases is recorded as a single judgment.

In 2020, the number of new administrative cases increased compared to 2019. However, due to the exceptional situation caused by COVID, the State Council could not keep up with the flow of cases and even though the number of completed cases increased compared to 2019, the number of pending cases at the end of 2020 increased. "

**Q099 (2019):** Civil, social and fiscal affairs at the supreme Court. Administrative cases are the cases 'in cassation' at the Council of State.

**Q099 (2018):** Civil, social and tax cases at the Court of Cassation  
Administrative affairs = cases "in cassation" at the Council of State

**Q099 (2017):** civil and commercial cases: cases in roles C, S and F at the Court of Cassation  
administrative cases: cases before the Council of State "in cassation": Out= 221 judgments and 214 non-admission orders

**Q099 (2016):** Civil, social and fiscal cases at the Court of Cassation

Administrative cases ="cassation" cases in the State Council

The decrease in administrative cases is due to a reduction in referrals to the Council of State for this type of case.

**Q099 (2014):** 2014: The civil and commercial cases include cases of roles C (private and public law), F (tax law) and S (employment law) of the Court of cassation.

Administrative cases fall within the decisions of the Council of State in cassation.

**Q100 (2021):** Remarks on the evolution of criminal cases:

While the number of incoming criminal cases brought before the Court of Cassation each year remained relatively stable between 2016 and 2020, this number increased sharply in 2021, with 345 additional units compared to 2020. This is an increase of 25.50% in one year. At present, it is not clear whether this increase is a one-off and attributable to rather occasional circumstances or whether it is the harbinger of a period of significant growth in the number of criminal cases. It goes without saying that this sudden development will have to be monitored closely in the years to come.

Of necessity, the Court of Cassation has succeeded in significantly increasing the number of final judgments handed down in criminal cases in 2021 compared to 2020 (+237 units). This is an increase of 17.27%. However, these efforts could not prevent the criminal caseload at the end of 2021 from increasing for the first time in years, especially with 89 units compared to the criminal caseload at the end of 2020.

**Q100 (2016):** Cases on the 'p' list of the Court of Cassation

the downward trend in the input of criminal cases is due to the tightening of access conditions: stricter time limits, obligation to serve notice of appeal, compulsory intervention by a lawyer trained in the cassation technique, abolition of immediate appeal against interlocutory judgments, abolition of the Court of Cassation's review of pre-trial detention, except for the first confirmation of the arrest warrant. To all this it must be added the introduction of a rapid and non-adversarial procedure allowing appeals that are not substantiated or manifestly inadmissible or unfounded to be refused.

## Bulgaria

**Q091 (General Comment):** The division by types of cases in the statistical forms published by the Supreme Judicial Council of Bulgaria is quite different from the CEPEJ categorisation and for that reason breakdown cannot be made. Only administrative cases are possible to differentiate due to existence of administrative courts. Furthermore, in Bulgaria registry cases are not resolved by courts. They are under the competence of the Registry agency where is the property register, the commercial register, the BULSTAD register and the Register of the Property Relations between spouses.

**Q091 (2020):** As it is impossible to distinguish between litigious and non-litigious cases for the present, for 2020 the following data is available as to the sum of all civil and commercial litigious and non-litigious cases: pending at the beginning 85 460; incoming 282 768, resolved 285 461 and pending at the end of the year 82 767. It is noteworthy that since 2020, the Unified Court Information System (UIS) has been gradually introduced in all courts, developed within the project "Creating a Model for Optimizing the Court Card of Bulgarian Courts and Prosecutor's Offices and Developing a Unified Court Information System" with the financial support of Operational Program "Good Governance" 2014-2020. Depending on the functionalities of the system, it is possible to collect information on the next cycle according to the indicators in question 91.

**Q091 (2018):** The observed increase in the number of incoming administrative law cases and accordingly in the number of pending administrative law cases at the end of 2018, is a consequence of an increase characterizing the period 2016-2017. As explained in the comment accompanying 2017 data, there is no specific reason for the increase in the number of incoming administrative law cases between 2016 and 2017. During this period there was an increase in the number of cases before the administrative courts (mainly claims under the Administrative Procedure Code, Management of Resources from the European Structural and Investment Funds Act, Tax and Social Insurance Procedure Code, Competition Protection Act, etc.).

**Q091 (2017):** 02/11/2018 7:17:04 AM There is no specific reason for the increase in the number of incoming administrative law cases between 2016 and 2017. During this period there was an increase in the number of cases before the administrative courts (mainly claims under the Administrative Procedure Code, Management of Resources from the European Structural and Investment Funds Act, Tax and Social Insurance Procedure Code, Competition Protection Act, etc.).

**Q091 (2014):** The number of all civil cases (litigious and non-litigious) considered as an overall category could be obtained by extracting from the total the number of administrative cases (67 513 pending cases on 1 January 2014; 294 657 incoming cases; 300 799 resolved cases; 61 371 pending cases on 31 December 2014).

**Q091 (2012):** The number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 and 2012. Administrative courts resolved about 72% on average of the cases during the year.

**Q093 (General Comment):** .

**Q094 (General Comment):** For most of the crimes, the Bulgarian Criminal Code provides for a deprivation of liberty, which makes the distinction hard to be made. The offences could be divided into two categories: common offences and offences subject to private prosecution. For the common offences, the search of responsibility is subordinated to the common regime (there is a public interest concerned or public interest and personal goods). Such are the crimes against individuals (homicide, grievous or intermediate bodily harm, rape, fornication and etc.), crimes against the property (the list is not exhaustive). As to the offences subject to private prosecution, the criminal proceedings are initiated upon a complaint by the affected person (personal interests of the affected person, and usually the affected person and the perpetrator are close relatives). Those offences have a lower degree of public danger and affect less the rights of the concerned person. Such offences are the minor bodily injury, the insult, the slander and etc.

"Total criminal cases" includes all criminal cases - criminal cases of a general nature, criminal cases of a private nature, cases of exemption from criminal liability with the imposition of an administrative penalty in accordance with Art. 78a of the Criminal Code, private criminal cases, interrogation and administrative-criminal cases heard by the first instance courts.

**Q094 (2022):** "Total criminal cases" includes all criminal cases - criminal cases of a general nature, criminal cases of a private nature, cases of exemption from criminal liability with the imposition of an administrative penalty in accordance with Art. 78a of the Criminal Code, private criminal cases, interrogation and administrative-criminal cases heard by the first instance courts.

**Q094 (2020):** It should be noticed that since 2020, the Unified Court Information System (UIS) has been gradually introduced in all courts, developed within the project "Creating a Model for Optimizing the Court Card of Bulgarian Courts and Prosecutor's Offices and Developing a Unified Court Information System" with the financial support of Operational Program "Good Governance" 2014-2020.

Depending on the functionalities of the system, it may be possible to collect information on the next cycle according to the indicators mentioned in question 94.

**Q097 (2021):** As it is impossible to distinguish between litigious and non-litigious cases for the present, for 2021 the following data is available as to the sum of all civil and commercial litigious and non-litigious cases: pending at the beginning 16 469; incoming 41 774, resolved 41 391 and pending at the end of the year 16 852.

**Q097 (2020):** "Total": the decreases in the number of pending cases is due to growth in civil and commercial cases in 2019 which continued in 2020, but at a slower pace. As it is impossible to distinguish between litigious and non-litigious cases for the present, for 2020 the following data is available as to the sum of all civil and commercial litigious and non-litigious cases: pending at the beginning 13 612; incoming 43 927, resolved 41 070 and pending at the end of the year 16 469.

**Q097 (2019):** See General comments

**Q097 (2018):** NA

**Q097 (2016):** There is no particular explanation for the downward trend observed between 2014 and 2016 in respect of the number of pending cases on 1 January for the categories "total" and "administrative law cases". All the data provided is correct.

**Q097 (2012):** In the frame of the 2012 exercise, it has been explained that the number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 and 2012.

**Q098 (2022):** "Total criminal cases" include all criminal cases of second instance - criminal cases of a general nature and criminal cases of a private nature (common offences and offences subject to private prosecution), cases of release from penal responsibility with imposing of administrative punishment in accordance with Art. 78a of the Criminal Code, private criminal cases, interrogations, and administrative-criminal cases.

**Q098 (2020):** The specified sum does not include proceedings for which no penalties are imposed (pre-trial proceedings, enforcement proceedings). These proceedings are within the competence of other bodies in the Republic of Bulgaria.

**Q098 (2018):** NA

**Q099 (General Comment):** The data on the supreme courts are provided by the Supreme Court of Cassation and the Supreme Administrative Court on the basis of the information extracted from the case management systems implemented in these courts. The software of the Supreme Court of Cassation for extraction of statistical data is made according to a methodology developed in the Supreme Court of Cassation, as the codes for the respective type of cases are formed by a working group of judges in the Supreme Court of Cassation. This software, which allows the SCC to extract the statistics needed to answer Question 99, is different from the product used for other courts.

Since 2020, the Unified Court Information System (UIS) has been gradually introduced in all courts, developed within the project "Creating a Model for Optimizing the Court Card of Bulgarian Courts and Prosecutor's Offices and Developing a Unified Court Information System" with the financial support of Operational Program "Good Governance" 2014-2020.

**Q099 (2022):** "Civil litigious cases" - the reasons for the higher number of pending cases at the beginning of 2022 compared to 2021 are twofold: the large increase in case filings in 2021 and the critical staffing of the court, leading to a high backlog at the end of 2021. 1. The number of pending cases on 1 January 2022 is 845 more than on 1 January 2021, as the number of cases filed in 2021 is 1105 more than in 2020. As a result of the amendments to the Civil Procedure Law, access to cassation appeals has been expanded from the beginning of 2020 in cases related to consumer disputes, which in turn determined the increase in the number of cassation cases in the Civil Division and the Commercial Division. 2. In 2021 the Court is not sufficiently staffed due to the delay in the competitions for the appointment of judges in the Supreme Court of Cassation, as well as due to the retirement of judges in 2021 - 3 judges in the Civil Division and 1 judge in the Commercial Division. "Administrative cases"/SAC/: Regarding the increase in the number of pending cases at the end of the reporting period (2022) and the higher number of cases initiated, compared to the number of cases completed, is explained, on the one hand, by the unevenness of the initiated cases by matter in the different divisions of the SAC, and, on the other hand - by the complexity and volume of the cases handled by some divisions (e.g. tax, customs, cases under the Management of Resources from the European Funds under Shared Management Act, public procurement, elections, etc.); the need for in-depth knowledge of European law, including requests for preliminary rulings to the Court of Justice of the European Union (CJEU). The problem with the pending cases till issuance of interpretative decisions or rulings of CJEU continues to be relevant, as all such cases are suspended and that respectively results in delays in their consideration and further strains the schedule. In particular, an analysis of the factually and legally complex tax cases shows that the one-month time limit for court decisions is not optimal. The complexity of this type of cases and the need for direct application of Community law suggest another reasonable time-limit for the panel to issue its ruling. Furthermore, it should be stressed that in parallel with the judicial activity during the year under review, General meetings of First and Second Chambers of the SAC on interpretative cases for unification of the case law were held on a monthly basis. Joint meetings of the SCC and the SAC on joint interpretative cases were also conducted regularly. On the other hand, the decrease in the number of initiated cases during the reporting period is also due to undertaken legislative changes concerning jurisdiction. Last but not the least, in 2022, there was still a high incidence of COVID-19 among the judges and staff of the SAC, which further led to delay in the administration of justice of the court.

**Q099 (2021):** There are also some other non-litigious cases that are not included in the data. However, their number is insignificant.

Concerning the category "Civil and commercial litigious cases": the reasons for the difference between 2020 and 2021 are twofold: the large increase in caseloads in 2021 and the critical staffing of the Supreme court of cassation. 1. There are 836 pending cases as of December 31, 2021 more compared to those at the end of 2020, as the cases received in 2021 were 1105 more than those who entered in 2020. As a result of the amendments to the Civil Procedure Law, access to cassation appeals was expanded from the beginning of 2020 in cases related to consumer disputes, which in turn caused an increase in the number of cassation cases in the Civil College/Chamber and the Commercial College/Chamber. 2. The court in 2021 is not sufficiently staffed due to delays in the competitions for the appointment of judges in the Supreme Court, as well as due to the retirement of judges in 2021 - in the Civil College/Chamber - 3 judges, and in the Commercial College/Chamber - 1 judge.

**Q099 (2020):** The number of pending administrative cases decreased meaningfully because of reorganization of work in the Supreme Administrative Court (SAC). By issuing an internal order The Chairman/President of the SAC increased the workload of each judge to achieve these results.

The difference of two cases in the horizontal calculation/consistency (indicated by the SCC 3863 cases instead of 3865- Pending cases on 31 Dec. ref. year) is due to two cases found in 2020, which were completed in the SCC in a previous period (before 2020), but were not correctly filled in then with all the details needed by the software to report the cases as completed. The adjustment was made in 2020, which actually reduces the number of cases for consideration by two, and the number of completed cases does not increase because the cases were completed in a previous period - before 2020.

**Q099 (2019):** There are some non-litigious cases that are not included in the data but their number is insignificant.

**Q099 (2018):** There are also some other non-litigious cases that are not included in the data. However their number is insignificant.

The number of pending administrative cases older than 2 years decreased meaningfully because of reorganization of work in the Supreme Administrative Court (SAC). By issuing an internal order The Chairman/President of the SAC increased the workload of each judge to achieve these results.

**Q099 (2017):** The answer for 2. Non litigious cases (2.1+2.2+2.3) is NAP for previous cycles as well.

**Q099 (2016):** The increase in the number of pending administrative law cases (in the beginning and at the end of the year) is explained by the fact that data has been provided by different sources for 2014 and 2016.

**Q100 (General Comment):** The software of the Supreme Court of Cassation for extracting statistics is different from the product used for other courts. The division of criminal cases according to the criteria set out in Question 100 was made on the basis of the definitions of the CEPEJ.

In the category "other criminal cases" are included: cases with charges on corpus delicti which doesn't have independently application; cases on Chapter XXXIII Criminal Procedure Code (re-opening of criminal cases); private cassation proceedings (change of local jurisdiction, jurisdiction disputes, proceedings on returning of cassation claim/protest etc.); procedures regarding execution of judicial acts that are entered into force; proceedings regarding administration and/or movement of cases etc.

**Q100 (2022):** 1. In the category "Other criminal cases" are included: cases with charges on corpus delicti which doesn't have independently application; cases on Chapter XXXIII Criminal Procedure Code (re-opening of criminal cases); private cassation proceedings (change of local jurisdiction, jurisdiction disputes, proceedings on returning of cassation claim/protest etc.); procedures regarding execution of judicial acts that are entered into force; proceedings regarding administration and/or movement of cases etc.

2. A comparison of the 2022 data with the 2021 data reveals a greater than 20% difference for five of the indicators noted in the table with comments. For four of the five indicators, the obvious reason is that the numbers for all indicators are small, so the differences are small in absolute value and do not reflect a significant change in the performance of the Criminal Division of the Supreme Court of Cassation, but are recalculated into a large percentage difference.

For example in one indicator – "Pending cases older than 2 years from the date the case came to the Supreme Court", a difference of 1 case is converted into a 20% difference. Only the indicator – "Incoming cases – Severe criminal cases" has a significant difference in absolute value. It is due to the reduction by 10% in the total number of admissions to the Criminal Division of the Supreme Court of Cassation in 2022 compared to 2021. This decrease is entirely in severe criminal cases – 23.15%, while in cases for minor crimes and in other cases the number almost does not change and even increases slightly (by 5.88% and 4.96%, respectively). The decrease is due to the natural dynamics of admissions over the years, which is unpredictable within a narrow range.

**Q100 (2021):** Explanation related to all differences reported under item 2 "Misdemeanors and/or minor criminal cases" (31.8%, 22.73%, -20.69%) and item 3 "Other criminal cases" (-45 % and 54.55%): the reasons for the differences in percentages for the above types of cases compared to 2020 are mathematical. The figures for all the listed indicators for the reference years 2020 and 2021 are small, respectively, and the differences are small as an absolute value and do not reflect a significant change in the work on criminal cases in the Supreme Court of Cassation, but are recalculated in a large percentage difference. A more detailed mathematical explanation is obtained if each of these indicators is calculated, what percentage it represents in relation to the total number of cases for examination for the corresponding year, received by the Criminal Board of the Supreme Court. In 2020, there were 1 328 cases for consideration, while in 2021 - 1 407 cases. Taking into account the total number of cases for consideration in 2020 and 2021, the difference for which an explanation is due varies in absolute value from 0.76% to -1.79%. It is too small to be an indication of a significant change in the work of the Supreme Court of Cassation in criminal cases.

**Q100 (2018):** The “Other cases” group are: cases where the punishment for a committed crime depends on the punishment for other crime, that is established in the main text of the Criminal Code – it could be an offence of more severe or lightly punishment; cases on procedures related to the main case; cases on claims for re-establishment of criminal case; cases on jurisdiction disputes; cases on interpretation of a judicial act; cases on rehabilitation; cases that were instituted on a private appeal, etc. Some cases which were previously counted in misdemeanour/minor are now indicated under “other” which explains the decrease in the number of misdemeanour/minor criminal cases in respect of all categories – pending, incoming and resolved cases.

**Q100 (2016):** Comment on question 100

Till 2015 only the Supreme Court of Cassation was hearing the requests for resumption of criminal cases. In 2015 the Criminal Procedure Code was amended with the Law For Amendment and Supplementation of Criminal Procedure Code /SG, 42/2015/. According to the amendment the request for resumption of the criminal case grounded on art. 422, par. 1, p. 5 of the Criminal Procedure Code shall be heard by the respective court of appeal, when the judgments under art. 419 of the Criminal Procedure Code were decreed by a regional or district court, except of the new verdicts.

As a result of the legislative amendment, a significant part of the requests under Chapter Thirty-three of Criminal Procedure Code are heard by the courts of appeal in the state.

The above led to reduction in the number of cases related to the resumption of criminal cases heard by the Supreme Court of Cassation. This is also the reason for the presence of more than 20% deviation from the total number of criminal cases heard by the Supreme Court of Cassation during 2016 than those from previous years.

**Q100 (2014):** In the annual report of the Supreme Court of Cassation in 2012 (criminal division) the cases pending at the end of the reporting period were 260. In the report for 2013 the pending cases at the beginning of the period were 602 and the pending cases at the end of the reporting period were 671. Under Table 1 of the report for 2012, there is a note that the pending cases which are not included in the number of adjourned and private proceedings were filed in December 2012 at the registry of the Supreme Court of Cassation and are scheduled for consideration in January and February 2013. As a result, the total number of pending cases in 2014 appears much higher than in 2012.

## Croatia

**Q091 (2022):** In 2022, the number of incoming Civil (and commercial) litigious cases dropped because of the unique situation from the previous cycle of a significant number of incoming collective labour cases from the public sector workers (more than 60.000 incoming cases). Since they were resolved in 2022, this has led also to a significant increase in the number of resolved cases.

Regarding General civil (and commercial) non-litigious cases, as this includes enforcement cases which have had legislative changes during 2021, a new type of case has been recorded in courts by the end of 2021, which now seems to be a permanent increase in both incoming cases and resolved cases (up from an average of 40.000 cases received and resolved every year prior to 2021 to about 60.000 cases in 2021 and 90.000 cases in 2022. These are all cases of small value that are very quick to resolve.

For non-litigious registry cases, there is a slightly bigger horizontal inconsistency due to additional corrections from the sides of courts after the official published data.

**Q091 (2021):** Between 2020 and 2021, there was an increase of incoming civil and commercial cases caused by the receipt of a large number of civil cases, namely lawsuits in labor disputes due to payment based on rights arising from the collective agreement, which occurred in the first quarter of 2021 and continued, to a somewhat lesser extent, throughout the rest of the year. Also there was an increase of the number of incoming enforcement cases that courts received during the last quarter of 2021, which was caused by a change of legislative framework in September 2021.

**Q091 (2020):** Regarding your comment about decreased number of incoming cases (except business registry cases) shown in this table: Due to the pandemic caused by COVID-19, in 2020., court proceedings for limited period in 2020 were submitted under specific conditions and measures, which contributed to decreased number of incoming cases, as well as court hearings especially in litigious cases.

Regarding the number of incoming non-litigious business registry cases - New article added by the Act on Amendments to the Court Register Act (Official Gazette No. 40/19) which came into force at the end of 2019., stipulated the obligation of companies to submit a request for entry of at least one e-mail address to the courts managing business registry. This was the reason for temporarily increased number of requests (cases), which were all resolved by the end of January 31, 2021.

**Q091 (2019):** In 2019 new amendments to the Personal Bankruptcy Law came into force. That caused significant increase of other than criminal cases to the municipal courts. There was an increase in the number of land registry incoming cases too. The increased number of incoming land registry cases is caused by intensified economic activities and activities on the real property market. With the same number of employees working on these cases, pending cases increased at the end of the year. Additionally, a large number of citizens started civil lawsuits against banks regarding loans in Swiss currency. These factors combined led to the increase of pending cases at the end of the year as well. The decrease in the number of civil and commercial non litigious cases is due to enforcement cases: courts solved a significant amount of these cases during 2018, while the number of incoming cases decreased as well. For that reason, at the end of 2018 /beginning of 2019 there are fewer cases than at the end of 2017/ beginning of 2018.

As regards "administrative cases", administrative courts resolved more cases during 2018. That decreased the pending stock of the cases at the end of 2018/beginning of 2019.

**Q091 (2018):** Decrease of the number of incoming cases (34%) in category 2.1. in comparison to previous cycle is due to the significant decrease of enforcement cases which are calculated in this category. Majority of enforcement cases are aimed at debtor's monetary assets based on trustworthy documents – i.e. documents that make the existence of debt highly plausible (such as regular utility bills, telecom operators' invoices, credit card invoices, unpaid installments of bank loans, etc.). Those cases were removed from jurisdiction of courts to public notaries already in 2012., and since then there is year after year decrease of enforcement cases in municipal courts - enforcement based on other types of enforcement titles (other than trustworthy document), as well as enforcement against real property.

**Q091 (2017):** The cases relative to the Personal Bankruptcy Act which came into force on 1st January 2016 are handled by the 1st instance Municipal Courts. The data about these cases was not available in the moment of completing the questionnaire for the Evaluation (CEPEJ study for EU Scoreboard) (data 2016) but the data is now available within the ICMS system for the year 2017 and they are incorporated in the category 1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3). There were 268 pending Personal Bankruptcy cases on January 1st 2017, 377 incoming cases in 2017, 281 cases resolved in 2017 and 365 pending cases on 31st December 2017.

"Registry cases": In this category there is more than 20% increase of pending cases at the beginning of reference year in comparison to the beginning 2016. The reason are land registry cases. As stated in the previous cycle, the reason for the increased number of pending land registry cases is the significant increase of these cases during 2016 and the difficulty for courts to cope with this increase in same amount as in 2015. This all reflects on data for 2017.

The reason for the decrease in the number of pending administrative cases at the end of the 2017 is lying in the fact that administrative courts received almost 18% less cases than in 2016. Although judges resolved less cases than in previous year, in relation to the increase, it was enough to decrease the number of pending cases at the end of 2017 for more than 20%.

**Q091 (2016):** More land registry cases has been received in 2016 than in 2014 so the total number of registry cases has increased as well.

During the two-year period (through 2014 and 2015), administrative courts accumulated unresolved cases - they solved significantly less than they received, which led to 15024 pending cases at the beginning of 2016. By the end of 2015, a total of 5 judges were transferred to administrative courts from other legal branches, which resulted in better results in 2016 (more resolved cases).

**Q091 (2015):** In 2015 the reorganization of the judicial system in the Republic of Croatia, which is partly related to the reorganization of the second instance proceedings, has been carried out. Consequently, in the county courts there has been a harmonization of case registers and case codes (litigious, non-litigious and other) in a way that in 2015 courts carried out the alignment and correction of the indication of certain types of second-instance civil cases. For this reason, in 2015 the correction of the category of cases according to the new methodology of monitoring has been carried out.

The total of all categories is aligned with the continuity of previous cycle (horizontal consistency), whereas the individual categories in the column "Pending cases on Jan. 1 2015" are presented under the new revised indication of the types of cases. For example, some cases that have been categorized in previous cycles under category 'Other', the courts have categorized according to the certain types of dispute which was possible after new case registers were open (e.g. Enforcement – Security by lien on the basis of an agreement of the parties).

**Q091 (2014):** In 2014, a new methodology of monitoring unresolved land registry cases was introduced, in a way that regular land registry cases (i.e. registration, note, caution) are not being monitored anymore and are not presented in the total. Other land registry cases (i.e. objections, appeals, specific corrections, etc.) are still being monitored. The overall number of enforcement cases is subsumed in the category "general civil and commercial non-litigious cases". The Municipal Civil Court undertook the harmonization of data due to data migration. After the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which may be resolved (priority is given to urgent and old cases).

**Q091 (2013):** The implementation of the ICMS system resulted in unification of data into one reporting system. The category “general civil and commercial non-litigious cases” includes inheritance cases but excludes company registry cases. The increase of the incoming “civil and commercial litigious cases” was mostly due to the continuity of the negative economic situation, while the efforts of judges, as well as broadening the scope of powers of court advisors resulted in the increase of resolved cases. The implementation of the enforcement on pecuniary means carried out by the Financial Agency (FINA) led to decreases in respect of “non-litigious enforcement cases”. Since 2013, court advisors deliver a decision in land registry cases, while the judge supervises its content. The competence of other persons for issuing land registry was also established, electronic delivery of submissions and e-notice board were introduced.

**Q091 (2012):** Till December 2011, “administrative law cases” were adjudicated at the Administrative Court. Provided that the latter was overburdened, a two-instance administrative adjudication was introduced in January 2012. 4 regional administrative courts were established as first instance courts, while the former Administrative Court became second-instance High Administrative Court. Since 2012, there is a mandatory oral court hearing of the parties before the first-instance courts.

**Q092 (2014):** For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents’ right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

**Q092 (2013):** For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents’ right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

**Q092 (2012):** For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93.

The non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

**Q093 (2014):** In 2013 and 2014 the reply NAP in respect of the category “other” is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

**Q093 (2013):** In 2013 and 2014 the reply NAP in respect of the category “other” is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

**Q093 (2012):** For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93. Non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

**Q094 (2022):** The data for 2022 in “Other criminal cases” include only the execution of sanctions (imprisonment), investigation actions of a judge and cases connected to procedural matters. In this cycle, the number of other criminal cases decreased because we aligned our methodology with CEPEJ reporting and excluded some of the case types which in previous cycles were included. This is due to the fact that data for misdemeanour cases came from a separate case management system in the previous cycles (prior to 2020), and it was not possible to exclude those cases which do not fit any of the above categories.

**Q094 (2021):** In category “Other cases” are included (from last cycle) cases related to criminal matters in first instance: execution of sanctions (imprisonment), investigation actions of a judge, cases connected to procedural matters (e.g. panel of judges decision about detention, about prolongation of detention, about confirmation or dismissal of indictment, etc.)

**Q094 (2020):** In category “Other cases” are included (from last cycle) cases related to criminal matters in first instance: execution of sanctions (imprisonment), investigation actions of a judge, cases connected to procedural matters (e.g. panel of judges decision about detention, about prolongation of detention, about confirmation or dismissal of indictment, etc.)  
Regarding decreased number of resolved minor criminal cases: Due to the pandemic caused by COVID-19, in 2020., court proceedings for limited period in 2020 were submitted under specific conditions and measures, which contributed to decreased number of court hearings, also in minor criminal cases.  
Regarding horizontal inconsistency: For most of the categories, the full horizontal inconsistency can not be ensured, due to some adjustments and changes in the Case Management System used by courts.

**Q094 (2018):** In category “Other cases” are included (from this cycle) cases related to criminal matters in first instance: execution of sanctions (imprisonment), investigation actions of a judge, cases connected to procedural matters (e.g. panel of judges decision about detention, about prolongation of detention, about confirmation or dismissal of indictment, etc.)

**Q094 (2016):** Starting from 1 June 2013, when the Act on Amendments to the Misdemeanours Act (OG 39/2013) entered into force, the inflow of first-instance misdemeanour cases displayed in this table continuously and significantly had been reduced. The number of resolved cases reduced as well, but due to a significant decrease in inflows, the number of unresolved cases reduced by the end of the period. This reflected also on High Misdemeanours Court, whose data is shown in this table.

**Q094 (2014):** The new Criminal Procedure Act entered into force in September 2011, introducing the investigation conducted by the State Attorney Offices (instead of court investigation), as well as new and wider opportunities for negotiating settlements. Besides, the decrease of the total number of misdemeanour cases at all levels was the main goal of adopting the Act on the Amendments of the Misdemeanour Act in 2013. The definition of misdemeanour act was changed, the principle of opportunity as well as the simplification of the procedure were introduced, more active role was given to the plaintiff etc. The Register of Unpaid Fines was established. There is no more suspension of the proceedings because of the statute of limitations.

**Q097 (2022):** Regarding second instance „General civil (and commercial) non-litigious cases”, starting with early 2022, all the cases have been classified as „appeal on sentence” type of cases, instead of „enforcement cases”, „family law cases”, „labour law cases” or any other case type available in the court management system database, as it was in the previous cycles. Because of that, we are unable to differentiate between second instance litigious cases and second instance non-litigious cases (or any of the other types of cases for that matter). For „Other non-litigious cases”, the reason for no available data is the same as regarding “General non-litigious cases”, as those types of cases that would have been in the category of „Other non-litigious cases” according to the classification by the courts in the previous years, are also categorised as a generic „appeal case”. As regards registry cases, there is no specific reason for the decrease in the number of resolved cases, as the number of incoming cases is roughly the same as last year (around 1.700 incoming cases). Regarding administrative cases, there is no specific reason for the decrease in the number of resolved cases, as the number of incoming cases is roughly the same as last year (around 5.500 incoming cases).

**Q097 (2019):** Due to legal changes, the High Administrative Court of RoC started to receive more cases from 2016. With the same amount of judges, they did not manage to cope well with this income of case, therefore pending cases increased.

**Q097 (2018):** In category 1. Civil (and commercial) litigious cases there has been a decrease in the number of pending cases at the beginning of the period, received cases, resolved cases and also pending cases at the end of the year. This seems to be the trend for several years now. Although these courts are resolving less cases than in previous period, due to the reduced income, pending cases are still significantly decreased. Reduced number of received civil litigious and commercial cases on second instance do not have reason in for example law changes. Simply because less cases are resolved at first instance, less appeals are lodged to the second instance.

The increased number of pending administrative law cases at the beginning and at the end of the year as well as received cases is due to the extended jurisdiction of the High administrative court following law changes. The latter led to an increased inflow of cases and difficulty for the High administrative court to cope successfully with the income of second instance cases, especially since the number of judges remain the same as before law changes. This comment was provided also for last cycle. The rest of the categories which have increase or decrease in pending cases is just an effect of the incoming or resolved cases.

**Q097 (2017):** The increased number of pending administrative law cases at the beginning and at the end of the year is due to the extended jurisdiction of the High administrative court following law changes. The latter led to an increased inflow of cases and difficulty for the High administrative court to cope successfully with the income of second instance cases. This comment in more details was provided also for last cycle.

In this category there is more than 20% increase of pending cases at the beginning of reference year in comparison to the beginning 2016. The reason are land registry cases. Reason for increased number of pending land registry cases is decreased number of resolved cases in relation to the number of incoming cases (87%) during previous year (2016.) which affected results for 2017. In 2017, second instance courts also resolved less than received land registry cases.

The reason for the decreased number of pending business registry cases at the beginning of 2017 in comparison to the beginning of 2016 is the number of resolved cases in relation to the number of incoming cases (104%) during 2016. The lower number of received cases and Clearance rate of 106% lead to the decrease of the number of pending business registry cases at the end of 2017. The reason for the decreased number of pending "other non-litigious cases" at the beginning of 2017 in comparison to the beginning of 2016 is the significant number of resolved cases in relation to the number of incoming cases (185%!!) during 2016. Regarding the increased number of incoming cases of this type, there are in absolute numbers very few cases (154) and although there is an increase of more than 20% in comparison to previous year, we think that there is no significant explanation for this, which would affect the trends in following cycles. As for the decrease in the number of resolved "other non-litigious cases", there is no significant explanation for this, but we think that it will not influence the trend in future cycles.

The reason for the decrease of pending civil and commercial litigious cases older than 2 years in second instance courts lays in the fact that in 2017 second instance county courts and the High Commercial Court resolved significant amount of cases in relation to received cases (122%) with special focus on older cases. This led to a decrease of more than 17% of all pending cases and more than 30% of pending cases older than 2 years.

The reason for the decrease of pending non-litigious cases older than 2 years in second instance courts lays in the fact that in 2017 second instance county courts and the High Commercial Court resolved more cases than received (103%) with special focus on older cases. This led to decrease of more than 7% of all pending cases and more than 30% of pending cases older than 2 years (of which they have few in the beginning). The reason for the decrease of pending "general civil and commercial non-litigious cases" older than 2 years in second instance courts lays in the fact that in 2017 second instance county courts and the High Commercial Court resolved more cases than received (103%) with special focus on older cases. This led to decrease of more than 7% of all pending cases and more than 30% of pending cases older than 2 years (of which they have few in the beginning). The reason of the increase of pending registry cases older than 2 years in this category is entirely due to the increase of the number of pending land registry cases older than two years. The reason is already explained - the increase of pending cases in total is due to the difficulty of second instance courts to cope with the income of these cases. Finally, in respect of administrative law cases, due to the decrease of number of pending cases of this type in total, there is also decrease for 8 cases of pending cases older than 2 years (as stated before, we do not think that this is significant change taking into consideration absolute numbers and type of cases).

**Q097 (2016):** Second instance land registry cases, due to introducing separate case registers for certain type of cases on second instance courts, are now traceable as such in case management system. They have been taken out from Other non-litigious cases, where they were presented in previous cycles. The number of administrative cases, both in incoming and pending cases at the end of period is increasing. This is due to the law changes, which have extend jurisdiction of this court and consequently increase income of cases and unresolved cases at the end of period.

**Q097 (2014):** It is noteworthy that in 2012 and 2013, the ICMS could not recognize and divide cases into litigious or non-litigious. In 2014, the ICMS was improved as Croatia introduced updated and a very detailed code table, in order to extract more detailed case types from the system. Therefore, now the distinction between all cases in litigious and non-litigious cases as well as other types of cases can be made very accurately. This change of methodology of categorisation affected the difference between pending cases on 31 December 2013 and pending cases on 1 January 2014 which will disappear in the next cycle.

**Q097 (2013):** In the frame of the 2013 exercise it has been explained that the discrepancies that can be observed in respect of the category "total of other than criminal cases" between the number of pending cases indicated for December 2012 and the number of pending cases communicated for January 2013, result from an administrative correction of a specific small number of cases by the second instance courts after the closure of the statistic period, which the reporting system then generates as a difference concerning previously rendered data.

As to the category "civil and commercial litigious cases", owing to a different methodology of presentation of data, the number of pending cases in the end of 2012 does not coincide with the number of pending cases in the beginning of 2013. The number of pending cases on 31 December 2012 included second instance-civil and commercial courts' cases, bankruptcy cases, general non-litigious cases, enforcement cases, land registry cases and company registry cases. Since 2013, it is possible to provide data on the second-instance civil and commercial litigation cases and bankruptcy cases separately from the general non-litigious cases, enforcement cases, land registry cases and company registry cases.

The variations observed with regard to the category "total of other than non-criminal law cases" for the period 2010-2013 can be explained by the negative economic situation in Croatia, which resulted in the increase of incoming commercial and civil cases before first instance courts and consequently led to the increase of the second instance cases.

**Q097 (2012):** As to the variations observed in respect of the "administrative law cases", they are justified by the reform related to the administrative justice. Basically, till December 2011, they were adjudicated at the Administrative Court of the Republic of Croatia. Provided that the latter was overburdened, the two-instance administrative adjudication was introduced in January 2012. Four regional administrative courts were established as first instance courts (Zagreb, Osijek, Rijeka and Split), and former Administrative Court became second-instance High Administrative Court (appellate court).

**Q098 (General Comment):** Due to the peculiarity of the Croatian legal system explained within the frame of question 94, the category "severe criminal cases" subsumes criminal cases under the jurisdiction of the 2nd instance county courts, while the category "misdemeanours and/or minor criminal cases" encompasses cases under the jurisdiction of the 2nd instance misdemeanour courts and the High Misdemeanour Court. Croatian legislation distinguishes misdemeanours and criminal offences. Misdemeanour Act prescribes that misdemeanours and misdemeanour legal sanctions can be proscribed solely for those behaviours that violate or threaten public order, social discipline and social values guaranteed and protected by the Constitution of the Republic of Croatia, international law and the laws whose protection is not possible without misdemeanour legal sanction, and their protection is not achieved with criminal coercion. The above shows that misdemeanours are certain behaviours that deserve sanction, but which by its severity and consequences do not deserve criminal liability.

Since the Criminal code does not strictly classify the categories of severe and minor criminal offences, we are not able to classify as misdemeanour/minor all offences for which it is not possible to pronounce a sentence of deprivation of liberty, and classify as severe offences all offences punishable by a deprivation of liberty

According to this, in the category "severe criminal cases" there are criminal cases under the jurisdiction of the 2nd instance county courts, while in the category "misdemeanours and/or minor criminal cases" there are cases under the jurisdiction of the 2nd instance misdemeanour courts and High Misdemeanour Court.

**Q098 (2021):** In category "Other cases" are included cases of execution of imprisonment sanctions on county courts in second instance.

**Q098 (2018):** Starting from 1 June 2013, when the Act on Amendments to the Misdemeanors Act (OG 39/2013) entered into force, the inflow of first-instance misdemeanour cases had been reduced up to the point where there was no more justification for keeping specialized courts for these types of cases. This led also to continuous decrease of second instance misdemeanour cases, which is also the case in this reporting cycle.

Category "Other cases" - category introduced in this cycle: in case of Croatia, cases calculated here are cases of execution of imprisonment sanctions on county courts in second instance.

**Q098 (2016):** Starting from 1 June 2013, when the Act on Amendments to the Misdemeanours Act (OG 39/2013) entered into force, the inflow of first-instance misdemeanour cases displayed in this table continuously and significantly had been reduced. The number of resolved cases reduced as well, but due to a significant decrease in inflows, the number of unresolved cases reduced by the end of the period.

**Q098 (2014):** According to 2014 data and pursuant to the Act on the Amendments of Misdemeanour Act which entered into force in 2013 (OG 39/13), possession of drugs for personal usage is no longer a criminal act but a misdemeanour act. That provision enabled disburdening of the county courts. Furthermore, municipal courts became competent for criminal act of unauthorized production and trafficking of drugs (which was previously in the jurisdiction of county courts and made a share of 40-50% of all cases dealt with by the county courts).

**Q098 (2013):** Generally speaking, the decrease of the total number of misdemeanour cases at all levels was the main goal and purpose of adopting the Act on the Amendments of the Misdemeanour Act in 2013 (OG 39/13) in which the definition of misdemeanour act was changed, the principle of opportunity as well as the simplification of the procedure were introduced, the more active role was given to the plaintiff. Moreover, specific measures were introduced: if the fine is paid when caught in committing a misdemeanour offence, it is considered as paid if the half of the amount was paid immediately, and if the deadline was prescribed, it is considered as paid if the 2/3 of the amount was paid. Moreover, the enforcement procedure conducted on monetary assets is more efficient. The Register of Unpaid Fines was established.

According to the new misdemeanour provisions, there is no suspension of the proceedings because of the statute of limitations. Every court decision is being enforced, fines are being paid, therefore strengthening the general prevention and withdraw of committing misdemeanour offences. All of the above said leads to the reduction of the number of misdemeanour cases at both courts' instances: misdemeanour courts and High Misdemeanour Court of the Republic of Croatia

**Q099 (2017):** Regarding the answers in this question, cases dealt with by the Supreme Court of the Republic of Croatia, as the highest instance court in the RoC, have been presented. We are unable to show separately the required categories. The Supreme Court of the RoC is in the process of preparing the implementation of the ICMS, which will in future enable the expression of cases by types. Source for this data is published data by the Supreme Court of the RoC for year 2017 on their website.

**Q099 (2016):** Due to a large influx of revision proceedings and a slower solving of cases in 2014 and 2015, at the beginning of 2016 the number of pending cases continues to increase. However in 2016 the Supreme Court of the Republic of Croatia significantly resolved more cases than in previous cycle and the number of pending cases had decreased compared with 2015 although not when compared with 2014.

**Q099 (2015):** In the table 99. cases dealt by the Supreme Court of the Republic of Croatia, as the highest most instance court, have been presented. We are unable to show separately the required categories. The Supreme Court is in the process of preparing the implementation of the ICMS, which will in future enable the expression of cases by types.

**Q099 (2014):** After the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which the existing judges and advisors at the Supreme Court may solve. In resolving the cases at the Supreme Court, advantage is given to urgent cases (determined by laws) and to old cases.

**Q100 (General Comment):** The Supreme Court of the Republic of Croatia distinguishes only if the case is civil or criminal, but does not classify case types in specific categories beyond that classification. The main classification in the Case management system is based on the instance of the procedure in the sense that there are some instances when the Supreme Court acts as a second instance appellate court. When the criminal procedure is regarding a very serious criminal offense (charges for which the jail sentence is more than 10 years), the County courts act as a first instance court, and all appeals are decided upon by the Supreme Court as a second instance court. In that sense, the classification of cases of the Supreme Court in the Case management system distinguishes only those cases which are from the position of the second instance or from the position of the third instance court. Since the recently established High Criminal Court of the Republic of Croatia has overtaken the role of the appellate court for the County courts in aforementioned instances, the Supreme Court has retained only the competency of a third instance court in criminal cases, but the cases are still distinguished in the same classification as before.

**Q100 (2022):** The Supreme Court of the Republic of Croatia distinguishes only if the case is civil or criminal, but does not classify case types in specific categories beyond that classification. The main classification in the Case management system is based on the instance of the procedure in the sense that there are some instances when the Supreme Court acts as a second instance appellate court. When the criminal procedure is regarding a very serious criminal offense (charges for which the jail sentence is more than 10 years), the County courts act as a first instance court, and all appeals are decided upon by the Supreme Court as a second instance court. In that sense, the classification of cases of the Supreme Court in the Case management system distinguishes only those cases which are from the position of the second instance or from the position of the third instance court. Since the recently established High Criminal Court of the Republic of Croatia has overtaken the role of the appellate court for the County courts in aforementioned instances, the Supreme Court has retained only the competency of a third instance court in criminal cases, but the cases are still distinguished in the same classification as before.

**Q100 (2021):** There has been a decrease of incoming criminal law cases between 2020 and 2021 following the establishment of the High Criminal Court on 1st of January 2021, which took over part of the previous Supreme Court's jurisdiction.

**Q100 (2018):** The table shows cases under the jurisdiction of the Supreme Court of the Republic of Croatia, as the highest judicial authority in the Republic of Croatia.

**Q100 (2016):** The table shows cases under the jurisdiction of the Supreme Court of the Republic of Croatia, as the highest judicial authority in the Republic of Croatia. We are not able to present the data separately for “Severe criminal cases” and “Misdemeanour and/or minor criminal cases” due to the fact that the implementation of the Integrated Case Management System at the Supreme Court of the Republic of Croatia is underway. It will enable the track record of the cases by type. The significant decrease of the number of pending cases at the beginning of 2016 in the Supreme Court is due to the fact that since beginning of 2014 this court continuously solves more cases than it receives and also because in 2015 there was a further reduction in inflow of cases.

**Q100 (2014):** For 2014, the table shows cases under the jurisdiction of the Supreme Court, as the highest judicial authority in the Republic of Croatia. Data on “severe criminal cases” and “misdemeanour and/or minor criminal cases” could not be presented separately due to the fact that the implementation of the Integrated Case Management System at the Supreme Court of the Republic of Croatia is underway. It will enable the track record of the cases by type. When comparing 2012, 2013 and 2014 data, it can be noticed a trend of decrease of the total number of incoming criminal cases, which is a result of legislative amendments, suspension of extraordinary legal remedy (request for extraordinary mitigation of penalty), as well as the decrease of the number of cases in which the decision about an appeal to investigative imprisonment needs to be decided on.

## Cyprus

**Q091 (General Comment):** The reason for not having data for the subcategories of cases is that there was no electronic filing system that would enable us to have statistical data on different types of cases.

**Q091 (2022):** The total number of resolved cases has increased as there was an increase in the number of judges. Administrative law cases include the cases filed at the Administrative court of international protection.

**Q091 (2021):** In the administrative cases, the applications for international protection are included and there was an increase in these applications in 2021, as a result of more asylum seekers coming into Cyprus. From 1 January 2021, the Review authority for refugees was abolished.

**Q091 (2020):** In the previous cycle a big number of cases were tried together. This is the reason why number of resolved cases in 2020 might appear lower than in 2019.

Reducing delays in the disposition time is part of the reform process. The difference in the pending cases in administrative cases compared with previous year is that in this figure we included the cases filed before the Administrative court of international protection which was set up.

**Q091 (2019):** In the previous campaigns the number of cases filed and resolved was increased as a result of a big number of cases filed together (in one bundle) and tried together.

**Q091 (2018):** The increase in the number of resolved cases is a consequence of the cases tried together. For number of administrative cases, it should be taken into account that cases were consolidated and that 2724 consolidated cases were withdrawn.

**Q091 (2017):** The variation concerning incoming (total) and resolved (total and administrative) cases (decrease) is due to the fact that, in 2016, cases were filed and tried in a bundle but each was considered separately for statistical purposes. Put differently, cases were joined together and therefore there was an increase in the number of resolved cases. Accordingly, we can observe a decrease in the number of resolved cases between 2016 and 2017.

**Q091 (2015):** Variations: The increase in the number of pending cases between 2010 and 2015 is a result of the bail in Cyprus a lot of administrative cases had been filed against that decision.

The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

**Q091 (2014):** The increase in the number of pending cases is a result of the bail in Cyprus; a lot of administrative cases had been filed against that decision. The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

**Q094 (General Comment):** The reason for not having data for the subcategories of cases is that there was no electronic filing system that would enable us to have statistical data on different types of cases.

**Q094 (2018):** There were fewer criminal cases in 2018.

**Q094 (2014):** As a result of the bail in, the total number of first instance criminal pending cases on 1 January 2014 increased with 27% between 2012 and 2014.

**Q097 (General Comment):** The case flow data of the Supreme Court are included in this question as second instance cases, although Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court.”

**Q097 (2021):** Increase in resolved cases: cases tried together.

**Q097 (2020):** Reducing delays in the disposition time is part of the reform process. In administrative cases in 2019 a big number of cases were tried together. The cases that had the same subject matter were filed individually but were consolidated and tried together but for statistical purposes they were calculated separately. This is the reason why number of resolved cases in 2020 might appear lower than in 2019. The difference in the pending cases in administrative cases compared with previous year is that in this figure we included the cases filed before the Administrative court of international protection which was set up.

The reason we do not have statistical data on subcategories of cases is that the electronic filing system was not introduced that would enable to have statistical data on such cases.

**Q097 (2019):** The Administrative law cases include the cases from the administrative court which was established in 2018.

**Q097 (2017):** appeals filed against decisions of the administrative courts which was established in 2016 should be included in the pending cases on 1.1.2017 as Other cases include family court appeals

Variation between 2016 and 2017 in administrative cases (incoming and resolved): this includes appeals filed against decisions of the administrative court

**Q097 (2016):** The Supreme Court is the appeal court.

**Q098 (General Comment):** The case flow data of the Supreme Court are included in this question as second instance cases, although Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court."

**Q098 (2020):** with regard to criminal appeals less were filed.

**Q098 (2016):** There was an increase in the cases pending between 2014 and 2016. With regard to the increase of number of cases resolved this was due to the creation of the administrative court and therefore the Supreme court did no longer had to deal with first instance administrative cases.

**Q099 (General Comment):** Q99 is NAP because Cyprus has a two tier system therefore the supreme court is the second, highest and final instance court.

**Q099 (2018):** Cyprus only has a two tier system. The Court of Appeal is also the Supreme Court, therefore the relevant data could be found in the section on second instance cases.

**Q099 (2016):** The supreme court is the appeal court

**Q100 (General Comment):** The peculiarity of the judicial system of Cyprus is that the Supreme Court is the appeal and the final instance court.

**Q100 (2020):** The Supreme Court is also the appeal court

**Q100 (2018):** Cyprus only has a two tier system. The Court of Appeal is also the Supreme Court, therefore the relevant data could be found in the section on second instance cases.

**Q100 (2016):** The supreme court is the appeal court

## Czech Republic

**Q091 (General Comment):** For years 2010, 2012 and 2013, business register cases, administrative cases and insolvency registry cases which are decided by the regional courts (second instance courts) acting as first instance courts, were included in the table concerning the case-load of second instance courts (question 97). On the contrary, since 2014, administrative cases, business registry cases and insolvency cases (and also some litigious cases) which are still decided by the second instance courts acting as first instance courts, are subsumed within the table of question 91 (which was already the case for the 2008 exercise). Methodology has been changed in year 2015 – more case types have been included, which led to the big increment in the number of cases. There are no further changes expected.

**Q091 (2022):** Pending cases on 31 Dec. ref. year: In general, the number pending cases in Czech republic is decreasing, which can be seen in the table.

Administrative law cases: There is a significant and steady decrease in law administrative cases in last years. Thanks to the decreasing number of incoming cases and thanks to the increasing of the number of judges, the pending cases are rapidly decreasing.

**Q091 (2021):** Business registry cases are very quickly resolved and there is quite a variance between years. The number of cases is probably affected by many factors – new laws, economic situation and much more. This is also reflected in the number of pending cases.

2.3 Other non-litigious cases - It is relatively minor and "not very important" case type. The number of cases is quite small. It follows that there is big variance in the data between years.

**Q091 (2020):** The registry cases are very quickly resolved and the numbers can vary between years significantly. In 2019, courts managed to resolve more cases than was the number of incoming cases, which led to decrease in pending cases. The same explanation applies to “other non-litigious cases”. The number of cases is quite small. It follows that there is big variance in the data between years. Furthermore, during 2019 courts managed to resolve significantly more cases than in 2018, no special reasons were reported other than a fact that number of cases is relatively small and the cases are not complex. This also resulted in further reduction of the number of cases at the end of 2019. In 2020, the courts again managed to resolve more cases than was the number of incoming cases for both registry cases and other non-litigious cases. Business registry cases are very quickly resolved and there is quite a variance between years. The number of cases is probably affected by many factors – new laws, economic situation and much more. Other cases: The number of incoming cases has grown, probably due to changes in insolvency legislation.

**Q091 (2019):** The registry cases are very quickly resolved and the numbers can vary between years significantly. Last year, courts managed to resolve more cases than was the number of incoming cases, which led to decrease in pending cases at 1 January of the reference year. For Other non-litigious cases the same reasons apply for the number of cases at the beginning of the year. Furthermore, during 2019 courts managed to resolve significantly more cases than last year, no special reasons were reported other than a fact that number of cases is relatively small and the cases are not hard. This also resulted in further reduction of the number of cases at the end of the reference year. For incoming Other cases, there was a legislative change in insolvency law that is probably a reason for the significant grow in the number of incoming cases.

**Q091 (2018):** Methodology has been changed in 2.1 and 2. (civil and commercial non-litigious cases) in year 2015 – more case types have been included, which led to the big increment in the number of cases.

**Q091 (2017):** Methodology has been changed in 2.1 and 2. (civil and commercial non-litigious cases) in year 2015 – more case types have been included, which led to the big increment in the number of cases. Generally the number of incoming cases is decreasing, more use of ADR.

In the previous year the number of resolved cases greatly exceeded the number of incoming cases for other non-litigious cases, which led to huge drop in pending cases and discrepancy appeared.

Non-litigious business registry cases are very easy to resolve and the variance between years in the number of cases (incoming, resolved and pending) is quite big in general. Thus the annual change could easily be (and is) greater than 25 %. Courts have problems with resolving administrative cases. It follows that number of incoming cases was last year much bigger than number of incoming cases. Thus number of pending cases increased greatly cases and discrepancy appeared.

As to Other cases, insolvency cases are reported. This is relatively new and very specific agenda, which usually takes 5 years to resolve. There was an increase in case filings five years ago, which resulted in growth in the number of resolved cases nowadays. On the other hand, for various reasons (including legislative changes) the number of incoming cases is decreasing.

**Q091 (2016):** Methodology has been changed in 2.1 and 2. (civil and commercial non-litigious cases) in year 2015 – more case types have been included, which led to the big increment in the number of cases. Generally the number of incoming cases is decreasing, more use of ADR.

**Q091 (2015):** Methodology has been changed in 2.1 in year 2015 – more case types have been included, which led to the big increment in the number of cases.

Civil and commercial non-litigious cases include: 2.1 - uncontested payment orders, cases of the upbringing and maintenance of a minor, declaration of admissibility of taking or keeping of a person in a medical (health care) institution, declaration of the death of a person, inheritance proceedings, judicial deposit cases

Category "other includes: insolvency cases and incidence disputes

**Q091 (2014):** For 2014, business register cases, administrative cases, insolvency registry cases and also some litigious cases which are decided by the regional courts (second instance courts ) acting as first instance courts are subsumed within the table of question 91.

For 2014 the category “other” encompasses insolvency cases.

In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

**Q091 (2013):** For 2013, business register cases, administrative cases and insolvency registry cases which are decided by the regional courts (second instance courts ) acting as first instance courts, were included in the table concerning the case-load of second instance courts. In 2014, these cases (and also some litigious cases) are subsumed within the table of question 91.

For 2012, the category of enforcement cases concerns exclusively enforcement carried out by the court itself, while for 2013, this category encompasses also enforcement ensured by private executors (in this procedure, the court authorizes the private executor to proceed to the enforcement and decides about remedial measures against executor's decision). For 2012, the category "other" includes electronic payment orders and probate proceedings, while for 2013 it encompasses only electronic payment proceedings. Moreover, in respect of the electronic payment orders, there was a switchover to another register and 174.067 cases were transferred to a new register. The describes evolutions affect the total.

**Q091 (2012):** For 2012, business register cases, administrative cases and insolvency registry cases which are decided by the regional courts (second instance courts ) acting as first instance courts, were included in the table concerning the case-load of second instance courts. In 2014, these cases (and also some litigious cases) are subsumed within the table of question 91.

Variations between 2010 and 2012 concerning the number of pending cases on 1st January, the number of incoming cases and the number of pending cases on 31 December stem from the high number of incoming electronic payment orders in 2011. Besides, more enforcement cases are handled by private executors.

**Q092 (2014):** For all of the four exercises (2010, 2012, 2013 and 2014) the category of civil and commercial non-litigious cases encompasses cases of upbringing and maintenance of a minor. In 2014, it subsumes also declarations of admissibility of taking or keeping a person in a medical (health care) institution and declarations of death of persons.

**Q093 (General Comment):** For 2010 and 2012 the category "other" subsumes electronic payment orders and probate proceedings, while for 2013, it encompasses only electronic payment orders. By contrast, for 2014, its content covers insolvency cases. Since 2015 category "other cases" includes insolvency cases and incidence disputes.

**Q094 (General Comment):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases".

**Q094 (2018):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases"

**Q094 (2014):** Severe criminal cases are crimes in respect of which the law provides for a minimum term of imprisonment of 5 years. They are decided by regional courts acting in first instance. Minor criminal cases are tried by district courts in first instance, regional courts being the appellate courts in such matters.

**Q097 (General Comment):** It is noteworthy that the methodology of presentation of data has been changed since the 2014 exercise. Since 2014, administrative cases, business registry cases and insolvency cases (and also some litigious cases) which are still decided by the second instance courts acting as first instance courts, are subsumed within the table of question 91 (which was already the case for the 2008 exercise).

**Q097 (2022):** Other cases are insolvency and incidency cases.

**Q097 (2020):** In general, number of incoming cases is decreasing and it follows that the numbers of pending cases and resolved are decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies. Civil (and commercial) litigious cases: In general, number of incoming cases is decreasing (mostly because number of first instance cases is decreasing too) and it follows that the number of pending cases is decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies.

Other cases: The variations are the result of changes in first instance agenda. This category includes insolvency cases and there were numerous legislative changes in last years. Also, it must be noted that the number of pending cases is relatively small, thus the variance is bigger.

**Q097 (2019):** In "Other cases" category, insolvency cases are reported.

In general, number of incoming cases is decreasing and it follows that the numbers of pending cases and resolved are decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies.

**Q097 (2018):** In "Other cases" category, insolvency cases are reported.

In general, number of incoming cases is decreasing and it follows that the numbers of pending cases and resolved are decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies.

**Q097 (2017):** In "Other cases" category, insolvency cases are reported. In this year the number of resolved insolvency cases greatly exceeded the number of incoming insolvency cases, which led to huge drop in pending cases at the end of the year and discrepancy appeared. The changes are connected to changes in first instance insolvency agenda.

**Q097 (2016):** Increase in the number of "other cases" in 2015 and 2016 is due to the change of methodology applied to these data.

**Q097 (2015):** Increases in the number of "other cases" are due to the change of methodology applied to the 2015 data.

**Q097 (2014):** In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

**Q097 (2013):** For the 2013 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

**Q097 (2012):** For the 2012 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

**Q098 (General Comment):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases".

The data provided involves appeals and complaints (corrective measure against a resolution). Instead of "Pending cases older than 2 years from the date the case came to the second instance court" "Pending cases older than 1 year from the date the case came to the second instance court" are provided.

**Q098 (2021):** The number of pending cases older than 2 years is very low in second instance and thus it follows that there is a big variance in the data between years.

**Q098 (2012):** In the frame of the 2012 evaluation cycle, it has been specified that the total number of criminal cases includes severe criminal cases decided by second instance courts acting in first instance and appeals against decisions of the first instance courts in criminal matters. On the contrary, in 2010, the total encompassed only the number of appeals, while the number of severe criminal cases was not subsumed. Accordingly, due to the different methodology of presentation of data, the comparison between the 2010 and 2012 figures should be qualified.

**Q099 (2022):** Administrative cases: The Supreme court is overburdened and has trouble resolving its cases thus the number of pending cases grow quite quickly. It is connected to growth in the number of administrative first-instance cases in previous years and growing tendency to file an appeal to the Supreme Administrative Court.

Other cases: Includes insolvency cases. The changes are the result of changes in second-instance agenda.

**Q099 (2021):** Other cases: This category includes appeals in last (third) instance of insolvency cases and incidence disputes.

**Q099 (2020):** Civil (and commercial) litigious cases: After several years of steady growth in the incoming cases, the incoming cases started to decrease in 2018. This is mainly due to legislative changes and drop in first and second-instance agenda in previous years. Thanks to this decrease the Supreme court was able to resolve part of its backlog and thus pending cases significantly decreased.

Civil (and commercial) non litigious cases: The variations should be put into perspective due to small absolute values.

Administrative cases: The Supreme court is overburdened and encounter difficulties to resolve its cases thus the number of pending cases grow quite quickly. It is connected to grow in number of administrative first-instance cases and growing tendency to fill an appeal to Supreme Administrative Court.

Other cases: This category includes appeals in last (third) instance of insolvency cases and incidence disputes. The changes are the result of changes in second-instance agenda. Also, it must be noted that the number of pending cases is relatively small, thus the variance is bigger.

**Q099 (2019):** Court was overburdened last year (there was much higher number of incoming cases than it managed to resolve), so there is a big increase in the number of pending Administrative cases.

**Q099 (2018):** The category "other" includes appeals in last (third) instance of insolvency cases and incidence disputes.

**Q099 (2017):** The category "other" includes appeals in last (third) instance of insolvency cases and incidence disputes. This whole agenda is relatively new (since 2008) and it takes quite a long time to resolve a case (several years). Since the agenda is new, it took several years before the number of first-instance incoming cases stopped growing and reach somehow stable level. Of course, the number of appeals (second instance) and incoming case second instance cases started to grow as well, but later. For simplicity, it can be said that Supreme Court deals with appeals in final (third instance). It follows that the number of final instance cases in this agenda also started to grow and again, later than the number of incoming cases in second instance. Thus the number of incoming cases in this agenda (insolvency cases and incidence disputes) is currently growing. The court seems to be struggling to deal with this growth in number of incoming cases, yet it is difficult to understand the reasons behind it, as the growth does not seem to be very high in absolute numbers.

**Q099 (2016):** In 2016 the administrative cases were added and for that reason all numbers show variation. Previously the number of administrative cases on this instance was NA.

**Q099 (2012):** In the frame of the 2012 evaluation cycle, it was specified that the civil and other cases are within the competence of the Supreme Court, while the administrative cases are within the competence of the Supreme Administrative Court.

**Q100 (General Comment):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases"

**Q100 (2020):** Total of criminal cases: The variations should be put into perspective due to small absolute values.

**Q100 (2018):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases"

## Denmark

**Q091 (General Comment):** As concerns "non-litigious business registry cases", it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. Furthermore, the reason for the discrepancy is that we do not have pending figures from the Maritime and Commercial High Court. Administrative courts do not exist in Denmark, and administrative cases are initially dealt outside courts by court-like bodies, like appeal boards, committees, or councils. The number of "administrative law cases" which are litigious and go to courts is encompassed in the number of "civil and commercial litigious cases".

With regard to "non litigious land registry cases", it should be pointed out that due to the high amount of incoming and resolved cases, the residual figure of pending cases prior and after the period may vary.

**Q091 (2022):** The number of administrative litigious cases that go to courts in 2022 are estimated at 2600 which is 5,5% of the total number of incoming civil and commercial litigious cases in Denmark. They can not be easily separated from the other civil and commercial cases.

In 2022 there was still an aftermath of the unusual situation of the Covid-19 related to the periods with closing down the society, including the courts. It has created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it. Land registration is the major source of incoming cases with very large figures. It fluctuates a lot depending on interest rates, loan rescheduling etc.

2.1. General civil (and commercial) non-litigious cases: The courts have successfully reduced the number of pending cases. As concerns "2.2.2. Non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases.

**Q091 (2020):** 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it. Land registration is the major source of incoming cases. It fluctuates a lot depending on interest rates, loan rescheduling etc.

2.1. General civil (and commercial) non-litigious cases: The courts have successfully reduced the number of pending cases. As concerns "2.2.2. Non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases. The courts received many extra backlogged cases from the Danish Commerce and Companies Agency reinforced closure of companies that were still backlogged in the early 2020. The courts were closed for 3 weeks except for vital cases and government assistant to companies helped them and reduced bankruptcies and closures of companies that would normally have happened.

**Q091 (2019):** Variation in land registration (loans etc) as market and interest rates always vary from year to year.

For non-litigious business registry cases: Received markedly fewer enforced cases re enforced closure in 2019 than in 2018; Solved many extra insolvency cases in the beginning of year 2019 received in late autumn / winter 2018; pending cases on 31 December - It is important to understand the figure, that we succeeded to include pending cases from the Maritime and Commercial court.

**Q091 (2018):** As concerns "non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases. Besides from that it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. Furthermore, the reason for the discrepancy is that we do not have pending figures from the Maritime and Commercial High Court. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

With regard to "non litigious land registry cases", it should be pointed out that due to the high amount of incoming and resolved cases, the residual figure of pending cases prior and after the period may vary.

**Q091 (2017):** The figures provided in respect of this question are not fully consistent. The Maritime and Commercial Court only measures incoming and resolved insolvency cases but not pending cases. Accordingly, when the data on processed/resolved cases from this court are included, there will always be a small inconsistency. Therefore, vertical and horizontal figures are not totally consistent.

Concerning the category "land registry cases", the number of pending cases on 1 January 2017 is a residual figure from received, finalized and pending cases ultimo the year; it may deviate from pending cases ultimo 2016, but it is a residual figure. The number of pending cases on 31 December 2017 is an actual figure. Concerning the category "registry cases", it is specified that the Maritime and Commercial Court does not publish pending cases which results in a discrepancy.

**Q091 (2016):** As concerns "non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases. Besides from that it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

With regard to "non litigious land registry cases", it should be pointed out that due to the high amount of incoming and resolved cases, the residual figure of pending cases prior and after the period may vary.

**Q091 (2014):** Due to an improved business situation, courts at all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases; pending cases are also reduced thereby. Non-litigious business registry cases follow the overall tendency.

**Q091 (2013):** The successive decrease observed in the number of civil and commercial litigious cases stems from the possibility to reopen cases and the missing data on pending cases before the Maritime and Commercial Court. As for the land registry cases, following the digitalizing in 2009 of land registry, the number of pending cases decreased markedly.

**Q092 (General Comment):** Paternity, adoption, guardianship and others in the same category; cases under inquisitorial procedures.

**Q093 (General Comment):** Estate after a deceased person, notary, insolvency cases not included under 2.2.2. above.

**Q094 (General Comment):** Danish Court Administration has not worked out a statistics on pending cases older than 2 years. When we categorize cases as "severe", it does not mean that privation of liberty is the end result, but based on the category chosen by the court to deal with the case could include severe cases. Minor cases are typically fines that will never have as a result of privation of liberty. Probably there are too many cases under the category "severe" then, but that is the figures we have.

**Q094 (2022):** In 2022 the courts are still dealing with a high number of pending cases in the aftermath of the situation with covid-19.

**Q094 (2021):** 2020 was an unusual year because of the Covid-19 pandemic, related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it.

**Q094 (2020):** 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it.

**Q094 (2018):** Our statistics on criminal cases does not have data on pending cases older than 2 years. We can not differentiate pending cases according to age. When we categorize cases as "severe", it does not mean that privation of liberty is the end result, but based on the category chosen by the court to deal with the case could include severe cases. Minor cases are typically fines that will never have as a result of privation of liberty. Probably there are too many cases under the category "severe" then, but that is the figures we have.

**Q094 (2016):** Our statistics on criminal cases does not have data on pending cases older than 2 years. We can not differentiate pending cases according to age.

The reason pending cases per 31 December 2016 has decreased is that the courts have resolved more cases than incoming cases.

**Q094 (2014):** For the period 2010-2014, district courts have been able to resolve more cases than the number of incoming cases, especially concerning minor criminal cases (traffic offences etc.) which have been given a higher priority. In 2012, district courts received more minor criminal cases due to a new procedure according to which the police sent cases where citizens haven't paid their fines to courts. This was changed again in the end of 2012 where warnings were sent out first and the number of minor cases dropped therefore markedly in 2013. In 2014 the number of received minor criminal cases has gone up again following a decision of the police to step up on issuing fines for traffic offences. Besides, city courts resolved more cases through the plea guilty procedure.

**Q094 (2012):** The Courts of Denmark received an extraordinary appropriation in 2009 specifically to bring down backlogs. This effect can be seen in 2012, among other things in the lower number of pending cases. The increase in the number of misdemeanor and/or minor criminal cases is due to the fact that a high number of cases concerning, especially, traffic fines were handled at court level.

**Q097 (General Comment):** It is noteworthy that all appellate cases are considered as "litigious cases" which explains the reply NAP for all the other categories, as well as the fact that the total coincides with the number of civil and commercial litigious cases. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

Another important remark concerns cases that are not first instance cases before the two High Courts and which are included in question 97. Cases that begin as first instance at one of the two High Courts are not included in the figures in table 97.

**Q097 (2016):** Pending cases may vary a lot depending on the ratio of resolved cases compared to incoming cases. We can observe a decrease of about 30 % of pending cases ultimo the 2016. This is due to this "residual" nature of pending cases. The decrease in the pending cases between 2014 and 2016 is because in both calendar years 2015 and 2016 the number of resolved cases exceed the number of incoming cases.

**Q097 (2014):** In the ambit of the 2014 exercise, it has been emphasized that due to an improved business situation, courts on all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases. Generally speaking, pending cases are also reduced thereby.

**Q098 (General Comment):** All criminal cases at 2nd instance are considered severe as they would otherwise not become 2nd instance criminal cases. We can not differentiate pending cases depending on their age. There might be cases though that would not fulfil the criteria of a severe case. About one third of the cases may be smaller or bigger issues from the cases in the district courts that are appealed to one of the two High Courts before proceeding at the district courts and then finally settled in the district court. It is not possible to see if it an issue is from a severe case in the district or a case that is not severe. Then the whole case may afterward be appealed to one of the two High Courts when the district courts have come to a final judgment.

**Q098 (2022):** All criminal cases at 2nd instance are considered severe as they would otherwise not become 2nd instance criminal cases. Due to periods of lock downs because of the situation with covid-19, the courts have still a lot of pending cases.

**Q098 (2020):** 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it.

**Q098 (2016):** All criminal cases at 2nd instance are considered severe as they would otherwise not become 2nd instance criminal cases. We can not differentiate pending cases after how old they are.

**Q099 (2021):** There is no special reason explaining the increase in the number of incoming cases. It should be recalled that 2020 was a special year because of the lockdown. The Supreme court depends on the two High Courts to receive cases and they send a few more cases to the Supreme court in a year without lockdown compared with 2020.

**Q099 (2019):** resolved and incoming cases have not markedly changed. So it is pending cases that varies. But pending cases are residual numbers and will typically vary from year to year.

**Q099 (2018):** In the Danish context, non-litigious cases do not make sense. Pending cases may vary as it is residual in nature and is depending on the number of incoming and resolved cases and the ratio between those two.

it is also important, when we talk discrepancy, that there is a year between previous and present year (2016 - 2018). 2017 is missing, so data - in particular pending cases - may vary.

**Q099 (2017):** Pending cases primo and ultimo 2017 for the Supreme Court is found based on pending cases ultimo 2016, received cases in 2017 and resolved cases in 2017. Put differently, pending cases are now generated based on pending ultimo 2016 and cases in 2017.

**Q099 (2016):** In the Danish context, non-litigious cases do not make sense. Pending cases may vary as it is residual in nature and is depending on the number of incoming and resolved cases and the ratio between those two.

**Q099 (2015):** The number of incoming cases ("other than criminal cases") dropped between 2010 and 2015. Since the instance reform in 2007, the Supreme Court is now almost only a third instance court (instead of being partly a second instance court and partly a third instance court). Indeed, first instance pending cases at the two High Courts in 2007 have gradually already been appealed or finalised.

**Q099 (2014):** In the frame of the 2014 exercise, the attention was drawn on the fact that the number of incoming and resolved cases before the Supreme Court was still falling, since the reform of 1st January 2007. Before 2007, many cases started in one of the two High Courts and could be appealed directly to the Supreme Court as second instance. Since 2007, almost all cases start at the lowest level and consequently, much fewer cases are appealed to the Supreme Court. This effect of still fewer cases appealed to the Supreme Court following the reform could still be seen from 2012 to 2014.

**Q100 (2018):** Data are from the yearly report 2018 from the Supreme Court, <http://www.hoejesteret.dk/hoejesteret/embedsregnskab/Documents/Årsberetning2018.pdf>

**Q100 (2016):** Based on the data the Danish Court Administration got, it is not possible to show pending criminal cases.

**Q100 (2014):** For 2014, the number of pending criminal cases was not available.

The number of received criminal cases has fallen all the years since 2010, except from 2014 where it went up with 7 cases and the same number of criminal cases were received as in 2012. It is worth mentioning that the Danish Court Administration differentiates between cases that are fully appealed and cases in respect of which a specific point is appealed (i.e. should the person being charged stay in custody while the case is on-going). The number of cases fully appealed has varied between 27 and 14 over the period 2010-2012-2013-2014 (in 2013 and 2014 there were 14 received cases). Completed "full cases" have varied between 32 and 12 cases (in 2014 there were 12 completed criminal cases). The rest of the cases were related to specific questions.

Therefore, and due to the instance reform as well, the Supreme Court has over the years dealt with fewer and fewer cases.

## Estonia

**Q091 (2022):** No comment could be provided on the variations in the caseload between 2020 and 2022.

**Q091 (2021):** The increased number of administrative law cases pending at the end of 2021 is due to COVID-19 related cases that have taken more time to be solved.

Concerning general civil and commercial non litigious cases, it should be mentioned that during the second Covid-19 year, courts processed cases that they were not able to process during the first Covid-19 year.

**Q091 (2020):** MoJ

In 2020, there have been difficulties with filling the vacancies of judge positions in the biggest county court (judges going on maternity leave or retirement), which may have resulted in an increase in pending cases older than 2 years in general.

**Q091 (2019):** Some horizontal inconsistencies and inconsistencies with previous year are due to the fact that data are always taken from the live database.

**Q091 (2018):** The variations in total and in the non litigious cases are due to the number of entrepreneurs that has grown every year, so the number of incoming case is also increasing. Furthermore, the number of real estate transactions has increased and the market is active. The number pending cases end of 2017 is different because the numbers are taken later and the data has been corrected.

**Q091 (2017):** There are not any particular reasons to explain variations in the number of non-litigious business registry cases, causing variations in respect of the category "registry cases" and "non-litigious cases". As regards item 2.1 "general civil and commercial non-litigious cases", there is an important discrepancy between the number of pending cases on 31 December 2016 and the number of pending cases on 1 January 2017. The reason is related to the time the numbers have been taken out of the system (see general comment). The fifth column "pending cases older than 2 years", includes cases that are suspended (part 9 of our Code of Civil Procedure, <https://www.riigiteataja.ee/en/eli/506022018001/consolide> ). The proceedings may be suspended for example if the one of the parties dies or falls seriously ill; or if in order to solve the dispute the court needs a resolution of an another case.

**Q091 (2016):** The decrease in the number of incoming administrative court cases is due to the decrease in the number of inmate complaints. The variations in total and in the non litigious cases are due to increase of incoming business and land registry cases.

**Q091 (2014):** The increase in the number of incoming administrative law cases is due to a rise of complaints of prisoners. As to the decrease in the total of pending other than criminal law cases on 1 January 2014, the performance indicators of courts have justified supplementary budget resources. Agreements between the Ministry of Justice and courts are expected concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings. For 2014, non-litigious enforcement cases are included in the category "general civil (and commercial) non-litigious cases".

**Q091 (2013):** As to non-litigious business registry cases and the observed decreases, in 2012 it was impossible to separate supervisory proceedings from general proceedings and therefore 2012 data included supervisory proceedings as well. The number of pending "civil and commercial litigious cases" decreased on account of the enhanced efficiency of the first instance courts, while the decrease in the number of incoming cases is due to the reestablishment of the normal case-flow after the economic crises.

**Q091 (2012):** The land register (together with the marital property register) and the commercial register (together with the non-profit associations and foundations register, commercial pledge register and ship register) are part of the county courts. "Land registry cases" and "business registry cases" refer to the registration procedure, including supervisory proceedings over undertakings. Disputes arising from the registration procedure are subsumed in "general civil (and commercial) non-litigious cases". The dynamics of the "civil and commercial non litigious cases" is considerably influenced by the payment order proceedings that form the largest part of this category and are dealt with by only one courthouse. The 2012 data includes enforcement, land and business registry cases.

**Q094 (2020):** Other criminal cases: for example different enforcement and pretrial cases. The pandemic has affected the courts activity in criminal matters in general. The criminal procedure law was not as flexible when judges had to work online. The complete revision of the criminal procedure law is ongoing and will come into force next year.

**Q094 (2018):** Increase of incoming misdemeanor and minor criminal cases.

**Q094 (2016):** Misdemeanour cases can be joined and solved together in court. Cases that can lead to deprivation of liberty of less than five years are still included under severe criminal cases.

Because the distinction between severe and minor criminal cases is not the same with the CEPEJ, data for subcategories can be found below : Severe criminal cases : Pending cases on 1 Jan. ref. year : 803

Incoming cases : 7628

Resolved cases : 7463

Pending cases on 31 Dec. ref. year: 824

Pending cases older than 2 years from the date the case came to the first instance court : 23

Misdemeanour and / or minor criminal cases :

Pending cases on 1 Jan. ref. year : 1835

Incoming cases : 10032

Resolved cases : 10628

Pending cases on 31 Dec. ref. year: 891

Pending cases older than 2 years from the date the case came to the first instance court : 3

**Q094 (2014):** The variations observed over the years 2010, 2012 and 2014 are most likely due to the fact that the Ministry of Justice and the biggest court in Estonia (Harju County court) had an agreement setting the target for eliminating backlogs.

**Q094 (2012):** Horizontal inconsistency within the table stems mainly from the joinder and severance of criminal matters. Following a law amendment of March 2011, claims against enforcement of misdemeanour decisions are brought before bailiffs and not before courts.

**Q097 (General Comment):** Some horizontal inconsistencies and inconsistencies with previous year are due to the fact that data are always taken from the live database.

**Q097 (2022):** "Administrative law cases": there are problems that have been dealt with but no results can be observed yet. Above all there were many vacancies in civil departments and that has had an effect in administrative too.

**Q097 (2021):** In 2021, a general increase in the case load of circuit courts is observed.

**Q097 (2019):** Some horizontal inconsistencies and inconsistencies with previous year are due to the fact that data are always taken from the live database.

**Q097 (2015):** In respect of the civil and commercial non-litigious cases, the increase from 2013 in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters).

As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal. Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases

**Q097 (2014):** On the occasion of the 2014 exercise, it has been emphasized that there has been an ongoing reform concerning the court budgets and judicial performance indicators. Agreements have to be adopted on the occasion of the budget negotiations between the Ministry of Justice and the courts concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings.

As to the increase of the total of pending other than criminal cases (beginning and end of the year), the reason is that 1st instance courts started the project of clearing backlogs and accelerating proceeding earlier. As a result, the number of incoming cases in 2nd instance courts increased in 2013 and resulted also in an increase of the number of pending cases by the end of the year 2013.

For 2014, non-litigious enforcement cases are included in the category "general civil (and commercial) non-litigious cases".

**Q097 (2013):** In the frame of the 2012 and 2013 exercises, several clarifications were provided.

Firstly, in respect of the civil and commercial litigious cases, the observed variations were deemed to be normal, as a part of the ordinary dynamics of the case-flow.

Secondly, in respect of the civil and commercial non-litigious cases, the increase in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters). Owing to that, in 2014 one civil judge's position was given to the Tallinn Appeal Court in order to raise their efficiency.

As to the enforcement procedures, they are in the competence of public bailiffs who are completely independent from the judicial system but act as public authorities. The reply NA is justified by the impossibility to distinguish in the bailiffs' information system the enforcement proceedings where the enforcement instrument is court decision from all the other enforcement proceedings where the enforcement instrument is for example a fine made by police, an administrative act made by the tax authority etc.

In respect of the land registry and business registry cases, it should be recalled that they are within the competence of the 1st instance courts. If the decision of the registry is appealed, it goes to the first instance court as a regular civil case.

As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal.

Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases.

**Q097 (2012):** In the frame of the 2012 and 2013 exercises, several clarifications were provided.

Firstly, in respect of the civil and commercial litigious cases, the observed variations were deemed to be normal, as a part of the ordinary dynamics of the case-flow.

Secondly, in respect of the civil and commercial non-litigious cases, the increase in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters). Owing to that, in 2014 one civil judge's position was given to the Tallinn Appeal Court in order to raise their efficiency.

As to the enforcement procedures, they are in the competence of public bailiffs who are completely independent from the judicial system but act as public authorities. The reply NA is justified by the impossibility to distinguish in the bailiffs' information system the enforcement proceedings where the enforcement instrument is court decision from all the other enforcement proceedings where the enforcement instrument is for example a fine made by police, an administrative act made by the tax authority etc.

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As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal.

Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases.

**Q098 (General Comment):** Some horizontal inconsistencies and inconsistencies with previous year are due to the fact that data are always taken from the live database. Other criminal cases: The enforcement and pretrial cases do not exist in the second instance.

**Q098 (2022):** In recent years, there has been a (wide-ranging) generational change among judges in Estonia, which has led to a temporary drop in performance. especially in the district courts.

**Q098 (2020):** The pandemic has affected the courts activity in criminal matters in general. The criminal procedure law was not as flexible when judges had to work online. The complete revision of the criminal procedure law is ongoing and will come into force next year.

**Q098 (2016):** Discrepancies are due to the numbers being quite small. Number of incoming cases depends on the crimes being committed and the number of resolved cases depends on. Because the distinction between severe and minor criminal cases is not the same with the CEPEJ, data for subcategories can be found below :

Severe criminal cases : Pending cases on 1 Jan. ref. year : 71

Incoming cases : 745

Resolved cases : 762

Pending cases on 31 Dec. ref. year: 54

Pending cases older than 2 years from the date the case came to the first instance court : 0

Misdemeanour and / or minor criminal cases :

Pending cases on 1 Jan. ref. year : 9

Incoming cases : 208

Resolved cases : 214

Pending cases on 31 Dec. ref. year: 3

Pending cases older than 2 years from the date the case came to the first instance court : 0

**Q098 (2014):** The variations observed over the years 2010, 2012 and 2014 are most likely due to the fact that the Ministry of Justice and the biggest court in Estonia (Harju County court) had an agreement setting the target for eliminating backlogs.

**Q099 (General Comment):** It is noteworthy that the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, are due to the fact that the statistic system is alive and courts are entitled to modify and up-date data at any time. Moreover, differences in the horizontal consistency may be explained by the fact that during the proceedings some cases are joined and some are disjoined.

**Q099 (2016):** The number of pending cases has increased because the number of cases where the Supreme Court has decided to open proceedings in the Supreme Court has increased.

**Q100 (General Comment):** The Supreme Court is the court of cassation, therefore only those cases are heard which have been given leave to appeal (i.e. that have been declared admissible for proceedings in the Supreme Court). The data presented shows the number of cases which have been actually heard by the Supreme Court and not the number of appeals. The Supreme Court is not required to give reasons in its ruling on the admissibility of the appeals.

**Q100 (2021):** The Supreme Court did not provide a specific explanation with regard to the decrease in the number of resolved criminal cases, but if we look the overall reasons, they are Covid-19 related.

**Q100 (2020):** The pandemic has affected the courts activity in criminal matters in general. The criminal procedure law was not as flexible when judges had to work online. the complete revision of the criminal procedure law is ongoing and will come into force next year.

**Q100 (2016):** Numbers are quite small. No special reason for discrepancies. Because the distinction between severe and minor criminal cases is not the same with the CEPEJ, data for subcategories can be found below :

Severe criminal cases : Pending cases on 1 Jan. ref. year : 18

Incoming cases : 82

Resolved cases : 73

Pending cases on 31 Dec. ref. year: 27

Pending cases older than 2 years from the date the case came to the first instance court : NA

Misdemeanour and / or minor criminal cases :

Pending cases on 1 Jan. ref. year : 6

Incoming cases : 26

Resolved cases : 29

Pending cases on 31 Dec. ref. year: 3

Pending cases older than 2 years from the date the case came to the first instance court : NA

**Q100 (2014):** The variations observed in 2014 are not of importance, since the numbers are small.

**Q100 (2012):** In 2012, the higher number of criminal cases compared to 2010 was a result of the higher number of cases where the decision of the lower court was appealed. As regards the number of misdemeanour cases before the Supreme Court, the number of appeals was not much lower compared to 2010 but the number of cases accepted by the Supreme Court was lower (in 2010 the Supreme Court declared admissible 35% of the appeals, while in 2012 only 21% of the appeals were accepted).

## Finland

**Q091 (General Comment):** The pending cases older than two years are not collected in Finland. The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on January 2023 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

**Q091 (2021):** Comments The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2022 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. The number mentioned in category 3 includes cases dealt by the administrative courts, the Market Court and the Insurance Court.

**Q091 (2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2021 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts) and HAIPA (for administrative and special courts). The number mentioned in category 3 includes cases dealt by the administrative courts, the Market Court and the Insurance Court.

**Q091 (2019):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 22.1.2020 and reflects the situation on that day. The data available is:

1)Incoming cases 2)Resolved cases

3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts) and HAIPA (for administrative and special courts). The number mentioned in category 3 includes cases dealt by the administrative courts, the Market Court and the Insurance Court.

The number of administrative cases increased dramatically in 2016 due to the asylum crisis. Accordingly, more judges were hired to deal with cases and make the procedure more effective. The limits in which cases have to be handled have also been shortened in order to reduce the number of pending cases. To tackle this crisis, a legislative reform decentralized the asylum cases from one administrative court (Helsinki) to three other administrative courts as well.

As to "civil and commercial litigious cases", we can notice a very high Clearance Rate for 2016 due to the fact that in 2016 the number of incoming civil cases decreased and courts were able to deal with pending cases. Accordingly, the number of pending cases decreased between 2016 and 2019.

"General civil and commercial non-litigious cases": the number of pending cases at the end of 2019 increased slightly between 2018 and 2019. In this respect, it should be noticed that the partial switch to the new case management system AIPA (as for example divorce cases are already processed in this system) can be the explanation as some initial challenges in the reporting tool has been noted recently.

**Q091 (2018):** The number mentioned in category 3 includes cases dealt by the administrative courts, the Market Court and the Insurance Court.

The number of administrative cases increased dramatically in 2016 due to the asylum crisis. Accordingly, more judges were hired to deal with cases and make the procedure more effective. The limits in which cases have to be handled have also been shortened in order to reduce the number of pending cases. To tackle this crisis, a legislative reform decentralized the asylum cases from one administrative court (Helsinki) to three other administrative courts as well.

As to “civil and commercial litigious cases”, we can notice a very high Clearance Rate for 2016 due to the fact that in 2016 the number of incoming civil cases decreased and courts were able to deal with pending cases. Accordingly, the number of pending cases decreased between 2016 and 2018.

**Q091 (2017):** 1. Civil (and commercial) litigious cases: in 2016 the number of incoming civil cases decreased and courts were able to deal with pending cases; accordingly, the number of pending civil litigious cases at the beginning of 2017 has decreased. 2.2.1 From the beginning of the year 2010 Land register cases were transferred to National Land Survey of Finland.

3. Administrative law cases: On appeal, the administrative court reviews the legality of the decision of the authority. The number mentioned in category 3 includes cases dealt with by Administrative Courts, Market Court and Insurance Court. It is worth mentioning that in 2016 the number of administrative cases increased dramatically due to the asylum crisis. As a result, the number of pending administrative cases at the beginning of 2017 increased considerably. Against this background, Finland had adopted different measures to face the asylum crisis (e.g. decentralisation of the competence in respect of asylum cases from one administrative court (Helsinki) to three other administrative courts). Accordingly, the number of incoming administrative cases for 2017 decreased (28%).

**Q091 (2016):** In 2016 the number of incoming civil cases decreased and courts were able to deal with pending cases. The number of administrative cases increased dramatically due to the asylum crisis. Accordingly, more judges were hired to deal with cases and make the procedure more effective. The limits in which cases have to be handled have also been shortened in order to reduce the number of pending cases. To tackle this crisis, a legislative reform decentralized the asylum cases from one administrative court (Helsinki) to three other administrative courts as well. For that reason, statistics show variations as concerns the number of pending administrative law cases in 2016. The number of pending administrative law cases on 1.1.2016 was 20 4775, but due to the decentralization around 5000 cases were transferred from Helsinki to these other courts. In the statistics, these cases do not appear as pending anymore. It is not possible to say how many of them have been resolved, but they are included in the number of resolved administrative law cases.

**Q091 (2014):** Non-litigious enforcement cases are subsumed in the category “general civil (and commercial) non-litigious cases”. The enforcement is of the competence of the enforcement authorities, not of this of courts. Cases mentioned here are appeals in execution proceedings before district courts.

**Q091 (2012):** The increase in the number of pending civil and commercial litigious cases is the result of an exceptionally high number of incoming litigious civil cases in 2011.

**Q093 (General Comment):** The land courts deal with disputes and appeals arising from surveying operations. The most common case types are the divisions, parcellings and encumbrances referred to in the Surveying Act, as well as the procedures under the Expropriation Act and the Private Roads Act. The procedure is very similar to the civil procedure in a district court. Land court cases are dealt with by the District Courts of South Savo, East Uusimaa, Kanta-Häme, Lapland, Oulu, Ostrobothnia, North Savo, and Southwest Finland. The land court, which acts as a separate department of the district court, has a district judge specialising in these matters as chairperson and a land court engineer and two lay members in the main proceedings. The decisions of a land court can be appealed against to the Supreme Court.

All matters concerning insolvency are classified as matters of petition, which means that they require court involvement. These matters are therefore not categorised as civil cases, i.e. dispositive matters between the parties. But, these matters can of course turn out to be litigious in the sense that there are conflicting opinions about the outcome, and the court must decide upon these after a more or less regular trial proceeding. Not all cases become litigious and the court may rule on insolvency/bankruptcy when the legal merits are met. In Finland we tend to define these as two-or-more-party disputes that may be concluded in agreement of the parties (dispositive) and the court is bound by the agreement. The indispositive cases are characterised by the "official principle" which means that only the court can decide the outcome after proceedings are initiated. The indispositive cases also tend to have different rules regarding the costs of the trial than regular civil cases. As a special court, the task of the labour court is to process and resolve disputes concerning collective agreements, as well as disputes based on the laws on collective agreements and collective agreements, defined in more detail in the law on proceedings in the labour court. Most of the time, the question is about the correct content or interpretation of the said agreements, or violations of agreements or labour and collective agreement laws and the resulting sanctions. In addition, the labour court, as an appellate court, resolves appeals against the decisions of the board for confirmation of the general bindingness of the collective agreement and appeals against the decisions issued by the labour council in certain exemption cases. The Labor Court is the only competent court in the above-mentioned matters. Its judgments cannot be appealed but are final and immediately enforceable. Note: The labour court therefore does not deal with all labor law disputes. Disputes arising from the employment contract between the employer and the employee are dealt with in the relevant district court, the decision of which, under certain conditions, has the right of appeal to the Court of Appeal and the Supreme Court.

**Q094 (General Comment):** The cases are not statistically categorised in severe criminal cases and misdemeanour and / or minor cases in Finland.

The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on January 2023 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

**Q094 (2021):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 20.1.2022 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. This year we have included military court cases and co-er-cive mea-sures which were previously not included in this number.

**Q094 (2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2021 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts) and HAIPA (for administrative and special courts).

**Q094 (2018):** There is no particular explanation regarding the decreased clearance rate of criminal cases.

**Q097 (General Comment):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on January 2023 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

**Q097 (2022):** In previous years, military court cases of the second instance have been erroneously registered under Other civil cases, so in this statistical year, the before mentioned cases have been registered as criminal cases. Similarly, this question has previously included cases that have come in for consideration in the second instance courts as first instance cases. Since the first instance cases previously had their own procedure, from which it was not easy to determine whether the case concerned criminal or civil case, they were therefore registered in the group "Other cases". In this statistical year, it has been possible to find out whether they belong to criminal or civil cases and thus have been taken into account to the statistics according to the breakdown. In addition, "Other cases" have included cases related to releasing a prisoner serving a life sentence, which are also no longer counted in this group, because these are processed as separate applications and are not civil or criminal matters.

**Q097 (2021):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 20.1.2022 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Other cases are: Cases dealt in Court of Appeal as first instance, military court cases, and cases related to releasing a prisoner serving a life sentence [pitkääaikaisvankien vapauttamismenettelyasiat].

**Q097 (2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2021 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts) and HAIPA (for administrative and special courts).

**Q097 (2019):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 22.1.2020 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts).

**Q097 (2018):** In 2017, the number of incoming cases has decreased for example due to some procedural changes and the courts have been able to resolve more pending cases. Accordingly, the number of pending cases at the beginning of 2018 has decreased.

**Q097 (2017):** In 2016, the number of incoming cases has decreased (for example due to some procedural changes) and the courts have been able to resolve more pending cases. Accordingly, the number of pending cases at the beginning of 2017 has decreased.

**Q097 (2016):** The number of incoming cases has decreased (for example due to some procedural changes) and the courts have been able to resolve more pending cases.

**Q097 (2013):** The category of civil and commercial non-litigious cases includes petitions for the 2012 exercise, divorce cases and petitions (without cases included in the other sub-categories) for the 2013 exercise. As for the category "other", according to the provided comments, in 2012 it encompasses cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners. In 2013 it subsumes temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases and complaints.

**Q097 (2012):** The category of civil and commercial non-litigious cases includes petitions for the 2012 exercise, divorce cases and petitions (without cases included in the other sub-categories) for the 2013 exercise. As for the category "other", according to the provided comments, in 2012 it encompasses cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners. In 2013 it subsumes temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases and complaints.

**Q098 (General Comment):** The cases are not statistically categorized in severe criminal cases and misdemeanour and / or minor cases in Finland.

**Q098 (2021):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 20.1.2022 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

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**Q099 (2022):** Administrative law cases: In the Supreme Administrative Court, there has been exceptionally high number of cases concerning international protection since 2017 and now as the number of incoming cases of this case category has decreased, the numbers have settled. This also corresponds to the decrease in the number of resolved cases, because the synergistic benefits of large number of cases with common features have decreased and the extra personnel resources reserved for clearing the backlog have been given up. Other factors that could have influenced the development are the increased court fees starting from 2016, as well as the change in the role of the Supreme Administrative Court in 2020, when the leave to appeal system became the main rule in appeals (previously it was an exception that was widely applied to different groups of cases from the possibility of direct appeal).

**Q099 (2021):** The number of incoming administrative cases has been on the decline for the last years. Variations observed in respect of "civil and commercial litigious cases" are due to yearly fluctuations.

**Q099 (2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2021 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

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**Q099 (2018):** The total of incoming other than criminal cases decreased slightly in 2018 compared to 2017. The number of administrative law cases decreased slightly in 2018 but is still high. The general increase is mostly a consequence of the asylum crisis and the fact that cases from the administrative courts have reached the highest instance in 2017 and 2018.

**Q099 (2017):** The total of incoming other than criminal cases increased for the period 2016-2017. This increase is mostly due to the increase in the number of administrative law cases as a consequence of the asylum crisis and the fact that cases from the administrative courts have reached the highest instance in 2017 (which was not the case in 2016).

**Q099 (2016):** Courts were able to resolve more cases because the number of incoming cases decreased. The Supreme Administrative court got more resources and personnel due to the asylum crisis, but cases from the administrative courts have still not reached the highest instance.

**Q099 (2014):** In respect of the variations observed between 2012 and 2014 data, it is noteworthy that the statistics system has changed. Data is not received any more from the Central Statistical Office of Finland. Instead, the Ministry of Justice receives information directly from processing systems. This method of compilation of statistics does not quite support answering the question, as the information is run periodically and not daily. As a result, some discrepancies occur. As the system does not provide the numbers for 1 January 2014, it is necessary to calculate them separately from the correct data obtained on a later date.

**Q100 (2021):** Variations observed in respect of criminal cases are due to yearly fluctuations.

**Q100 (2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on

12.1.2021 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

## France

**Q091 (2022):** Source: Ministry of Justice/SG/SEM/SDSE, General Civil Registry; Council of State. Following a change in methodology, the "contentious civil (and commercial) cases" now include: general litigation cases before the judicial tribunal, local court and rural leases paritarian tribunal, family matters, sales-related cases, agricultural work accidents cases, proceedings related to distressed businesses (safeguarding, reorganization and judicial liquidation) before the judicial tribunal and commercial court, judge's orders matters, liberty and detention judge matters (detention of foreigners and involuntary hospitalization), as well as social division proceedings before the judicial tribunal; ordinary procedures before the labor relations council; contentious business at the commercial court; protection of adults' affairs as well as political electoral disputes.

Following the 2021 divorce reform in order to avoid any disruption in series continuity an estimate is used for 2022 (contentious civil cases and non-contentious civil cases).

Due to lack of data reporting on political electoral disputes are not included in beginning or end-of-year stocks for "contentious civil and commercial cases". These represent 0.6% of completed case load in 2022. Similarly due to absence of data reporting attempts at conciliation are not included in beginning or end-of-year stocks for "non-contentious civil cases". These represent 0.6% of completed case load in 2022. Due also to lack of data reporting suits (excluding consumer code) at the local court and salary garnishments are not included in beginning or end of year stock for other cases. These represent 8.% of completed caseloads in 20. (respectively 1.% and 6%).

The above explained lacks of data do not allow for complete horizontal coherence in the table.

**Q091 (2021):** Source SDSE  
Source Council of State

**Q091 (2020):** Comments on volumes.

Completed cases are down more than new cases, both civil/2019 and felonies/2018 (contravention are surprisingly up / 2018). The health crisis and containment may have played on TAs (completed cases) (reducing the ability of courts to process cases) but also on NAs (new cases) (fewer misdemeanors committed, fewer cases brought to court). Prior to this, a major lawyers' strike and a transport strike had mainly affected the TAs.

Commentary provided by the highest administrative Court concerning the administrative order: the measures derogating from the ordinary law of contentious administrative procedure adopted to respond to the situation arising from the health crisis caused by the Covid-19 epidemic were provided for by order no. 2020-305 of March 25, 2020, then by order no. 2020-1402 of November 18, 2020, and decree no. 2020-1406 of the same day. I - Concerning the rules relating to the organization or holding of hearings 1°) Use of audiovisual or any other means of electronic communication

The two orders of March 25 and November 18, 2020 provided for the possibility of using an audiovisual means of telecommunication for the holding of hearings or any other means of electronic communication.

When this device was used, it was used, in almost all the jurisdictions that had recourse to it, for less than 10% of the cases judged in collegiality during the same period.

The most common configuration used was that in which one or more members of the panel were at a distance and the president, the other members of the panel, and the parties and their counsel were in the courtroom (approximately 75% of the courts that used videoconferencing chose this configuration and 53% of them used it for less than 10% of the cases tried by the panel). Very few courts have used video-conferencing with remote parties. The reasons for which the courts have used video-conferencing are linked to the constraints linked to the health crisis, in particular the difficulties encountered by lawyers to travel, especially in overseas territories, and the isolation imposed on certain people (judges or lawyers) declared to be in contact or recognized as fragile.

As regards single judges, the courts have made a very measured application of the provisions allowing the use of an audiovisual means of telecommunication, since only 6 administrative courts out of 35 have indicated that they have used it. The administrative courts indicated that they had used videoconferencing, as a single judge, for the processing of emergency proceedings in matters concerning foreigners, particularly in cases where the foreigner was in administrative detention. Finally, 15 administrative courts indicated that they held summary proceedings by videoconference. For almost all of these courts, the summary proceedings judge was in the courtroom and the parties were at a distance, and less than 10% of summary proceedings cases were judged in this configuration. Travel difficulties were the main reasons why the courts of first instance held summary proceedings by videoconference. The texts applicable during the state of health emergency allowed the use of any means of electronic communication, other than videoconferencing, in case of impossibility to use it. Only a few TAs used this procedure and for less than 10% of the cases in the courts that used it.

Generally speaking, the courts have made a very measured application of the provisions of the orders allowing hearings to be held by videoconference and this use was justified by the constraints and difficulties linked to the health crisis. 2°) The provisions allowing to limit the number of persons attending the hearing were applied by a large number of courts and in a frequent manner. On the other hand, the provisions allowing the president of the court to decide that the hearing will be held without the presence of the public have been used very little. 3°) The dissemination of the public reports and conclusions has

**Q091 (2019):** Administrative law cases pending for more than 2 years: in contrast with previous cycle, 2019 data are expressed in net figures, excluding serial cases presenting the same legal issue for trial.

**Q091 (2018):** With regard to the reduction of the number of non-contentious cases, this corresponds both to the impossibility of including data relating to adults under protection in 2018, due to a technical problem, and to the abolition of the approval of over-indebtedness plans by the judge of the Court of First Instance, the proceedings before which are processed by the Over-indebtedness Commission, as from 1 January 2018. Act No. 2016-1547 of 18 November 2016 on the modernization of 21st century justice, known as the "Justice 21 Act" and the Act of 9 December 2016, abolished judicial approval of the measures recommended by the over-indebtedness commission. As a reminder, divorces by mutual consent no longer fall within the competence of the family court.

**Q091 (2016):** The important increase in the number of pending non-litigious cases is due to the increased number of requests for ending unions - 60% (especially in 2016) and the increased number of pending cases before execution judges within the TGI in respect of a third party (without significant increase in the number of incoming cases, but a regular increase, namely for the last two years in the number of cases under consideration).

**Q091 (2014):** In civil litigation, cases relating to the activity of the liberty and custody judge amount to 98 300 cases in 2014 and have increased by 6.8% compared to 2013. These cases have significantly increased in 2012 (+ 65.5%), due to the law No. 2011-803 of July 2011 on the rights and protection of persons under psychiatric care. The reform systematised the control of psychiatric hospitalisations without the consent of the liberty and custody judge.

**Q092 (2014):** In 2014, the category civil cases (and commercial) non-litigious are also included in non-litigious cases relating to enforcement.

**Q094 (2022):** Source: Ministry of Justice/SG/SEM/SDSE, Cassiopeia statistical file.

With regard to the total stock of criminal cases, it is not possible for us to provide this information as the data on the stock of police courts ('Minor Offences') is not available.

Furthermore, the line 'Total number' does not correspond to 1+2+3 but rather to 1+2. Indeed, in accordance with the request from CEPEJ, cases falling under the Investigating Judge have been classified under '3. Other Criminal Cases'. These are provided for indicative purposes only and should not be added to the other two categories so as to avoid duplication (which may fall within either minor or major offences depending on how each case proceeds).

**Q094 (2021):** source SDSE

**Q094 (2020):**

"Comments on volumes.

Closed cases are down more than incoming cases cases, both civil/2019 and felonies/2018 (contravention are surprisingly up / 2018).

The health crisis and containment may have played on TAs (completed cases) (reducing the ability of courts to process cases) but also on NAs (new cases) (fewer misdemeanors committed, fewer cases brought to court). Prior to this, a major lawyers' strike and transportation strike had mostly affected TAs.

**Q097 (2022):** Sources: Ministry of Justice/SG/SEM/SDSE, General Civil Directory; Council of State.

Following a change in methodology, "contentious civil (and commercial) cases" now include: general litigation cases before the court of appeal and civil cases from the special chamber for minors (educational assistance).

As a result of a change in methodology, "non-contentious civil cases" correspond to gracious matters before the courts of appeal, namely: divorces and separations by mutual consent, approvals of agreements regarding changes in matrimonial regimes, matters relating to civil status (declaratory judgment, rectification and annulment of a vital record entry and modification of gender designation), adoption requests (simple and full), successions (vacant or unclaimed succession, affixing seals and contestation related to seals), as well as matters concerning minor incapacity (initiation of guardianship proceedings, appeals against decisions made by guardianship authorities,

emancipation,

authorization for an act or appointment

of an ad hoc administrator within the framework

of legal administration,

control over an act under risky circumstances),

preventive procedures for companies facing difficulties

(conciliation procedure and ad hoc mandate),

preliminary conciliation attempts before judicial tribunals

and local courts,

amicable settlement procedures in agricultural matters,

real estate investment companies ('SCI')

and associations.

**Q097 (2021):** Source Council of State and SDSE

Administrative law cases: regarding the ageing of the stock, the output of the Administrative Courts of Appeal (CAA) fell sharply in 2020 (-10%) because of the COVID-19. When the situation returned to normal, the CAAs gave priority to foreigners' litigation, which accounts for almost 50% of their entries, and the stock therefore aged mechanically.

**Q097 (2020):** "The health crisis and containment may have played on TAs (completed cases) (by reducing the ability of courts to process cases) but also on NAs (new cases) (fewer offenses committed, fewer cases brought to trial). Prior to this, a major lawyers' strike and a transport strike had mainly affected the TAs.

Commentary provided by the highest administrative Court : As a reminder, the measures derogating from the ordinary law of contentious administrative procedure adopted to respond to the situation arising from the health crisis caused by the Covid-19 epidemic were provided for by Ordinance no. 2020-305 of March 25, 2020, and then by Ordinance no. 2020-1402 of November 18, 2020, and Decree no. 2020-1406 of the same day. I - Concerning the rules relating to the organization or holding of hearings 1°) Use of audiovisual or any other means of electronic communication

The two orders of March 25 and November 18, 2020 provided for the possibility of using an audiovisual means of telecommunication for the holding of hearings or any other means of electronic communication.

When this device was used, it was used, in almost all the jurisdictions that had recourse to it, for less than 10% of the cases judged in collegiality during the same period.

The most common configuration used was that in which one or more members of the panel were at a distance and the president, the other members of the panel, and the parties and their counsel were in the courtroom (approximately 75% of the courts that used videoconferencing chose this configuration, and 53% of them used it for less than 10% of the cases heard by the panel). Very few courts have used video-conferencing with remote parties. The reasons for which the courts have used video-conferencing are linked to the constraints linked to the health crisis, in particular the difficulties encountered by lawyers to travel, especially in overseas territories, and the isolation imposed on certain people (judges or lawyers) declared to be in contact or recognized as fragile.

In the case of single-judge hearings, the courts have made a very measured application of the provisions allowing the use of an audiovisual means of telecommunication, since only 6 administrative courts out of 35 have indicated that they have used it. The administrative courts indicated that they had used videoconferencing, as a single judge, for the processing of emergency proceedings in matters concerning foreigners, particularly in cases where the foreigner was in administrative detention. Finally, 15 administrative courts indicated that they held summary proceedings by videoconference. For almost all of these courts, the summary proceedings judge was in the courtroom and the parties were at a distance, and less than 10% of summary proceedings cases were judged in this configuration. Travel difficulties were the main reasons why the courts of first instance held summary proceedings by videoconference. The texts applicable during the state of health emergency allowed the use of any means of electronic communication, other than videoconferencing, in case of impossibility to use it. Only a few TAs used this procedure and for less than 10% of the cases in the courts that used it.

Generally speaking, the courts have made a very measured application of the provisions of the orders allowing hearings to be held by videoconference and this use was justified by the constraints and difficulties linked to the health crisis. 2°) The provisions allowing to limit the number of persons attending the hearing were applied by a large number of courts and in a frequent manner. On the other hand, the provisions allowing the president of the court to decide that the hearing will be held without the presence of the public have been used very little. 3°) The dispensation of the public rapporteur's conclusions has been used very little by the courts. This dispensation was applied because of the vulnerable state of the public rapporteur or to limit the length of the hearings (in those cases the dispensation was granted for cases that did not present any difficulty).

**Q097 (2017):** As regards administrative law cases, the Council of State report indicates that it is a coincidence to have the same number for incoming and resolved cases.

**Q097 (2013):** 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

**Q097 (2012):** 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

**Q098 (2022):** Please note that for the year 2022, we do not have data regarding the criminal appeals chambers. Consequently, it is not possible for us to provide the total volume of criminal cases at second instance. Furthermore, cases are not categorized by type of offense but by chamber (criminal, investigative, enforcement), which prevents us from providing the number of criminal cases per offense.

**Q098 (2021):** Source SDSE

**Q098 (2020):** "The health crisis and containment may have played on TAs (completed cases) (by reducing the ability of courts to process cases) but also on NAs (new cases) (fewer offenses committed, fewer cases brought to trial). Prior to this, a major lawyers' strike and transportation strike had mostly affected TAs.

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**Q099 (General Comment):** In non-contentious civil matters, an appeal to the Court of Cassation is possible, yet the statistics provided by the Court do not allow for their specific identification. Consequently, these non-contentious civil cases are grouped together with contentious civil cases.

**Q099 (2022):** The category 'other' encompasses additional primary requests, such as advisory requests, priority questions of constitutionality, and petitions concerning the appointment of experts or mediators.

Source: Council of State / Court of Cassation

**Q099 (2021):** source SDSE and Council of State

**Q099 (2020):** "The health crisis and containment may have played on TAs (completed cases) (by reducing the ability of courts to process cases) but also on NAs (new cases) (fewer offenses committed, fewer cases brought to trial). Prior to this, a major lawyers' strike and a transport strike had mainly affected the TAs.

Commentary provided by the Conseil d'Etat: As a reminder, the measures derogating from the ordinary law of contentious administrative procedure adopted to respond to the situation arising from the health crisis caused by the Covid-19 epidemic were provided for by Ordinance no. 2020-305 of March 25, 2020, and then by Ordinance no. 2020-1402 of November 18, 2020, and Decree no. 2020-1406 of the same day. I - Concerning the rules relating to the organization or holding of hearings

1°) Use of audiovisual or any other means of electronic communication

The two orders of March 25 and November 18, 2020 provided for the possibility of using an audiovisual means of telecommunication for the holding of hearings or any other means of electronic communication.

When this device was used, it was used, in almost all the jurisdictions that had recourse to it, for less than 10% of the cases judged in collegiality during the same period.

The most common configuration used was that in which one or more members of the panel were at a distance and the president, the other members of the panel, and the parties and their counsel were in the courtroom (approximately 75% of the courts that used videoconferencing chose this configuration, and 53% of them used it for less than 10% of the cases heard by the panel). Very few courts have used video-conferencing with remote parties. The reasons for which the courts have used video-conferencing are linked to the constraints linked to the health crisis, in particular the difficulties encountered by lawyers to travel, especially in overseas territories, and the isolation imposed on certain people (judges or lawyers) declared to be in contact or recognized as fragile.

In the case of single-judge hearings, the courts have made a very measured application of the provisions allowing the use of an audiovisual means of telecommunication, since only 6 administrative courts out of 35 have indicated that they have used it. The administrative courts indicated that they had used videoconferencing, as a single judge, for the processing of emergency proceedings in matters concerning foreigners, particularly in cases where the foreigner was in administrative detention. Finally, 15 administrative courts indicated that they held summary proceedings by videoconference. For almost all of these courts, the summary proceedings judge was in the courtroom and the parties were at a distance, and less than 10% of summary proceedings cases were judged in this configuration. Travel difficulties were the main reasons why the courts of first instance held summary proceedings by videoconference. The texts applicable during the state of health emergency allowed the use of any means of electronic communication, other than videoconferencing, in case of impossibility to use it. Only a few TAs used this procedure and for less than 10% of the cases in the courts that used it.

Generally speaking, the courts have made a very measured application of the provisions of the orders allowing hearings to be held by videoconference and this use was justified by the constraints and difficulties linked to the health crisis. 2°) The provisions allowing to limit the number of persons attending the hearing were applied by a large number of courts and in a frequent manner. On the other hand, the provisions allowing the president of the court to decide that the hearing will be held without the presence of the public have been used very little. 3°) The dispensation of the public rapporteur's conclusions has been used very little by the courts. This dispensation was applied because of the vulnerable state of the public rapporteur or to limit the length of the hearings (in those cases, the dispensation was granted for cases that did not present any difficulty).

**Q099 (2014):** 2014: The statistics of the Court of Cassation are not based on the same information system as the ones of courts of first instance and appeal courts. If discontinued cases of the category non-litigious cases may be subject to an appeal, it is not possible to identify them, they are included in the figure given for civil litigious cases. Thus, the total figure is the one retained.

**Q100 (General Comment):** The total number of resolved cases corresponds to judgments of cassation, cassation without referral and dismissal of the appeal. The other judgments handed down by the criminal chamber of the Court of Cassation are not counted. It is not possible to distinguish the litigation of the Court of Cassation by type of offence. The item "serious criminal cases" includes all appeals before the Court of cassation. It should be noted that the appeals mainly concern crimes and offences. The share of minor criminal cases is residual. The data are taken from the annual activity report of the Court of Cassation. Priority questions of constitutionality are not taken into account.

**Q100 (2022):** The statistical system does not allow for distinguishing between appeals related to serious and minor offenses.

The caseload includes the enforcement litigation not accounted for in the 2020 and 2021 caseloads.

The category of "other criminal cases" encompasses requests for opinions, priority constitutional questions, and principal petitions.

Source: Court of Cassation.

**Q100 (2021):** Source SDSE

**Q100 (2020):** The health crisis and the lockdown may have had an impact on TAs (completed cases) (by reducing the capacity of courts to process cases) but also on NAs (new cases) (fewer offenses committed, fewer cases brought to court). Prior to this, a major lawyers' strike and a transport strike had mainly influenced TAs.

## Germany

**Q091 (General Comment):** General information on the statistics used as sources for answering the questions in this section: Once per year, the Federal Statistical Office compiles and publishes the statistics of the civil, criminal, administrative, finance, social, family and labour courts. Nationwide uniform ordinances define the scope and rules of data collection for these statistics. The courts collect the data and submit it to the statistical offices of the Länder, who check and edit the data and send it to the Federal Statistical Office. In simplified terms, the ordinances provide two different kinds of data collection sheets: The "procedural surveys" that collect data on the specifics of the proceedings happening at a court and the "monthly surveys" that track the caseload of a court. With regard to the caseload count, the monthly surveys distinguish between "caseload of proceedings covered by the procedural surveys" and "other caseload". For the cases from the first category (proceedings covered by the procedural surveys), the monthly surveys collect the number of cases pending at the beginning and at the end of a month as well as the number of received and resolved cases. For the "other caseload", the monthly surveys only count the number of received cases.

2.1 General civil (and commercial) non-litigious cases: The figure represents the number of non-litigious enforcement cases. In the monthly survey for the statistics of the civil courts, these cases fall into the category of "other caseload". This is the reason why only the number of incoming cases is available.

2.2.1. Non litigious land registry cases: The figure represents the number of incoming requests with regard to entries, change of entries or deletion of entries in the land registry. This data is not part of the statistics of the civil courts but was taken from the statistics on the workload of the Local Courts in matters of non-contentious jurisdiction (according to the Act on Proceedings in Family Matters and in Matters of Non-contentious Jurisdiction - FamFG). The number of pending and resolved land registry cases is not collected within the framework of this statistic.

Pending cases older than 2 years from the date the case came to the first instance court:

With regard to the statistics of the civil, criminal, administrative, finance, social, family and labour courts, a statistical record of the day a case came to the court only exists for the cases covered by the procedural surveys. Courts submit the data from the procedural surveys to the statistical offices after the case has been concluded for the respective court and at the respective instance. This means that the duration of a proceeding is unknown for pending cases. The monthly surveys count the number of pending cases at the beginning and at the end of a month, but do not collect any information on the date the pending cases came to the court. The statistics compiled by the Federal Statistical Office include information on the percentage of cases that were resolved within certain time frames but no numbers on how many proceedings took longer than two years. The statistic on the workload of the Local Courts in matters of non-contentious jurisdiction does not collect any data regarding the date a case first came to court.

Horizontal inconsistencies in the table:

The inconsistencies with regard to the pending cases at the end of the year also occur in the statistics published by the Federal Statistical Office. The reason for this is, that courts submit count corrections for the monthly surveys at the end of the year.

**Q091 (2022):** "Non-litigious civil cases" represent non-litigious enforcement cases.

"Non-litigious business registry cases" represent - the number of registrations in the business registry (Handelsregister) at the end of the previous year

- the number of new registrations during the reference year
- the number of deleted registrations during the reference year
- the number of registrations at the end of the reference year

"Administrative law cases" include cases at the administrative, social and finance courts

"Other cases" include family cases at the local courts and cases at the labour courts (family matters are not assigned to the category civil cases, because they are subject to a different procedural law). Discrepancies in comparison with the 2020 cycle: There has been a general decrease in incoming and resolved litigious civil cases as well as non-litigious civil cases (enforcement cases). No specific reason could be identified for this development.

**Q091 (2021):** 2.2.2: data represents - the number of registrations in the business registry (Handelsregister) at the end of the previous year

- the number of new registrations during the reference year
- the number of deleted registrations during the reference year
- the number of registrations at the end of the reference year

"other cases" include: family and labour law cases

**Q091 (2020):** There is no special reason explaining the slight decrease in the number of incoming administrative law cases.

**Q091 (2019):** The horizontal consistency in the table is not ensured because the data are continuously checked.

**Q091 (2018):** The high number of administrative pending cases on January 1st and December 31st is a result from the numerous unresolved cases in 2017 due to the rise of asylum seekers since 2015.

Cases of guardianship law in 2018 are not included in the "other cases" category, because changeover of data collections by the Länder.

**Q091 (2017):** Source: Federal Statistical Office (DESTATIS)

No. 4 - Other cases: Cases of guardianship law in 2017 are not included, because changeover of data collections by the Länder.

**Q091 (2016):** Source: Federal Statistical Office (DESTATIS)

**Q091 (2015):** For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2015. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category remains incomplete. The category "other" refers to: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

**Q091 (2014):** For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2014. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category is incomplete and is not comparable. The category "other" includes: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

**Q091 (2013):** Two Länder did not provide data with regard to the number of other than criminal law cases, while one Land did not provide information about the number of non-litigious land registry cases. The information is incomplete and the following legal cases were not taken into account: Incoming cases - payment order procedure (civil courts: 4 751 355 cases; labour courts: 56 053 cases), insolvency cases (143 662), cases concerning the civil registry office, wills, estates, accommodations, agriculture, escrow, and public notice proceedings (1 469 273); Pending legal cases on 31 December 2013 - guardianship and curator cases (12 795); insolvency cases (303 654).

**Q091 (2012):** The data was not available for 1 Land and remained incomplete for 4 Länder.

**Q092 (2012):** In 2012, the value entered was calculated by deducting the contentious judgments from all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments, settlements, withdrawal of the charge or of the motion, staying of the proceedings or non-pursuance and orders in accordance with section 91a of the Code of Civil Procedure.

**Q093 (2014):** For the 2013 and 2014 exercises, the category "other" includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

**Q093 (2013):** For the 2013 and 2014 exercises, the category "other" includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

**Q093 (2012):** In the ambit of the 2012 exercise the category "other" includes: family-court jurisdiction, labour courts (proceedings leading to a judgment or a decision) as well as guardianship and custodianship courts. The figures do not include 1 426 805 new legal matters related to payment proceedings before labour courts, registry office cases, inheritance cases, custody, agriculture, legal aid, deposit cases and public notice proceedings with regard to which resolution or the number of cases pending at the beginning and at the end of the year are not recorded. The figures also do not include 202 106 new legal cases related to insolvency proceedings with regard to which only resolution is recorded (292 821).

**Q094 (General Comment):** General information on the statistics used as sources for answering the questions in this section: see General Comment Q 91

The category "severe criminal cases" includes criminal proceedings in accordance with the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" subsumes regulatory fine proceedings before criminal courts.

"Other cases" include:

- proceedings concerning suspension of execution of the remainder of a sentence of life imprisonment or concerning suspension of execution of placement in a psychiatric hospital or in preventive detention - determinate custodial sentences - proceedings under sections 109, 110, 138 of the Prison Act (Strafvollzugsgesetz, StVollzG) - proceedings under Part IV of the Act on International Legal Assistance in Criminal Matters (Gesetz über die internationale Rechtshilfe in Strafsachen, IRG) and section 71 (4) of Part II - supervision of conduct
- complaints about costs/fees - complaints against search/seizure orders - complaints in economic cases and tax cases
- complaints in matters concerning detention - cases in matters falling within the Regulatory Offences Act (Ordnungswidrigkeitengesetz, OWiG) registered in the complaints register - other complaints - subsequent or reserved preventive detention
- proceedings regarding the order of subsequent or reserved preventive detention - proceedings regarding the suspension of execution of a sentence where the court has reserved the order of preventive detention, in the cases covered by section 462a (2), third sentence, of the Code of Criminal Procedure (Strafprozessordnung, StPO)
- proceedings before the judicial service court
- proceedings regarding health professionals, tax consultants, agents in tax matters, patent lawyers or architects
- other disciplinary proceedings - proceedings regarding legal remedies in matters of enforcement of youth custody, youth detention and remand detention

Only the number of incoming cases is available for "other criminal cases", because with regard to data collection through the "monthly surveys" these cases fall into the category "other caseload" (see General Comment Q91)

Pending cases older than 2 years from the date the case came to the first instance court: see General Comment Q 91

Horizontal inconsistencies: See General Comment Q 91

**Q094 (2022):** "Severe criminal cases" include criminal proceedings according to the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" includes regulatory fine proceedings before criminal courts.

"Other criminal cases" include: - proceedings at the penal execution chambers (concerning suspension of execution of the remainder of a sentence of life imprisonment or concerning suspension of execution of placement in a psychiatric hospital or in preventive detention, determinate custodial sentences, proceedings under sections 109, 110, 138 of the Prison Act (Strafvollzugsgesetz, StVollzG), proceedings under Part IV of the Act on International Legal Assistance in Criminal Matters (Gesetz über die internationale Rechtshilfe in Strafsachen, IRG) and section 71 (4) of Part II)

- proceedings regarding supervision of conduct
  - complaints about costs/fees - complaints against search/seizure orders - complaints in economic cases and tax cases
  - complaints in matters concerning detention - cases in matters falling within the Regulatory Offences Act (Ordnungswidrigkeitengesetz, OWiG) registered in the complaints register - other complaints - subsequent or reserved preventive detention
  - proceedings regarding the order of subsequent or reserved preventive detention - proceedings regarding the suspension of execution of a sentence where the court has reserved the order of preventive detention, in the cases covered by section 462a (2), third sentence, of the Code of Criminal Procedure (Strafprozessordnung, StPO)
  - proceedings before the judicial service court
  - proceedings regarding health professionals, tax consultants, agents in tax matters, patent lawyers or architects
  - other disciplinary proceedings - proceedings regarding legal remedies in matters of enforcement of youth custody, youth detention and remand detention
- With regard to "other criminal cases", only the number of incoming cases is recorded (exception: proceedings concerning supervision of conduct).

**Q094 (2021):** The category "misdemeanour and/or minor criminal cases" subsumes regulatory fine proceedings before criminal courts.

"Other criminal cases" include:

- proceedings at the penal execution chambers (concerning suspension of execution of the remainder of a sentence of life imprisonment or concerning suspension of execution of placement in a psychiatric hospital or in preventive detention, determinate custodial sentences, proceedings under sections 109, 110, 138 of the Prison Act (Strafvollzugsgesetz, StVollzG), proceedings under Part IV of the Act on International Legal Assistance in Criminal Matters (Gesetz über die internationale Rechtshilfe in Strafsachen, IRG) and section 71 (4) of Part II)
- proceedings regarding supervision of conduct
- complaints about costs/fees - complaints against search/seizure orders - complaints in economic cases and tax cases
- complaints in matters concerning detention - cases in matters falling within the Regulatory Offences Act (Ordnungswidrigkeitengesetz, OWiG) registered in the complaints register - other complaints - subsequent or reserved preventive detention
- proceedings regarding the order of subsequent or reserved preventive detention - proceedings regarding the suspension of execution of a sentence where the court has reserved the order of preventive detention, in the cases covered by section 462a (2), third sentence, of the Code of Criminal Procedure (Strafprozessordnung, StPO)
- proceedings before the judicial service court
- proceedings regarding health professionals, tax consultants, agents in tax matters, patent lawyers or architects
- other disciplinary proceedings - proceedings regarding legal remedies in matters of enforcement of youth custody, youth detention and remand detention

With regard to "other criminal cases", only the number of incoming cases is recorded (exception: proceedings concerning supervision of conduct).

**Q094 (2018):** As only the number of resolved "other cases" is available, these will not be included in the total.

**Q094 (2014):** The information provided in the frame of the 2014 evaluation refers to 2013 data (the 2014 data is not available).

**Q097 (2022):** Civil (and commercial) litigious cases include second instance civil cases at the regional courts and higher regional courts. There was a rise in pending cases (1. January and 31 December) compared to the 2020 cycle as well as a decrease in resolved cases. This is most likely a result of the flood of lawsuits brought against car manufacturers in connection with the "diesel emission scandal". For example, the higher regional court of Stuttgart, where a large car manufacturer has its main offices, has seen a rise in pending cases (1 January) of more than 100% compared to 2020. "Administrative law cases" include cases at the higher administrative courts and regional social courts.

"Other cases" include cases at the regional labour courts and second instance family matters at the higher regional courts.

**Q097 (2021):** "Other": family cases at Higher Regional Courts, appeal and complaint proceedings at Regional Labour Courts Pending civil and commercial litigious cases on 31 Dec: The discrepancy stems from a rise in pending cases at the Higher Regional Courts (approx. 33% compared to 2020). While the number of pending cases at the Higher Regional Courts has risen in all Länder, the discrepancy is especially high in Baden-Württemberg (rise of approx. 88%). The reason for this is most likely the flood of lawsuits brought against car manufacturers in connection with the "diesel emission scandal". The Higher Regional Court of Stuttgart, where a large manufacturer has its main offices, has seen a rise in pending cases of more than 100% compared to 2020.

**Q097 (2020):** family cases at Higher Regional Courts, appeal and complaint proceedings at Regional Labour Courts

**Q097 (2019):** The horizontal consistency in the table is not ensured because the data are continuously checked.

**Q097 (2015):** A substantial number of the Länder was unable to provide information, meaning that any amount cited would not be meaningful in substantive terms.

**Q097 (2014):** The 2014 data are the same as those that have been provided in 2013. No update was available.

**Q097 (2013):** For 2013, two Landers did not provide any information.

The category "other" includes proceedings on complaints on appeal in family cases at the Higher Regional Courts and appellate proceedings on fact and law and proceedings on complaints on appeal at the Regional Labour Courts. In addition, given a lack of complete data, a total of 164 272 new legal cases or proceedings on complaints on appeal (in custodianship, accommodation, insolvency, estate, and costs cases, along with other complaints on appeal) were not considered in the category "other".

Regarding the slight horizontal inconsistency for the category "administrative law cases", it can partly be explained by the federal State structure of Germany. Moreover, data regarding incoming administrative law cases also reflected the number of appeals against decisions to grant provisional legal protection in the higher administrative regional courts and in the higher social courts; and appeals in matters of legal aid and other proceedings. In comparison with the previous years, the 2013 data are more accurate. The same applies regarding resolved cases even though no data was available for the appeals in matters of legal aid and other proceedings.

With regard to the sub-category "civil and commercial litigious cases" and the meaningful increase of the number of resolved cases, it should be noticed that in the frame of the 2013 exercise, the indicated figure encompassed the number of resolved civil and commercial litigious and not-litigious cases. For this cycle, it was impossible to distinguish between these two sub-categories.

**Q097 (2012):** In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

**Q098 (2022):** "Severe criminal cases" include criminal proceedings according to the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" includes regulatory fine proceedings before criminal courts.

"Other" includes complaints in regulatory fining proceedings at the Higher Regional Courts (according to Section 80 of the Act on Regulatory Offences), objections in regulatory fining proceedings according to the Competition Act. With regard to these cases, only the number of incoming cases is recorded. Discrepancies in comparison with the last cycle:

The decrease in resolved severe criminal cases can mostly be attributed to second instance cases at the regional courts. No special reason could be identified for this development.

The decrease in pending minor criminal cases on 1 January is caused by the fact, the number of pending cases on 1 January 2020 higher than usual. No specific reason could be identified for this deviation or for the deviation of "other than criminal cases".

**Q098 (2021):** "Other": complaints in regulatory fining proceedings at the Higher Regional Courts (according to Section 80 of the Act on Regulatory Offences), objections in regulatory fining proceedings according to the Competition Act

With regard to these cases, only the number of incoming cases is recorded. Pending minor criminal cases on 1 Jan: The number of incoming cases was lower in 2020 than in 2019 and the number of resolved cases higher, resulting in a lower number of pending cases at the end of 2020. A reason for this development could not be identified.

**Q098 (2020):** complaints in regulatory fining proceedings at the Higher Regional Courts (according to Section 80 of the Act on Regulatory Offences), objections in regulatory fining proceedings according to the Competition Act

**Q098 (2016):** The category "severe criminal cases" (line 2) includes criminal proceedings in accordance with the Criminal Code (Strafgesetzbuch, StGB) and ancillary criminal laws. The category "minor criminal cases" (line 3) includes regulatory fine proceedings before the criminal courts.

**Q098 (2014):** According to 2014 data, the category "severe criminal cases" included criminal proceedings in accordance with the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" subsumed regulatory fine proceedings before criminal courts.

The information provided in the frame of the 2014 evaluation refers to 2013 data (the 2014 data is not available).

**Q098 (2012):** According to 2012 data, the category "severe criminal cases" included criminal proceedings in accordance with the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" subsumed regulatory fine proceedings before criminal courts.

**Q099 (2022):** The annual statistic of the Federal Court of Justice does not differentiate between litigious and non-litigious cases. The case-flow of all litigious and non-litigious other than criminal cases (including family matters) at the Federal Court of Justice 2022 was as follows:

5275 cases pending on 1 Jan.; 6624 incoming cases; 6013 resolved cases; 5886 cases pending on 31 Dec.

The total of other than criminal law cases is the total of administrative law cases (no. 3), other cases (no. 4) and the cases at the Federal Court of Justice mentioned above.

Administrative law cases include cases at the Federal Administrative Court, Federal Social Court and Federal Finance Court Discrepancy of "other cases":

Other Cases represent labour law cases at the Federal Labour Court. The annual report of the Federal Labour Court does not provide an explanation for the general decrease in cases.

**Q099 (2021):** The statistics of the Federal Court of Justice do not differentiate between litigious and non-litigious cases. The data given under Nr. 1 represents all appeal cases in civil matters at the Federal Court of Justice (including family matters).

"Other Cases": Data represents labour law cases at the Federal Labour Court.

The annual report of the Federal Labour Court doesn't provide an explanation for the decrease in incoming cases and resolved cases. According to press reports, the decrease in incoming cases might be due to the good economic situation prior to the pandemic (less dismissal cases). The decrease in resolved cases might be due to a rising number of cases, in which an involvement of the European Court of Justice is necessary.

**Q099 (2015):** The data provided date from 2014. At present, no data are available for 2015.

It is not possible to distinguish between litigious civil cases, respectively commercial cases, and those that are non-litigious. Accordingly, number 1 of the answer to question 99 includes all appeals on points of law brought in the civil matters before the Federal Court of Justice (Senates for civil matters including family law matters). However, the number of proceedings dealt with and concluded by litigious rulings in 2014 amounts to 600.

**Q099 (2014):** The 2014 data are the same as those that have been provided in 2013. No update was available.

**Q099 (2013):** For 2013, two Landers did not provide any information. Data provided for the civil (and commercial) litigious cases include all appeals lodged encompassing litigious and non-litigious cases as well as family law cases.

**Q099 (2012):** In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

**Q100 (General Comment):** In alignment with the categorisation of cases in questions 94 and 98, "severe criminal cases" include criminal proceedings according to the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" includes regulatory fine proceedings before criminal courts. In the annual statistic of the Federal Court of Justice, criminal proceedings according to criminal laws and regulatory fine proceedings are not reported separately.

**Q100 (2022):** The annual statistic of the Federal Court of Justice does not differentiate between "severe criminal cases" and "minor criminal cases". The total number of cases represents the number of appeals, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels of the Federal Court of Justice (including antitrust panel).

**Q100 (2021):** It is not possible to differentiate between "severe criminal cases" and "minor criminal cases" (NA). The total number of cases represents the number of appeals, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels (including antitrust panel).

There were more incoming cases in 2021 than 2020 and also more pending cases at the beginning of the year 2021 than 2020. As a result, the number of pending criminal cases on 31 December 2021 increased. No special reason could be identified for this development. The annual report of the Federal Court of Justice doesn't provide any information on this matter.

**Q100 (2020):** It is not possible to differentiate between "severe criminal cases" and "minor criminal cases" (NA). The total number of cases means the number of appeals on points of law, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels (including antitrust panel).

**Q100 (2018):** It is not possible to differentiate between "severe criminal cases" and "minor criminal cases" (NA). The total number of cases means the number of appeals on points of law, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels (including antitrust panel).

**Q100 (2016):** It is not possible to differentiate between "severe criminal cases" and "minor criminal cases" (NA). The total number of cases means the number of appeals on points of law, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels (including antitrust panel).

**Q100 (2014):** The 2014 data reflects an overview of the case workflow processed by the Senates for Criminal Matters of the Federal Court of Justice (statistics for the year 2014). For 2014, it was not possible to distinguish between categories of "severe criminal cases" and "minor criminal cases". The total number of criminal proceedings concerns appeals on points of law, including matters submitted to the Federal Court of Justice for its review of the principle of the matter and misdemeanour cases pursuant to the Act on Regulatory Offences. It also includes misdemeanours pursuant to the Act on Restraints of Competition that are pending before the Senates for Criminal Matters of the Federal Court of Justice (including the Senate for Anti-Trust Matters).

It is noteworthy that as there were only very few "minor criminal cases" in the previous cycles, the figures remain comparable for the last three evaluations.

## **Greece**

**Q091 (2022):** The data has been provided by the office for the collection and processing of judicial statistics.

It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data, such as the training of staff and the creation of an instructional manual guide with definitions and instructions. These measures were intended to help collecting more reliable data from both small and large courts and prosecution services and eliminate the standard errors in judicial statistics. As our methodology is developing, discrepancies in data can be observed. Besides, as regards "Other cases", it should be mentioned that some types of cases that were previously included in this category, are now distributed in the other case-categories in the table.

**Q091 (2021):** The data has been collected from the 63/63 First Instance courts of Greece.

**Q091 (2020):** The courts from March 2020 due to Covid 2019 operated under special conditions and dealt with priority mainly criminal cases, this is the reason for the differentiation of pending cases of civil and administrative nature. Civil cases are answered NA, because not all courts could provide the data.

**Q091 (2019):** The Council of State did not provide the Ministry of Justice with data regarding the Administrative law cases

**Q091 (2018):** -

**Q091 (2017):** The divergence between 31.12.2016 and 1.1.2017 regarding the Civil and Commercial cases (First column of this year's data) is mainly due to the recent operation of the NEW system (integrated Civil and Criminal Court case management system -OSDDY PP) in the Court of First Instance of Piraeus (1587 more cases on 1.1.2017 than those on 31.12.2016). In 2017, the number of "incoming" and "resolved" civil and commercial litigious cases at first instance courts increased due to the fact that in 2017 the function of the courts was not affected by the strike of lawyers, which took place in 2016. The horizontal consistency of the table is not ensured with regard to civil and commercial litigious cases because in 2017 some of the courts which do not yet have an automated system had to make minor adjustments in the statistical data provided to the MoJ. Concerning administrative law cases, any deviations from the 2016 figures, regarding the number of cases on 31.12.2016 and of 1.1.2017 (240650) are due to a number of factors that the General Commission of the State is trying to track down and gradually eliminate. A slight deviation has been noticed for the 2017 data of the administrative first instance courts of Athens and Piraeus, which is due to the data migration to a new information technology (IT) system called "Integrated Court Management System for the Administrative Justice (OSDDY-DD)". This deviation that has already been taken into account by the Central Organizational Committee for the due implementation of OSDDY-DD, is expected to lapse gradually within the next years. Furthermore, deviations have also emerged from the new way of collecting statistical data that the central Organizational Committee is trying to establish in order to ensure the uniform input of data by each court and from recent verifications of relevant numerical data that were subsequently sent by the courts. Finally, discrepancies are also due to errors of the information system itself, for which an effort is being made to identify and inform about, the contractor of the system. The deviation regarding the Number of resolved cases of 2017 from 2016 is due to the fact that in 2017 the function of the courts was not affected by the strike of the lawyers, which took place in 2016. Regarding the new integrated court management system, for administrative cases it has been implemented at all court levels since autumn 2016 and for civil and commercial cases and more especially in the Court of First Instance of Piraeus, the integrated court management system was gradually implemented from March 2016 resulting to an accurate calculation of pending cases of 1/1/2017.

**Q091 (2016):** Any deviations from the 2015 figures are due to a new way of collecting statistics. In fact, in 2016, a working group was set up to update and simplify the content of the statistical data requested by the judicial services of the country. The working group created tables followed by detailed instructions and training in relation to the requested information. According to the instructions given to the courts, some procedures they handle, in those which there is no participation of a judge, are not included in the data collected. In addition, in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction in the number of cases (especially civil and commercial litigious cases).

The number 79.872 of resolved administrative law cases does not include joint cases, i.e. decisions that refer to more than one case. Furthermore, for the 2016 data of the administrative First Instance Courts of Athens and Piraeus a slight deviation has been noted which is due to the data migration to a new information technology (IT) system called "Integrated Court Management System for Administrative Justice (OSDDY-DD)". This deviation that has already been taken into account by the Central Organizational Committee for the due implementation of OSDDY – DD is expected to lapse gradually within the next years.

As concerns the category "civil and commercial litigious cases" - incoming and resolved - in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction of numbers regarding the cases.

**Q091 (2014):** The significant increase in the number of pending cases on 1 January for the total of "other than criminal law cases" is due to lawyers' abstention in the years 2013 and 2014.

**Q091 (2012):** The system of collecting data does not comply with the CEPEJ methodology. Besides, recent law changes have altered the jurisdiction of courts, so the figures communicated for 2012 could not be compared with these provided for the previous evaluation cycles.

**Q094 (2022):** It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data. The content of the categories of criminal cases in the table are the same as for the previous evaluation cycle, but the services now monitor and record these cases better so discrepancies in data can be observed. This is especially the case for the Misdemeanour and / or minor criminal cases.

**Q094 (2021):** The courts' function in cooperation with the prosecution's offices. For example, postponed cases get to the prosecutor offices and then to the courts, in repeat 2-3 times, during the period (year). The definition of the pending cases included postponed cases or the cases the trial date has been setting out of the reference year or hasn't been determined during the year. The data has been collected from 63 out of 63 First instance courts in Greece.

**Q094 (2020):** To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor's Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/ acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)- Phase A', which was completed in March 2019 for 41 courts of the State, an integrated information system is implemented, which includes individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data.

**Q094 (2018):** To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor's Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/ acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)- Phase A', which was completed in March 2019 for 41 courts of the State, an integrated information system is implemented, which includes individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data.

**Q094 (2016):** Filling in the requested information regarding the criminal procedure is not possible at the moment. To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor's Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)-Phase A', which is expected to be completed by November 2018, an integrated information system will be implemented, which will include individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data. For 2016 the available data regarding the criminal procedure are as follows: Courts of First Instance: Criminal Cases Discussed: 473.457, Convictions/Acquittals: 206.311, Postponements: 262.433, Courts of Appeal: Criminal Cases Discussed: 59.643, Convictions/Acquittals: 24.995, Postponements: 33.601

**Q097 (2022):** The data has been provided by the office for the collection and processing of judicial statistics. It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data, such as the training of staff and the creation of an instructional manual guide with definitions and instructions. These measures were intended to help collecting more reliable data from both small and large courts and prosecution services and eliminate the standard errors in judicial statistics. As our methodology is developing, discrepancies in data can be observed. Besides, as regards "Other cases", it should be mentioned that some types of cases that were previously included in this category, are now distributed in the other case-categories in the table.

**Q097 (2021):** The data are from the Statistical Service of the Ministry of Justice. The data has been collected from the 19 out of 19 Courts of Appeal in Greece. Business registry cases do not belong anymore to the case of the courts, there is new department of a different Ministry.

**Q097 (2020):** Due to the pandemic, pending cases have accumulated in the courts of first instance, with the result that the courts of second instance have fewer cases to handle. The data given for questions 97 and 98 are collected from all second instance courts. However, many fields are answered NA as only few data were collected from the second instance Courts.

**Q097 (2019):** The Council of State did not provide the Ministry of Justice with data regarding the Administrative law cases

**Q097 (2017):** Concerning Civil and Commercial litigious cases but also administrative law cases, the numbers are different from those provided in the 2016 questionnaire due to the recent operation of the OSDDY-PP and OSDDY-DD Integrated Management Systems (please see the comments provided for Q91). Variations in the number of resolved cases are explained by the fact that in 2017 the function of the courts was not affected by the strike of the lawyers, which took place in 2016.

**Q097 (2016):** Any deviations from the 2015 figures are due to a new way of collecting statistics. In fact, in 2016, a working group was set up to update and simplify the content of the statistical data requested by the judicial services of the country. The working group created tables followed by detailed instructions and training in relation to the requested information. According to the instructions given to the courts, some procedures they handle, in those which there is no participation of a judge, are not included in the data collected. In addition, in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction of numbers regarding the cases.

**Q097 (2012):** In the ambit of the 2012 exercise, it has been stressed that, as far as the statistical information provided by the courts is concerned (e.g. replies to questions 91 and 97), the system of collecting data could not comply with the CEPEJ methodology because it was planned having altogether different national needs in mind. Thus, schematically, a case brought into the Greek judicial system gets an initial reference number. However, in the process of being tried, it gets more than one reference number according to the laws. As a result the numbers of incoming and resolved cases do not match. Moreover, the Ministry of Justice, Transparency and Human Rights was not able to verify the accuracy of the replies, due to the lack of IT system. Besides, recent law changes have altered the jurisdiction of courts, so the figures communicated for 2012 could not be compared with these provided for the previous evaluation cycles.

**Q098 (2022):** The data has been provided by the office for the collection and processing of judicial statistics. It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data. The content of the categories of criminal cases in the table are the same as for the previous evaluation cycle, but the services now monitor and record these cases better so discrepancies in data can be observed. This is especially the case for the Misdemeanour and / or minor criminal cases.

**Q098 (2021):** The data are from the Statistical Service of the Ministry of Justice. The courts function in cooperation with the prosecutions offices. For example, postponed cases get to the prosecutor offices and then to the courts, in repeat 2-3 times, during the period (year). The definition of the pending cases included postponed cases or the cases for which the trial date has been setting out of the reference year or hasn't been determined during the year. The data has been collected from 19 out of 19 Courts of Appeal in Greece.

**Q098 (2020):** Due to the pandemic, pending cases have accumulated in the courts of first instance, with the result that the courts of second instance have fewer cases to handle.

The data given for questions 97 and 98 are collected from all second instance courts. However, many fields are answered NA as only few data were collected from the second instance Courts.

**Q098 (2018):** To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor's Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/ acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)- Phase A', which was completed in March 2019 for 41 courts of the State, an integrated information system is implemented, which includes individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data.

**Q098 (2016):** Filling in the requested information regarding the criminal procedure is not possible at the moment. To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor's Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/ acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)- Phase A', which is expected to be completed by November 2018, an integrated information system will be implemented, which will include individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data. For 2016 the available data regarding the criminal procedure are as follows: Courts of First Instance: Criminal Cases Discussed: 473.457, Convictions/Acquittals: 206.311, Postponements: 262.433, Courts of Appeal: Criminal Cases Discussed: 59.643, Convictions/Acquittals: 24.995, Postponements: 33.601

**Q099 (2022):** It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data, such as the training of staff and the creation of an instructional manual guide with definitions and instructions. These measures were intended to help collecting more reliable data from both small and large courts and prosecution services and eliminate the standard errors in judicial statistics. As our methodology is developing, discrepancies in data can be observed. Besides, as regards "Other cases", it should be mentioned that some types of cases that were previously included in this category, are now distributed in the other case-categories in the table.

**Q099 (2021):** The fact is that Supreme Court couldn't split the number of civil cases on each category provided in the table. The correct numbers for Categories 1+2 are the following: 2300 pending cases on 1 Jan. ref. year, 2 644 incoming cases, 2 262 resolved cases and 2 682 Pending cases on 31 Dec. ref. year.

**Q099 (2020):** No data were collected from Supreme Courts regarding incoming and resolved cases. Therefore, we were unable to provide the relevant evaluable data.

**Q099 (2018):** "the discrepancy between the number of the resolved cases of 2017 and of 2018 for administrative law cases is due to the combination of the following factors:

- in 2018 a number of difficult cases, that had to do with the system of social insurance, was about to be completed
- lawyers become familiar with the filters regarding the cassation and its strict prerequisites, which lead to less rejections of cases as inadmissible and subsequently to a higher number of cases being discussed as far as their real facts are concerned.
- for the abovementioned reason the fast procedure provided for by the relevant code of procedure is not so often implemented
- there are still vacant places of councillors of state, i.e. of the highest rank."

**Q099 (2017):** "Administrative law cases": the number of incoming cases decreased in mainly two sections of the Council of State (i.e. section b for tax issues (-239 cases) and section d for general issues (-692)).

**Q099 (2016):** Previous data concerning the total did not include administrative law cases.

**Q100 (2022):** It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data. The content of the categories of criminal cases in the table are the same as for the previous evaluation cycle, but the services now monitor and record these cases better so discrepancies in data can be observed. This is especially the case for the Misdemeanour and / or minor criminal cases.

**Q100 (2021):** There are no Other criminal cases at the level of the Supreme Court, these proceedings appear only at First instance and Appeals courts and prosecutors' offices, therefore category 3. should be NAP.

**Q100 (2020):** There were no data collected for this question.

**Q100 (2016):** With regard to the category "pending cases on 1 January 2016", the abnormality of the figures is due to the fact that the postponed cases because of the abstention of the lawyers in 2015 were not considered as pending to the backlog of the court.

In 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction of the number of resolved criminal law cases. Accordingly, the number of pending criminal law cases increased.

## Hungary

**Q091 (2021):** The number of incoming cases decreased in general and the situation was the same for administrative cases. As the number of incoming cases decreased and the courts were able to finish more cases than the number of the "new" cases, the backlog was reduced.

**Q091 (2020):** The pandemic situation had a huge effect on the case flow of the courts on every level of the court system. Special regulations were adopted by the legislator to promote videoconferencing and the courts were "closed between the 16th of March and the 31th of March (during this period no procedural events could be performed at the courts). Although the courts carried out their main activities, many cases were prolonged e.g. because the parties were not able to attend the hearings. Regarding administrative cases the re-organization of administrative jurisdiction also could have an effect on the case-flow.

**Q091 (2018):** One of the reasons of the decreasing number of incoming cases is the new civil procedural code coming into force on the 1st of January 2018. This resulted that many of those parties (especially those who were represented by lawyer) who had the chance to do so, filed their petition before the end of 2017 under the scope of the old and well-known procedural code. Regarding the discrepancy between 2017 and 2018 in the number of registry cases, it is due to the fact that for the first time in 2018, the number of non-litigious business registry cases is available.

**Q091 (2017):** Regarding the categories "2.1 general civil (and commercial) non-litigious cases", and "4. other cases" the number of pending cases on 1st of January differ from the closing number of the previous year because of data collection problems at certain regional courts.

In the category "registry cases" the higher number of incoming and resolved cases in 2016 was the result of a large number of involuntary dissolution cases. As the courts finished these cases and backlog cases from previous years the number of resolved cases in 2016 was higher than incoming cases in contrast with 2017.

**Q091 (2016):** In category "4. other cases" there is a difference between the number of pending cases on 31 December 2015 and the number of pending cases on 1 January 2016. The cause of this difference is the change of the IT system and the cleansing of the database.

2.1 General civil and commercial non-litigious cases: there was a change in the statistical methodology at the largest regional court that caused a difference in the figures pertaining to pending cases on 1 January 2016.

2.2.3. "other registry cases" include registration of civil societies.

The increase in the number of general civil (commercial) non litigious cases pending on 1 January 2016 is due to the change in the statistical methodology at the largest regional court that caused a difference in the figures.

The number of incoming "other registry cases" increased between 2014 and 2016 because of the increasing number of registry cases of civil societies. Accordingly, the number of resolved "other registry cases" increased also for the same period. With regard to the category "other non-litigious cases", the increased numbers characterizing the period 2014-2016 are the consequence of the increasing number of court mediation cases and non-litigious labour cases.

**Q091 (2015):** There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

The category "civil and commercial non-litigious cases" includes all cases that are not concluded through the rules of the civil procedure, but through a more or less simplified procedure. Thus, there is a very wide range of related categories set forth by the Civil Procedure Code or other acts. For example, a reference was made to: exclusion of a judge; preliminary verification; issuance of a restraining order and review of that; declaration of dead; declaration of missing; revision of the medical care of mentally disordered patients, deposit at the court; company registration procedures; registration of associations, foundations etc.

The category "other registry cases" include registration of civil societies.

The category "other non-litigious cases" include court mediation and non-litigious labour cases.

The category "other" include Insolvency cases and labour cases.

**Q091 (2014):** In 2014, in contrast with the 2013 evaluation, some registration cases as well as non-litigious enforcement cases were also included within the category "civil and commercial non-litigious cases". The item "other registry cases" includes registration of civil societies. The item "other non-litigious cases" includes court mediation and non-litigious labour cases. Before 2013, non-litigious administrative law cases were counted as "non-litigious civil and commercial cases". Since 2013, non-litigious and litigious administrative law cases are provided together. The increased number of investigations conducted by administrative authorities (e.g. tax authorities) resulted in an increased number of reviews against these decisions.

**Q091 (2013):** Till 2013, the data-provider for non-litigious enforcement cases was the Ministry of Justice. Since 2013, the data-collecting system of courts covers also this group of cases (general non-litigious cases). Before 2013, non-litigious administrative law cases were counted as "non-litigious civil and commercial cases". Since 2013, non-litigious and litigious administrative law cases are provided together. As for the subcategory "civil (and commercial) litigious cases", it encompasses different categories of cases for 2012 and 2013.

**Q093 (2013):** In 2010, 2012 and 2014 the category "other" encompasses insolvency registry cases and labour litigious cases. In 2012, additionally it includes misdemeanour cases. In 2013, the category subsumes insolvency cases and non-litigious labour cases.

**Q094 (General Comment):** Criminal offences are severe or minor crimes. Severe crimes (bűntett) are committed intentionally and are punishable with at least two years of imprisonment. All other criminal offences are minor crimes (vétség). Crimes that are not committed intentionally are always considered as minor crimes, despite the possible punishment.

Misdemeanours (szabálysértés) are not considered as criminal offences, but are unlawful acts that are endangering the society. The authorities intervening in their respect are the police, the district office, or the National Tax and Customs Office. Their decisions can be reviewed by the relevant section of the respective district court upon request of the accused person. Generally, the court rules without oral hearings, based upon the available documents. However, it can set a hearing if it finds it necessary or if the person charged by a misdemeanor requests it. The judgment is a final and enforceable decision. It is noteworthy that the Hungarian law identifies also the category of civil offences encompassing offences mainly against public administration. However some criminal offenses, such as property crimes involving objects of small value (under 50000 HUF), are classified in this category as well. Civil offences fall under the jurisdiction of various administrative agencies, local governments or traffic police, but not the courts.

Concerning the methodology of presentation of data, as according to the Hungarian Criminal Code not only severe crimes (bűntett), but also almost every minor crime (vétség) are punishable with imprisonment, both categories were included into the category "severe criminal cases". Thus misdemeanors (szabálysértés) were included into the category "minor criminal cases".

**Q094 (2022):** As misdemeanour cases have very strict deadlines, the number of resolved cases strongly correlates with the number of incoming cases. The decrease of incoming cases may be a result of the end of the pandemic as misdemeanours in connection with it "disappeared" as well.

**Q094 (2021):** New types of misdemeanours were introduced into the legal system in accordance with the measures taken against the COVID-19 pandemic. As the number of incoming cases increased the number of resolved cases increased as well.

**Q094 (2018):** Criminal offences are severe or minor crimes. Severe crimes are committed intentionally and are punishable with at least two years of imprisonment. All other criminal offences are minor crimes. Misdemeanours are not considered as criminal offences, but are unlawful acts that are endangering the society.

**Q094 (2014):** The increase in the number of incoming misdemeanour cases in 2012 and 2014 is the consequence of an amendment of the relevant legislation. This increase resulted also in higher numbers of resolved and pending cases.

**Q094 (2012):** For 2012, not all types of misdemeanour cases were included in the respective category. The increase in the number of incoming misdemeanour cases stems from legislative amendments. This increase resulted also in higher numbers of resolved and pending cases.

**Q097 (2021):** As of 1 April 2020, a significant change was introduced concerning the competence of the Administrative Chamber. As a result of this change, all legal remedies sought for in administrative disputes were decided by the Curia after 1 April 2020. Other cases: second instance labour cases and those second instance insolvency cases that are not included in category 2.1.

**Q097 (2020):** The pandemic situation had a huge effect on the case flow of the courts on every level of the court system. Special regulations were adopted by the legislator to promote videoconferencing and the courts were "closed between the 16th of March and the 31th of March (during this period no procedural events could be performed at the courts). Although the courts carried out their main activities, many cases were prolonged e.g. because the parties were not able to attend the hearings. Regarding administrative cases the re-organization of administrative jurisdiction also could have an effect on the case-flow.

**Q097 (2019):** No specific reason was pointed out in respect of decreases observed for the period 2018 - 2019 with regard to "4. other cases".

**Q097 (2017):** With regard to variations observed in the numbers of "registry cases" and "other registry cases", it is noteworthy that the content of these categories is the same for the last four cycles. As the legislation on civil societies was amended in 2014 this resulted in an increased number of registry cases, but since then the number of incoming cases is decreasing.

**Q097 (2016):** With regard to the pending cases, it is noteworthy specifying that the decrease of the "backlog" of the courts is an overall trend in the Hungarian judiciary.

As for the other variations observed within the frame of question 97, the "raw" figures in most of the categories can be considered as relatively low figures (e.g. some hundreds in the whole country), so even a not so huge increase or decrease result in a large percentage change.

**Q097 (2014):** In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category "civil and commercial non-litigious cases". The item "other registry cases" includes registration of civil societies. The item "other non-litigious cases" includes court mediation and non-litigious labour cases.

The category "other" encompasses insolvency cases and labour cases.

**Q098 (2021):** As it was mentioned at the first instance, the introduction of new types of misdemeanours resulted in a higher number of incoming cases. As a result of the increase of incoming cases the number of resolved cases was also higher.

**Q098 (2014):** The increases over the period 2010-2014 regarding misdemeanour and/or minor criminal cases, is due to the constant increase of incoming and resolved first instance cases starting from 2010, which led to the increase in the number of second instance incoming cases.

**Q099 (General Comment):** 2.2.2. Non-litigious company registration cases:

- legal remedy (appeal/judicial review) against a decision delivered in the course of a legality supervision procedure in respect of companies

- legal remedies (appeal/judicial review) in connection with the incorporation of companies and with the amendment of information entered in the company register

- deciding on legal remedies against decisions delivered in the course of the forced deletion procedure of companies

2.2.3. Other registry cases:

- legal remedies against a lower instance court decision delivered in the course of the incorporation of civil society organisations and other non-commercial organisations and in connection with the amendment of information entered in the court register of such organisations (primarily judicial review)

- deciding on legal remedies against court decisions delivered in the course of legality supervision and legality control procedures in respect of civil society organisations and other non-commercial organisations

- deciding on legal remedies against decisions delivered in the course of a procedure prior to the deletion of civil society organisations and other non-commercial organisations (for instance, decisions delivered in the course of a simplified deletion procedure, etc.)

2.3. Other non-litigious cases:

- designation of the competent court,

- appealed non-litigious labour law case,

- judicial review procedure in non-litigious labour law cases (the subject matter of which may be, for instance, the violation of trade union rights, the exercise of the right to strike, etc.),

- deciding on an appeal delivered in a labour law litigation.

**Q099 (2022):** The justification for the changes is related to the fact that in the year 2021, the Curia's remedial powers – due to a law amendment effective from April 1, 2020 – extended to the second instance adjudication of legal disputes in public administrative cases, thus the Curia became the general court of second instance with nationwide jurisdiction in administrative matters. In addition, the Curia continued to operate as a review court, if the conditions for review as specified in the Act on Administrative Procedures were fulfilled in the given case. By the autumn of 2021, the Curia faced the highest workload throughout the country.

To stop the above trend, which has become critical, the legislator adopted Act CXXXIV of 2021 in which the legislator provided for that the level of regional courts of appeal should be involved in the second instance adjudication of administrative case. As a result of the amendment, effective as of 1 March 2022, the levels of judicial forums hearing administrative cases have changed. High courts having an administrative chamber will be general courts of first instance in administrative matters. The Curia has original jurisdiction in exceptional cases set out by law. Regional courts of appeal having an administrative chamber will be general courts of second instance. Thus, the abovementioned Act has provided for that it falls within the responsibilities of regional courts of appeal to hear cases at the ordinary appeal stage, and it has also provided for exclusive geographical jurisdiction, which means that the Act has reinstated the second instance (appellate) jurisdiction of Budapest Capital Regional Court of Appeal in administrative matters.

The decrease in the number of the so-called general civil litigious and non-litigious cases can be traced back to several reasons. The most significant of these is that under the scope of the new Civil Procedure Code, which entered into force on January 1, 2018, the number of lawsuits is decreasing every year. Among other things, this is related to the fact that litigation diversion procedures, such as mediation, play a greater role than before in the settlement of private law disputes, and the value limit below which a property claim can be enforced with a payment order before a notary, i.e., in an out-of-court, non-litigation procedure, has tripled. As a result of all this, the timeliness indicators of the lower courts have improved continuously in recent years, which means that the number of protracted, more difficult decisions that can be challenged before the Curia as the highest court is decreasing.

The number of completions is basically determined by the volume of cases received, and although they show a decrease compared to the previous year, they significantly exceed the number of cases received, even though the number of judges handling such cases has decreased due to retirement.

We do not consider it justified to examine the reduction in the number of received and completed cases in so-called general civil (and commercial) non-litigious cases by itself. In relation to the case groups indicated for the so-called general civil (and commercial) non-litigious cases, the number of cases received and completed changes continuously every year, which make up a fraction of all cases received by the Curia. Comparing the 2022 data with the 2020 data, it can be seen that in the indicated case group, fewer such cases were received in 2020 than in the current year, so the number of civil non-litigious cases received in 2021 was different from the average. Taking into account the general rules of statistics, the highlighting of some data may result in inadequate conclusions.

Our data collection methodology has not changed from the previous cycles. It is therefore recommended that we keep the data as it is, otherwise, the data provided will not be comparable with those of previous years.

**Q099 (2021):** Other cases: insolvency cases, review procedures in labour cases, uniformity complaints  
Administrative Chamber

As of 1 April 2020, a significant change was introduced concerning the competence of the Administrative Chamber. As a result of this change, all legal remedies sought for in administrative disputes were decided by the Curia after 1 April 2020. This caused a significant increase in the caseload which was substantially higher than any number of incoming cases in the previous years, regarding the year 2021 as a whole. The change in the competences had an impact for the whole year 2021, due to which administrative legal remedy cases accounted for almost half of the total number of incoming cases at the Curia. Because of the change, the number of administrative judges was increased, and the increased judicial staff managed to resolve the surplus in a timely manner.

Civil Chamber

In comparison to 2020 data, the increase in the number of incoming civil and commercial litigious (line 1) can be explained by the fact that the incoming appeal (second instance) cases were higher by almost 40%. Regarding the appeal cases, the Curia experienced a temporary fallback in 2020; however, as the pandemic situation got better, lower courts could resolve more cases. So, the increase experienced in 2021 is explained by the low base value in 2020, as well as by the improvement in the COVID-19 pandemic situation.

The increase in the number of incoming general civil non-litigious cases (line 2.2.1) can be explained by the increase of cases initiated for the designation of the competent court to two and a half times. Despite the fact that the Civil Division of the Civil Chamber had resolved two times more cases than in the previous year, still there was a significant number of 'designation cases' remained pending.

2.1. Civil and commercial non-litigious cases referred to the Curia through an appeal or a petition for review, cases concerning recusal of judges, cases concerning the designation of the competent court, cases concerning an objection filed because of allegedly excessive duration of the proceedings.

2.2. This is an aggregate of the numbers reported under lines 2.2.1, 2.2.2, and 2.2.3.

2.2.2. Business registry cases referred to the Curia through an appeal or a petition for review.

2.2.3. Review proceedings concerning the registry of civil organizations and other non-profit organizations.

2.3. Review proceedings initiated in non-litigious labour cases, as well as non-litigious proceedings related to labour litigation, initiated for the designation of the competent court.

**Q099 (2020):** The pandemic situation had a huge effect on the case flow of the courts on every level of the court system. Special regulations were adopted by the legislator to promote videoconferencing and the courts were "closed between the 16th of March and the 31st of March (during this period no procedural events could be performed at the courts). Although the courts carried out their main activities, many cases were prolonged e.g. because the parties were not able to attend the hearings. Regarding administrative cases the re-organization of administrative jurisdiction also could have an effect on the case-flow.

**Q099 (2017):** The number of incoming cases decreased in most of the observed categories at the Supreme Court. This also resulted in a decrease in the number of resolved cases thus the number of pending cases increased.

**Q099 (2016):** Generally, the increase in the number of incoming cases at the Kúria (Hungarian Supreme Court) for 2016 is the result of the increasing use of extraordinary remedies by the parties. As the number of incoming cases increased, it resulted in an increase in the other categories as well.

**Q099 (2014):** In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category "civil and commercial non-litigious cases". The item "other registry cases" includes registration of civil societies. The item "other non-litigious cases" includes court mediation and non-litigious labour cases.

The category "other" encompasses insolvency cases and labour cases.

On the occasion of the 2014 exercise, it has been stressed that one of the main aims of the judicial reform of January 1, 2012 was that the President of the Supreme Court (Kúria) and the Supreme Court itself should focus more on the quality of judicial work. As the President of the Supreme Court was released from the burden of the central administration of the court system, the Kúria was able to reduce its backlog as well as to focus more on the consistency of the national jurisdiction.

**Q100 (2021):** In case of severe criminal cases, the fallback of the clearance rate can be explained on one hand by the pandemic situation; on the other hand, by the fact that in years 2020 and 2021, almost 50% of the judges of the Criminal Chamber retired. The vacant judicial positions were already filled. The increase in the number of motions for review can be explained by an increased activity of defendants and their defence counsels. Any objective reason for that increased activity cannot be established.

## Ireland

**Q091 (General Comment):** Historically, the number of pending civil cases has not been recorded in caseload data, as many cases initiated before the Irish courts either settle out of court or are not proceeded with by the plaintiff/applicant without there being any procedural requirement that the parties inform the court of either a settlement or an intention not to proceed with the case. Civil (and commercial) non-litigious cases include proceedings not resolved inter partes, such as undefended pecuniary claims, deed poll applications, probate (grants of representation), wardship proceedings, registrations of enduring powers of attorney, appointment of care representatives, unopposed personal and corporate insolvency proceedings, liquor licencing applications and marriage notice exemption applications.

Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Category "other" includes: Taxation of bills of costs, Appointment by Chief Justice of Commissioner for Oaths and Notaries Public, Persons called to the Bar; Declarations by newly appointed Judges; Extensions of service granted to District Court Judges/County Registrars; Certificates of Authentication issued.

**Q091 (2022):** The COVID pandemic had an effect on the courts' ability to deal with incoming business in 2020 especially, which explains the discrepancies with number of court cases in 2022.

**Q091 (2021):** As the Courts Service is not in a position to confirm to increase or decrease, we can note the following: There was a decrease in over 2,500 in personal injuries cases, recovery of debt cases overall decreased by about 1,500 cases and small claims decreased by 40 percent to 2,134, licensing was down 18 percent to 10,764. We can say it is very likely that ongoing covid restrictions contributed to this in licensing.

**Q091 (2020):** Reduction in non-litigious cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. This included domestic violence and criminal proceedings. All written judgments were delivered electronically and published on the Courts Service website, courts.ie.

Attendance at Court offices was by appointment only to ensure that footfall could be safely managed.

**Q091 (2017):** We are not in a position to offer further comment on the figure for resolved Civil (and commercial) litigious cases. We are not in a position to offer further comment on variations in the number of incoming and resolved "other" cases.

**Q091 (2016):** The decrease in the number of incoming and resolved "other cases" observed for the period 2014 - 2016 is due to a sharp reduction on taxations of legal costs since 2014.

**Q091 (2015):** Category "other" includes: Taxation of bills of costs.

**Q091 (2014):** A substantial number of cases which have been completed (through settlement or non-pursuit of the case by the plaintiff without notice to the court) are not recorded and counted as completed. Consequently, the clearance rate appearing from the case flow data provided is considered to understate significantly the actual case clearance rate.

**Q091 (2013):** The number of enforcement cases has been reported for the first time. The Courts Service has sought to create a category of cases under the Irish system that would be equivalent to non-litigious enforcement cases under other justice systems. The figure consists of the following steps leading to enforcement measures by court judgments and orders: Execution orders, Registered Judgments, Judgment Mortgage Certificates.

**Q092 (2014):** Starting 2014 the category: "Appointment of care representatives" was added to the "Civil (and commercial) non-litigious cases"

**Q093 (2014):** From 2014, the range of 'Other cases' has been revised to incorporate the category 'certificates of taxation of legal costs issued'. This can explain the fact that different elements have been included in the category 'other' in 2013 and 2014.

**Q094 (General Comment):** Except for the Supreme Court, criminal cases are generally counted by offence rather than case due to the various ICT systems used. This is due to data collection/ ICT systems that are in use by the Court Service.

Akin to question 91, the number of pending criminal law cases cannot be provided within the frame of question 94, provided that it is not recorded in caseload data.

Misdemeanour and/or minor criminal cases include all cases triable summarily (e.g. common assault, public order offences, burglary or theft in other than aggravated circumstances).

**Q094 (2022):** The COVID pandemic had an effect on the courts' ability to deal with incoming business in 2020 especially, which explains the discrepancies with number of resolved cases in 2022. Regarding severe criminal cases both the Circuit Criminal Courts and Central Criminal Courts showed an increase in resolved cases (offences) in 2022. Resolved cases are cases where orders are made. There may be more than one order made in some cases which is why the figure for resolved cases is higher than that for incoming cases.

**Q094 (2021):** Severe criminal cases are taken to mean indictable offences that are dealt with in the Circuit and High Court. Misdemeanour is taken to mean minor offences and indictable offences dealt with summarily in the District Court. The number of incoming cases will never equal the number of resolved cases. It is worth noting that the number of resolved cases in 2021 was a significant increase in the resolved cases from 2020. It is also worth noting that not all offences are proceeded with by the prosecutor, particularly minor offences.

Criminal cases are generally counted by offence rather than case due to the various ICT systems used

**Q094 (2020):** Misdemeanour and minor criminal cases are cases heard in the District Court. There were fewer such cases incoming and resolved because of Covid-19.

**Q094 (2018):** From 2016 extra judicial resources were applied by Senior Judiciary to the Courts dealing with some of the most serious criminal matters, which explains the increase of the number of resolved severe cases.

**Q094 (2016):** With regard to the number of resolved severe criminal cases, there is no particular reason explaining the observed discrepancy between 2014 and 2016, except for the fact that in 2014 figures were exceptionally high.

**Q094 (2014):** The previous data in respect of severe criminal cases were presented by reference to the defendant rather than to the offence(s) charged, whereas the data for 2014 reflects offence(s) charged, to align with the unit of measurement for minor criminal cases.

**Q094 (2012):** There were substantial reductions in the number of recorded traffic and public order offences between 2010 and 2012, and these categories of offences make up a significant proportion of the minor criminal cases that come before the courts.

**Q097 (General Comment):** Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**Q097 (2020):** Reduced cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. This included domestic violence and criminal proceedings. All written judgments were delivered electronically and published on the Courts Service website, courts.ie.

Attendance at Court offices was by appointment only to ensure that footfall could be safely managed.

The Court of Appeal quickly adopted the use of video technology and made greater use of electronic documentation to facilitate its work. Procedures were introduced to ensure that justice was administered in public. Judgments were delivered electronically. Waiting times for a hearing were improved, to a certain extent, by a net reduction in the numbers of new cases coming into the list from other jurisdictions. By year end, there was a net improvement in the numbers of cases waiting to be dealt with compared to 2019.

**Q097 (2017):** The number of resolved civil and commercial litigious cases reflects a significant reduction in disposal of second instance appeals by comparison with that returned in the previous reporting cycle.

**Q097 (2016):** As concerns the number of resolved "Civil and commercial litigious cases", 2016 data reflects a significant increase in disposal of second instance appeals over that in the previous reporting cycle. Accordingly, the total of resolved cases is affected.

**Q098 (General Comment):** Except for the Supreme Court, criminal cases are generally counted by offence rather than case due to the various ICT systems used. This is due to data collection/ ICT systems that are in use by the Court Service.

**Q098 (2022):** In 2020, the year in which the covid pandemic had its greatest effect on court business, the number of criminal appeals particularly in minor criminal cases was much lower than usual.

**Q098 (2020):** Reduced misdemeanour/minor cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. This included domestic violence and criminal proceedings. All written judgments were delivered electronically and published on the Courts Service website, courts.ie. Attendance at Court offices was by appointment only to ensure that footfall could be safely managed.

The Court of Appeal quickly adopted the use of video technology and made greater use of electronic documentation to facilitate its work. Procedures were introduced to ensure that justice was administered in public. Judgments were delivered electronically. Waiting times for a hearing were improved, to a certain extent, by a net reduction in the numbers of new cases coming into the list from other jurisdictions. By year end, there was a net improvement in the numbers of cases waiting to be dealt with compared to 2019.

Offences are counted here rather than number of cases. There were 260 appeals in respect of 1,405 offences lodged in the Court of Appeal (Criminal) in 2020. The Court disposed of 367 appeals in respect of 1,719 offences.

**Q098 (2018):** With regard to the category "resolved cases", the figures reflect a continuing increase in disposal of second instance appeals disposed of over that in the previous reporting cycle (2016 data) due to the establishment of the Court of Appeal.

**Q098 (2016):** Data on resolved cases reflect a significant increase in disposal of second instance appeals due to the establishment of the Court of Appeal. Concerning the number of incoming severe criminal cases, 2016 data reflects the receipt by the Court of Appeal of a substantial number of pending appeals following its establishment.

**Q098 (2014):** The increase of 161% between 2012 and 2014 in the number of incoming cases and the increase of 101% in the number of resolved cases are due to a change in the unit of measurement for criminal cases from a defendant related unit to an offence related unit.

**Q099 (General Comment):** Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**Q099 (2022):** There was an increase in 2022 over 2020.

**Q099 (2020):** Reduced cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. All written judgments were delivered electronically and published on the Courts Service website, courts.ie. Both the Supreme Court and Court of Appeal quickly adopted the use of video technology and made greater use of electronic documentation to facilitate their continued work. Procedures were introduced to ensure that justice was administered in public. Both jurisdictions delivered their judgments electronically. Waiting times for a hearing in both Courts were improved, to a certain extent, by a net reduction in the numbers of new cases coming into their lists from other jurisdictions. By year end in both Courts, there was a net improvement in the numbers of cases waiting to be dealt with compared to 2019.

**Q099 (2019):** There has been an overall increase in the appeals in civil matters to the Supreme Court from 2016 and it is expected at this stage that this trend will continue into next year.

**Q099 (2018):** There has been an overall increase in the appeals in civil matters to the Supreme Court from 2016 and it is expected at this stage that this trend will continue into 2019.

**Q099 (2017):** Since the establishment of the Court of Appeal in 2014, the number of pending cases at third instance has fallen. However, the number of incoming cases at third instance has slightly increased between 2016 (164) and 2017 (190).

**Q099 (2016):** The reduced number of incoming and resolved cases reflects the consequences of the establishment of the new Court of Appeal which came into operation in October 2014.

**Q099 (2015):** The reduction in the number of incoming cases to the Supreme Court substantially reflects the change in the jurisdiction of the Supreme Court from that of a second instance appeal court to an appeal court which is primarily third instance in nature

**Q099 (2014):** 2014: Variation: The significant increase in the number of resolved civil (and commercial) litigious cases between 2012 and 2014 reflects a significant exercise undertaken by the Supreme Court in reviewing its caseload in preparation for the establishment in 2014 of the new Court of Appeal (which has assumed the previous second instance jurisdiction of the Supreme Court), which resulted in the striking out or withdrawal of a significant number of appeals then pending before the Supreme Court.

**Q100 (2022):** The number of cases pending in the Supreme Court has decreased between 2020 and 2022.

**Q100 (2020):** Reduced cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. All written judgments were delivered electronically and published on the Courts Service website, courts.ie. Both the Supreme Court and Court of Appeal quickly adopted the use of video technology and made greater use of electronic documentation to facilitate their continued work. Procedures were introduced to ensure that justice was administered in public. Both jurisdictions delivered their judgments electronically. Waiting times for a hearing in both Courts were improved, to a certain extent, by a net reduction in the numbers of new cases coming into their lists from other jurisdictions. By year end in both Courts, there was a net improvement in the numbers of cases waiting to be dealt with compared to 2019.

**Q100 (2018):** The increase in incoming and resolved caseload reflects arrangements on foot of the establishment of the Court of Appeal and the new appellate jurisdiction of the Supreme Court.

**Q100 (2016):** The increase in incoming and resolved caseload reflects arrangements on foot of the establishment of the Court of Appeal and the new appellate jurisdiction of the Supreme Court.

## Italy

**Q091 (2022):** In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

**Q091 (2020):** In 2020 the case flow was highly affected by the COVID-19 pandemic and the consequent temporary shutdown of courts. This had an impact on both incoming and resolved cases, which fell quite considerably compared to 2019. However, the fall in the number of resolved cases was less drastic than that of incoming cases, resulting in a clearance rate (CR) higher than 100% and, hence, in a reduction in the number of the unresolved cases (i.e. the pending cases at the end of the period). The COVID-19 pandemic also had a strong impact on the disposition time (DT). The number of pending older than 2 years is not available because figures include the activity of both tribunals and justice of peace offices and for the latter this information is not available.

**Q091 (2019):** Number of "pending cases older than 2 years" is not available because it refers to first instance causes which also include the activity of Justice of peace offices, for which this information is not available.

**Q091 (2018):** Administrative cases. – It should be noted that fast-track simplified proceedings are available for dispute resolution in important areas of administrative law, such as public procurement ("rito appalti"). In 2018, the disposition time for such disputes was 237 days in the first instance and 274 days before the Consiglio di Stato (CDS). Furthermore, requests of interim measures are frequent in administrative law cases (about one third of the cases in first instance and half of the cases before the CDS). They provide fast legal protection of the claimant's rights, often anticipating the final judgment on the merits.

**Q091 (2015):** Figures at Q.91 (points 1 and 2) have been extracted from a new IT system called "Civil Data warehouse". This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases.

As far as figures at Q.91 (point 3), please consider that Administrative Justice doesn't fall under the umbrella of the Ministry of Justice as it is administered by the Council of State (Consiglio di Stato). However, figures at Q.91 (point 3) were not provided by the Council of State, they were rather taken from a public document available online at [https://www.giustizia-amministrativa.it/cdsintra/cdsintra/Notiziasingola/index.html?p=NSIGA\\_3826149](https://www.giustizia-amministrativa.it/cdsintra/cdsintra/Notiziasingola/index.html?p=NSIGA_3826149)

Since the administrative cases (Q.91 point 3) refers to a different administration, it wouldn't be reasonable to compare these numbers against the number of judges provided at Q.46.

Civil and commercial non-litigious cases include: Uncontested payment orders, uncontested divorces, technical appraisals, judicial interdiction and incapacitation, hereditament, etc.

**Q091 (2014):** In 2014, figures for the category "administrative law cases" have been submitted for the first time. The administrative justice doesn't fall under the umbrella of the Ministry of Justice as it is a completely different administration.

**Q091 (2013):** In 2013 and 2014, the Italian judicial system has gone through a historical geographic reorganization with the closing of almost 1000 courts. Thus, the statistics regarding flows of cases at the end of 2013 may show some anomalies that will be adjusted with the following data gathering. A constant reduction in the incoming civil and commercial litigious and non-litigious cases is observed from the end of 2009. The number of ADR cases is constantly increasing with a filter effect on the litigious incoming files.

**Q092 (General Comment):** Non-litigious cases include -amongst others- divorce and separation by mutual consent, change of divorce/separation conditions, judicial interdiction and incapacitation, hereditament, some family-related procedures, etc. Under this category also fall the following: order for payment procedures, proceedings for validation of eviction, precautionary proceedings and proprietary measures.

**Q093 (2014):** In the ambit of the 2014 exercise, the category "other" encompasses the number of enforcement cases.

**Q094 (2022):** In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

**Q094 (2021):** In Italy there is no formal definition of minor criminal cases. For the purposes of this exercise, are considered as minor criminal cases those proceedings dealt with by the Justice of Peace Offices.

**Q094 (2018):** The reduction in the number of resolved first instance criminal cases, and consequently the increase in the Disposition Time, between 2018 and 2016 comes from the decriminalization measures introduced in 2016 that led to a sharp increase in the number of case dismissals in that year. Indeed, the data for 2017 are:

Incoming: 1.311.900

Resolved: 1.293.054

Pending: 1.282.406

Disposition time: 362 days

These figures show a positive trend of the DT between 2014 and 2017, maintained in 2018.

**Q097 (General Comment):** - Non-litigious enforcement cases are not in the competence of the Courts of Appeal.

- With regard to the administrative cases (which number is provided only since 2014), the appeals are dealt with by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body ensuring the legality of public administration in Italy. The Council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law. Figures referring to the activity of the Council of State are inserted in the frame of question 99 and not question 97.

**Q097 (2022):** In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at

<https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

The main goal is a general reduction of the disposition time by 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together) .

More specifically a reduction of the civil backlog by 65% in first instance courts and 55% in appeal courts by the end of 2024; by 90% in first instance courts and appeal courts by June 2026. As far as the civil cases, such targets relate exclusively to litigious cases.

A monitoring system is in place and a detailed dashboard is available at

<https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>

**Q097 (2021):** There are no "other cases"

Figures in 2020 were hugely affected by the pandemic

**Q097 (2020):** In 2020 the case flow was highly affected by the COVID-19 pandemic and the consequent temporary shutdown of courts. This had an impact on both incoming and resolved cases, which fell quite considerably compared to 2019. However, the fall in the number of resolved cases was less drastic than that of incoming cases, resulting in a clearance rate (CR) higher than 100% and, hence, in a reduction in the number of the unresolved cases (i.e. the pending cases at the end of the period). The COVID-19 pandemic also had a strong impact on the disposition time (DT).

**Q097 (2018):** -

**Q097 (2017):** The number of pending "civil and commercial non-litigious cases", older than 2 years, decreased between 2016 and 2017. Generally speaking, pending cases older than 2 year have priority. However, in this specific case, the important reduction (in %) is mainly due to the fact that the numbers are small.

**Q097 (2016):** As regards the variations concerning the category "general civil (and commercial) non litigious cases", it should be noted that the Ministry of Justice has recently implemented a data warehouse system that can collect a huge number of data and events pertaining to millions of civil cases. The new DWGC (Data Warehouse for Civil Justice) is now fully operational and it represents a major improvement in terms of statistics and quality. Since 2015, data pertaining to Q.97 is extracted from the above Datawarehouse and it is to be considered more accurate than the figures provided in the past. It should be noted that in 2014 for many cases it was not possible to distinguish between litigious and non-litigious cases because they were coming together in a bundle. With the data warehouse it is possible to tell whether any given procedure has either litigious or non-litigious nature. Besides, when comparing pending cases on 31 Dec 2014 with pending cases on 1 Jan 2016, the variations are less important.

**Q097 (2015):** The appeal of administrative case is dealt by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body that ensures the legality of public administration in Italy. The council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law.

Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.97.

Figures on Q.97 (points 1 and 2) have been extracted from a new IT system called "Civil Data warehouse". This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases. All cases dealt by the Supreme Court of Cassation has always a litigious nature.

**Q098 (General Comment):** In Italy there is no formal definition of "minor criminal cases". For the purposes of this exercise are considered as minor criminal cases those proceedings dealt with by the Justice of Peace Offices which have been appealed (to Tribunal).

**Q098 (2022):** In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html> The main goal is a general reduction of the disposition time by 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together) .

More specifically a reduction of the civil backlog by 65% in first instance courts and 55% in appeal courts by the end of 2024; by 90% in first instance courts and appeal courts by June 2026. As far as the civil cases, such targets relate exclusively to litigious cases.

A monitoring system is in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>

**Q098 (2021):** Figures in 2020 were hugely affected by the pandemic

**Q098 (2018):** -

**Q098 (2016):** With regard to second instance criminal cases, in 2014-2015 a new case management system was introduced. This has negatively affected the statistics for those two years. Statistics for 2016 are definitely more robust and consistent. Besides, when comparing pending cases on 31 Dec 2014 with pending cases on 1 Jan 2016, the variations are less important.

**Q099 (General Comment):** · With regard to the administrative cases (which number is provided only since 2014), the appeals are dealt with by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body ensuring the legality of public administration in Italy. The Council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law. Figures referring to the activity of the Council of State are inserted in the frame of question 99 and not question 97. · In Italy, non-litigious enforcement cases are not heard by the highest instance court. The latter only hears litigious enforcement cases.

**Q099 (2022):** Within the framework of the National Plan for Recovery and Resilience (PNRR), Italy has taken a number of measures to reduce both disposition times and backlogs. The main objective is an overall reduction of 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together). More information on the reform is available at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>. A monitoring system is also in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>.

**Q099 (2021):** "Other cases" represent residual cases, such as those concerning the competence or jurisdiction of the courts, or those concerning the correction of the so-called material errors committed by the Supreme Court.

**Q099 (2019):** Other cases represent residual cases, such as cases regarding the competence or jurisdiction of the courts, correction of material errors.

**Q099 (2018):** The increase of the incoming civil litigious cases is ascribed to proceedings related to immigration matters. There is no specific explanation for the increase of resolved administrative cases. Other cases represent residual cases, such as cases regarding the competence or jurisdiction of the courts, correction of material errors.

**Q099 (2017):** The category "other cases" at Q.99 (Supreme Court) represents residual cases such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc. The 25% variation (in terms of number of resolved cases) has no particular explanation. Please also note that this category do not exist at first and second instance.

**Q099 (2016):** "Other cases" represent residual cases such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc. In respect of this category, the numbers are small and the observed variations should be put into perspective.

**Q099 (2014):** In the frame of the 2014 exercise, it has been indicated that figures subsumed within the category "other" represent really residual cases (such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc.).

As to the increases observed in respect of the "total of other than criminal law cases" with regard to all the items (pending, incoming, resolved cases), it is noteworthy that in 2014 for the first time "administrative law cases" dealt with by the Council of State were considered. If looking only to "civil (and commercial) litigious cases", the differences are not that big. In general terms the Supreme Court of Cassation resolves fewer cases than incoming cases.

**Q099 (2012):** In the frame of the 2012 exercise, it has been specified that non-litigious enforcement cases are not heard by the highest instance court which hears only litigious enforcement cases. Before 2012, only litigious enforcement cases have been provided. For 2012, data related to litigious enforcement cases are the following: initially pending: 1090; incoming: 221; resolved: 413; finally pending: 898.

**Q100 (General Comment):** "Minor criminal cases" represent cases against justice of peace's decisions and cases against first and second instance judges' decisions, regarding minor offences that are punished with fines. "Other cases" may relate to procedures pending in first or second instances (jurisdiction or competence conflicts between other courts), or pending in other countries (rogatory or capture instances); "Other cases" may also relate to decisions regarding the execution of imposed punishments (for example regarding the end or a change (home detention) of the imprisonment), or to the correction of material errors on Highest Court's sentences.

**Q100 (2022):** Within the framework of the National Plan for Recovery and Resilience (PNRR), Italy has taken a number of measures to reduce both disposition times and backlogs. The main objective is an overall reduction of 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together). More information on the reform is available at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>. A monitoring system is also in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>.

**Q100 (2021):** \* Most discrepancies between 2021 and 2021 data are due to the fact that in 2020 the activity of the courts was hugely affected by the pandemic.

\*\*Moreover, small number often lead to large percentage variations.

**Q100 (2020):** 2. "minor criminal cases" represent cases against justice of peace's decisions and cases against first and second instance judges' decisions, regarding minor offences that are punished with fines. 3. "Other cases" Can be related to procedures pending in first or second instances (jurisdiction or competence conflicts between other courts), or pending in other countries (rogatory or capture instances); "Other cases" can be also related to decisions regarding the execution of imposed punishments (for example regarding the end or a change (home detention) of the imprisonment), or can be related to the correction of material errors on Highest Court's sentences.

**Q100 (2018):** Following the introduction of the new item "other" at Q100, the Supreme Court has revised and ameliorated their classification of cases. The misdemeanour category now includes not only the proceedings coming from the justice of peace offices but also all those minor offences which are punished with fines. "Other cases" (point 3) can be related to procedures pending in first or second instances (jurisdiction or competence conflicts between other courts), or pending in other countries (rogatory or capture instances); "Other cases" can be also related to decisions regarding the execution of imposed punishments (for example regarding the end or a change (home detection) of the imprisonment), or related to the correction of material errors on Highest Court's sentences.

**Q100 (2016):** In respect of minor criminal cases, the numbers are small and the observed variations should be put into perspective.

## Latvia

**Q091 (General Comment):** Data from the first and appeal instance courts are compiled by the Court Administration, and the Court Information System is a living database that allows data to be corrected, so changes between previous periods are possible. In 2022 the increase in the balance of pending cases is related to changes in data collection, more specifically, from 2023 it is possible to determine the number of unfinished cases in non-litigious land registry cases.

In the spring of 2023, the Court Administration made improvements to the statistical data recording system, which prevented the collection of incomplete data related to the reorganization of the courts in previous periods. For these reasons, previously published data may differ and not be comparable.

Within the Court Information System, submissions received in the previous year but registered the next year are considered as incoming cases for the new year. "Non-litigious business registry cases" are not defined in the Civil Code and are not within the competence of courts in the first instance. "Non-litigious land registry cases" is one of the cases which are one of the functions of district (city) courts in accordance with the Land Register Law. Examination of the Land Register matters shall be under the jurisdiction of district (city) courts.

The category "civil and commercial non-litigious cases" encompasses: applications for securing claim prior to initiation of the matter in a court; applications for securing of evidence prior to initiation of the matter in a court; applications for execution of obligations through the court; undisputed compulsory execution of obligations; execution of obligations in accordance with warning procedures; voluntary sale of immovable property at auction through the court; submitting the subject-matter of an obligation for safekeeping in the court; applications for Commercial Court adjudication execution procedures; applications for arbitrary court decision compulsory execution; applications for property protection if there is no inheritance case; applications concerning execution of court adjudications.

**Q091 (2022):** In 2022 the increase in the balance of pending cases is related to changes in data collection, more specifically, from 2023 it is possible to determine the number of unfinished cases in non-litigious land registry cases.

The number of pending cases on Jan. and on 31.Dec. is higher than 2020 year due high number of pending non-litigious cases. Every year from 2019, significant increase in the number of non-litigious civil cases has been observed. Compared to the 2020, the number of incoming cases and resolved cases increased significantly. The increase of incoming cases and resolved cases of non-litigious civil cases affected increase of pending cases. In the end of 2021, amendments to the Civil Procedure Law entered into force, which made it easier to submit applications for enforcement of obligations according to warning procedures, these changes contributed to the increase in the number of non-litigious cases received. Civil Procedure Law determines that the judge shall, within seven days take a decision The short case review period contributes to that the number of received and completed cases is similar.

The number of pending cases (pending for more then 2 years) has decreased. The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending civil and administrative cases.

**Q091 (2021):** The number of pending cases on January differs from pending cases on December, 2020 registered data due the living Court information system database. The number of pending cases on Jan. is higher than previous year due high number of pending non-litigious cases. See comments from previous campaigns. Every year from 2019, a significant increase in the number of non-litigious civil cases has been observed. Compared to the previous period, the number of cases increases by 25%. According to the Civil Procedure Law, judge should examine application within seven days. The consideration time determined by the law also affects the amount of resolved cases, and accordingly indicates a direct connection with the amount of incoming cases.

Administrative cases: At the end of 2021, the number of cases received, (which were directed against the Covid-19 restrictive measure - mandatory vaccination), increased significantly, and it was not possible to resolve these cases until the end of the year

The number of pending cases (pending for more then 2 years) has decreased. The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending civil and administrative cases.

**Q091 (2020):** The number of resolved and incoming cases of general civil (commercial) non litigious cases are higher because there was significant increase on applications for the undisputed enforcements. Usually, cases on the undisputed enforcement are submitted electronically and solved in written procedure. The increment of such cases are probably closely connected with activities of creditors` intensity.

We cannot find the main reason why pending cases older than 2 years are resolved more than in previous years.

Representatives of courts point out the effect of Covid19 restrictions because many old cases were re-classified from oral to written procedure if it was possible and if parties of case agreed to that.

**Q091 (2019):** In 2018 there were several stages of court system reform. Several District courts were merged, and The Land Register offices appended to the District courts. Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – unresolved. The reform of the judiciary could also have affected the backlog of cases pending for more than 2 years, as it is undoubtedly that when transferring a backlog from one court to another, another judge needs extra time to go into the case file. However, the methodology for processing statistical data must also be taken into account, i.e. the functionality of the database, that the period of suspension of proceedings is taken into account during the proceedings and other external economic factors could have affected the number of long-standing civil cases. Taking into account also the peculiarities of litigation in our country, for example, that commercial cases are not separated from civil cases and that one civil case may contain several claims which are considered in one procedure, this generally means that the case takes longer to process.

**Q091 (2018):** In 2018 there were several stages of court system reform. Several District courts were merged, and The Land Register offices appended to the District courts. Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – unresolved.

**Q091 (2017):** Data updated after court reorganisation in 2018.

**Q091 (2016):** Data updated after court reorganisation in 2018.

**Q091 (2014):** Variations concerning administrative law cases over the period 2012-2014 are due to a change in the legislation. Namely, from July 2012, appealed administrative decisions of institutions are handed to District courts.

**Q091 (2013):** Amendments to the Civil Procedure Law introduce new long-pending forms for insolvency cases such as judicial protection proceedings, insolvency proceedings for individuals, etc., whose proportion increased. The insolvency process begins with a court ruling but the case cannot be closed until the end of the insolvency process. Besides, quick pending cases have been transferred from courts to the Land Registry offices from January 2012. The micro-enterprise development opportunities have increased the number of long-pending insolvency cases in the court. From July 2012, appealed administrative decisions of institutions are handed to District courts.

**Q091 (2012):** Decreases in the values are due to external (socio-economic) and internal (court system) factors: the gradual exit from the economic crisis; transfer of the majority of the non-litigious civil cases (land registry, business registry and non-litigious enforcement cases) from first instance courts to the competent Land Registry Department; transfer of the appealed decisions against administrative authorities from the Administrative court to the Regional courts of general jurisdiction (thus, only cases of the special jurisdiction of the administrative courts are counted).

**Q094 (General Comment):** Severe criminal cases include all criminal cases according to the Criminal law - it includes all cases where a harmful offense (act or failure to act) committed deliberately (intentionally) or through negligence, provided for the Criminal Law, and for the commission of which criminal punishment is set out shall be considered a criminal offense. Misdemeanor and / or minor criminal cases includes all administrative infringement cases according to the Law on Administrative liability about administrative offence of a person for which administrative liability is provided for in a law or binding regulations of local governments. Other criminal cases include execution of a sentence, cases on penal order of the prosecutor, cases on determination of compulsory measures of a medical nature. In 2022 the increase in the balance of pending cases is related to changes in data collection systems` audit, more specifically, for misdemeanour and / or minor criminal cases.

**Q094 (2022):** The decrease in the number of resolved cases is related to the drop in the number of cases received in the courts of first instance.

Decrease of pending cases on 1 Jan is related to the decrease of misdemeanour and / or minor criminal cases. In the middle of 2020, Saeima adopted Law on Administrative Liability that affected amount of incoming and resolved of misdemeanour and / or minor criminal cases significantly. According to the law, if the person intends to use his right to appeal a decision, he/she needs to address the complain to the higher official from institution which has made this decision, but if there is no higher official, a decision may be appealed to a district (city) court. This is the main reason for decrease of incoming misdemeanour and / or minor criminal cases.

In 2022 the increase in the number of pending cases at the end of the year is related to changes in data collection systems` audit, more specifically, for misdemeanour and / or minor criminal cases. Severe criminal cases, which are assessed according to the Latvian Criminal Law and Criminal Procedure Law, are decreasing each year. The tendency of the decrease in the number of criminal cases has been observed for a longer period of time. The reduction of severe criminal cases can be explained by changes in legislation. (In the summer of 2020, amendments to the Criminal Procedure Law entered into force, which stipulated that the case for minor violations of the criminal law is not referred for initiation of criminal proceedings (Section 373 An investigator with a consent of a prosecutor or a prosecutor may refuse to initiate criminal proceedings, if a misdemeanor has been committed), which affected the the total number of criminal law cases received in court. A decrease in the number of criminal cases received has been observed since 2019.

The number of pending cases (pending for more than 2 years) has significantly decreased. The decrease in cases is due to the lifting of restrictions, which were related to limiting the spread of Covid-19. The reduction of pending cases also is related to the court reform, increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases. Starting from 2022, data on "other criminal cases" are also collected and inserted in the table.

**Q094 (2021):** Pending cases: The number of pending cases in January differs from pending cases in December 2020 registered data due the living Court information system database

Severe criminal cases include all criminal cases according to the Criminal law - it includes all cases where a harmful offense (act or failure to act) committed deliberately (intentionally) or through negligence, provided for the Criminal Law, and for the commission of which criminal punishment is set out shall be considered a criminal offense. Misdemeanor and / or minor criminal cases includes all administrative infringement cases according to the Law on Administrative liability about administrative offence of a person for which administrative liability is provided for in a law or binding regulations of local governments.

Criminal cases, which are assessed according to the Latvian Criminal Law and Criminal Procedure Law, are decreasing. The reduction from 2020 was influenced by changes in legislation. However, the tendency of the decrease in the number of criminal cases has been observed for a longer period of time, and it cannot be explained by the activities of the courts, but by assumptions about the general development trends of society.

In the summer of 2020, amendments to the Criminal Procedure Law entered into force, which stipulated that the case for minor violations of the criminal law is not referred for initiation of criminal proceedings (Section 373 An investigator with a consent of a prosecutor or a prosecutor may refuse to initiate criminal proceedings, if a misdemeanor has been committed), which affected the the total number of criminal law cases received in court. A decrease in the number of criminal cases received has been observed since 2020.

In the middle of 2020, Saeima adopted Law on Administrative Liability that affected amount of incoming cases significantly. According to the law, if the person intends to use his right to appeal a decision, he/she needs to address the complain to the higher official from institution which has made this decision, but if there is no higher official, a decision may be appealed to a district (city) court. This is the main reason for decrease of incoming cases. The number of pending cases (pending for more than 2 years) has significantly decreased. The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases. In 2021, courts of first instance resolved more criminal cases than in previous periods, which is related to the court's ability to adapt to resolve cases in the restrictive conditions of the Covid-19.

Data of 2020 for minor criminal cases are revised for incoming and resolved cases: 5 755 incoming cases and 6 631 resolved cases.

**Q094 (2020):** Data on resolved severe criminal cases is decreased because of Covid-19 restrictions. We have already pointed out the limitations of court work: written procedure, prohibition of face-to-face meetings, cancellation of court hearings etc.

**Q094 (2018):** There may be some change in data due to court system reform.

**Q094 (2016):** Severe criminal cases - All sections of The Criminal Law  
Misdemeanor and / or minor criminal cases - All sections of Latvian Administrative Violations Code

**Q094 (2014):** According to 2014 data and pursuant to the Criminal Law, criminal offences are divided into criminal violations and crimes distinguished by their nature, degree of the harm and the threat to the interests of a person or the society. A criminal violation is an offence for which the law provides for a deprivation of liberty for a term exceeding fifteen days, but not exceeding three months (temporary deprivation of liberty), or a type of lesser punishment. Crimes are classified in the following way: less serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding three months but not exceeding three years, as well as offences committed by negligence and for which the law provides for a deprivation of liberty for a term up to eight years); serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding three years but not exceeding eight years, as well as offences committed by negligence and for which the law provides for a deprivation of liberty for a term exceeding eight years); especially serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding eight years or a life imprisonment).

**Q094 (2012):** According to 2012 data and pursuant to the Criminal Law, criminal offences are divided into criminal violations and crimes distinguished by their nature, degree of the harm and the threat to the interests of a person or the society. A criminal violation is an offence for which the law provides for a deprivation of liberty for a term exceeding fifteen days, but not exceeding three months (temporary deprivation of liberty), or a type of lesser punishment. Crimes are classified in the following way: less serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding three months but not exceeding three years, as well as offences committed by negligence and for which the law provides for a deprivation of liberty for a term up to eight years); serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding three years but not exceeding eight years, as well as offences committed by negligence and for which the law provides for a deprivation of liberty for a term exceeding eight years); especially serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding eight years or a life imprisonment).

**Q097 (General Comment):** Data from the first and appeal instance courts are compiled by the Court Administration, and the Court Information System is a living database that allows data to be corrected, so changes between previous periods are possible.

In accordance with the provisions related to data gathering, all information must be recorded in the Court Information System within 3 days. However, the Court Information System functionality for the statistical reports provides in the System recorded figures at the end of the year. Consequently, submissions received in the previous year but registered the next year are considered as incoming cases for the new year.

Justice statistics do not distinguish between “non-litigious enforcement cases” because such type of cases are not defined in the Civil Code. Accordingly, the reply in their respect is NAP. The “non-litigious land registry cases” are dealt with by the regional courts in second instance and they are within the competence of the first and second (appeal) instance.

**Q097 (2022):** Data on incoming, resolved non-litigious civil cases in appeal court decreased in 2022, but the changes cannot be explained.

It should be mentioned that the statistical system has been improved which affected the 2022 data. Moreover, 2020 and 2021 data have been updated according to the same methodology of presentation of data as for 2022 data. The number of pending cases (pending for more than 2 years) has significantly decreased. The decrease in cases is due to the lifting of restrictions, which were related to limiting the spread of Covid-19. The reduction of pending cases (pending more than 2 years) is related to a interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases.

**Q097 (2021):** Comparing to the previous period, the number of pending civil cases on 1 Jan is lower due the restriction measures of the Covid-19 spreading in 2019 and 2020. However indicator of pending administrative law cases on the beginning of year is lower than previous period due the high CR in 2020.

The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending cases.

**Q097 (2020):** Data on civil (commercial) litigious cases (number of resolved and incoming cases) is lower due to the Covid19 pandemic. On March 14 2020 there was the state of emergency that affected the work of courts. In order to mitigate potential risks of virus, oral proceedings that did not involve serious violations of rights were cancelled. This restriction directly affected the number of resolved cases. Also, there were restrictions on appearance of persons in the court, that affected the number of new claims or request - incoming cases. The first state of emergency lasted till June 2020. The second state of emergency started in November 2020.

Number on civil (commercial) non - litigious cases include the data like in the first instance. Mainly there are cases on undisputed enforcement. Usually, non-litigious cases are resolved in written (not oral) process, and during State of emergency oral processes were not allowed, but there were no restriction on written process. According to this the number of non-litigious cases are higher.

Number on incoming administrative cases are lower. It is connected with restrictions of state emergency situation when representatives from institutions could not check, revise, visit companies (individuals) in the face-to-face meetings.

**Q097 (2019):** Decrease of pending administrative cases is due to many resolved cases in previous period  
The number of Non-litigious civil cases is very low, that's why percentage isn't good qualifier

**Q097 (2018):** Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – pending. Data on court statistics are being calculated by automated systems and records on changes that affect data in database are not available. Any changes to the Court Information System can affect the data.

**Q097 (2017):** As regards the decrease from 2016 in administrative law cases pending on 1 Jan, it can be explained as there were much more resolved cases than incoming in previous cycle. As regards the decrease in the total of other than criminal pending cases, it can be explained as there was a change of pending civil law cases in second instance. This might be an issue due to reclassifying the starting moment of a court case. Also, much more resolved cases than incoming cases has decreased the amount of unresolved cases on 31 Dec.

**Q097 (2016):** The increase in pending civil cases is due to fewer resolved cases in 2015. Decrease in pending Administrative cases is due to more resolved cases in 2015.

**Q097 (2014):** In the frame of the 2013 and 2014 exercises it has been indicated that the category “other” includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

**Q097 (2013):** In the frame of the 2013 and 2014 exercises it has been indicated that the category “other” includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

**Q097 (2012):** The decreases observed in 2012 with regard to the totals in respect of the different items (pending, incoming and resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases. The end of the economic crisis and the strengthening of the courts' capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category “civil and commercial litigious cases”, the increase of the number of pending cases on 1 January 2012 is due to the increase of the number of incoming cases in different categories of cases such as different types of bankruptcy cases which know a long processing time. The duration of these special types of bankruptcy cases cannot be shortened by improving the efficiency of the judiciary. The increase of the number of resolved cases can be explained by the improvement of the work capacity of courts.

As to the sub-category “civil and commercial non-litigious cases”, the decrease of the number of resolved cases and pending cases on 1 January 2012 and 31 December 2012 can be explained by the transfer of a part of the cases from the first instance courts to the Land Registry Department, following the legislative reform of 1 January 2012. The number of incoming cases has decreased essentially due to external (socio-economic) factors, namely the gradual exit from the economic crisis during 2010-2013.

As to the sub-category “non-litigious land registry cases”, the increase of the number of resolved cases between 2010 and 2012 can be explained by the courts work reviewing a large number of cases in the law limited time because of external factors causing an increase of the number of incoming cases before the entry into force of the new provisions of the Civil Procedure Law on 1 January 2012.

As to the sub-category “administrative law cases”, the decrease of the number of pending cases on 1 January 2012 can be explained by the courts work, namely the improvement of the judicial capacity and the decrease of the number of incoming cases due to external factors as public activity resubmission to the Administrative Court and internal factors. The decrease of the number of resolved cases can be explained by the limited capacity of courts work, the complexity of the cases, the parties' failure to appear for court hearings, etc. The decrease of the number of pending cases on 31 December can be explained by the improvement of the judicial capacity of courts and decrease of incoming cases due to external factors.

There are no cases in the sub-category “other”. All cases are distributed among the mentioned categories No.1, No.2 and No.6.

The decreases observed with regard to the totals in respect of the different items (pending, incoming, resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases on 1 January and 31 December. The end of the economic crisis and the strengthening of the courts' capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category “civil and commercial non-litigious cases”, the increase of the number of resolved cases between 2012 and 2013 can be explained by the long pending backlog of complex cases before the courts of the second instance.

**Q098 (General Comment):** Data from the first and appeal instance courts are compiled by the Court Administration, and the Court Information System is a living database that allows data to be corrected, so changes between previous periods are possible. The figures reflect data of second instance courts and the Supreme Court Criminal chamber. The latter is the appellate body in respect of cases decided by regional courts acting as courts of first instance. Statistics related to the Supreme Court are mentioned only within the total, because till 2009 the statistics were compiled by a specially hired expert.

**Q098 (2022):** Decrease of incoming and resolved cases is mainly related to the impact of decrease of misdemeanour and / or minor criminal cases. In the middle of 2020, Saeima adopted Law on Administrative Liability that affected amount of incoming and resolved of misdemeanour and / or minor criminal cases significantly. According to the law, if the person intends to use his right to appeal a decision, he/she needs to address the complain to the higher official from institution which has made this decision, but if there is no higher official, a decision may be appealed to a district (city) court. As the number of cases in the courts of first instance decreases, the number of cases in the regional courts also decreases. This is the main reason for decrease of incoming and resolved misdemeanour and / or minor criminal cases. Of course, there is also a decrease in the number of serious criminal cases, which is related to the overall decrease in criminal cases in the courts of first instance. The number of pending cases on 31.Dec. has increased due to a limited capacity of the largest appeal court (Rīgas apgabaltiesa (The Riga Regional court)): the number of judges in the Board of criminal cases has decreased and some serious criminal cases were completed. The Riga Regional Court is the largest appeal court in Latvia. This court has the largest amount of work and the workload of the judge compared to other appeal courts. The number of pending cases (pending for more then 2 years) has significantly decreased. The decrease in cases is explained:

- due to the lifting of restrictions, which were related to limiting the spread of Covid-19;
- due to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases.

**Q098 (2021):** In the middle of 2020, Saeima adopted Law on Administrative Liability that affected amount of incoming cases significantly in the first instance courts. According to the law, if the person intends to use his right to appeal a decision, he/she needs to address the complain to the higher official from institution which has made this decision, but if there is no higher official, a decision may be appealed to a district (city) court. This is the main reason for decrease of incoming cases in the first instance courts and in appeal courts as well.

The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases.

**Q098 (2020):** In 2020 there was changes in Administrative Procedure Law, that might affect the amount of resolved cases. Furthermore, number of misdemeanour and / or minor cases are higher in the appeal courts because in last years the Constitutional court has declared several norms on administrative infringements are not incompatible with the Constitution of Latvia. This led to an increase of incoming administrative cases.

**Q098 (2018):** Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – pending. Data on court statistics are being calculated by automated systems and records on changes that affect data in database are not available. Any changes to the Court Information System can affect the data.

**Q098 (2014):** In 2014, the statistics of the Supreme Court Criminal Chamber were the following: pending cases on 01.01.2014: 139; incoming cases: 19; resolved cases: 73; pending cases on 31.12.2014: 0.

Due to a court reform, the Chamber of Criminal Cases of the Supreme Court has been liquidated as from 1 January 2015. All cases, which were not resolved on 31 December 2014, were transferred to regional courts.

**Q099 (2022):** Number of incoming cases have diminished in general, therefore all indicators have been affected. For small numbers of cases, the indicator shows an impact although in general there is none.

**Q099 (2021):** Total number of incoming administrative cases and civil cases has decreased significantly; taken measures to handle backlog of administrative cases has resulted in increased turnover, this has resulted in falling numbers of pending cases. To handle backlog of administrative cases, two additional posts of judges were created for the years 2021 and 2022. For some type of listed cases the total numbers are so small, that even 2-3 cases give discrepancy ratio of 100 % or even more.

**Q099 (2020):** There has been gradual decrease of incoming cases: civil cases 1336 (2018), 1164 (2019), 1127 (2020) and administrative cases 850 (2018), 844 (2019), 826 (2020). There has been increase of examined cases per judge of the Administrative chamber (+4) and there was additional judge from the Civil chamber allocated to deal with administrative cases (February-September 2019) and substitute judge working at the Supreme Court (September-December 2020). As result the clearance rate for administrative cases in 2019 was 113% and in 2020 was 114%.

The clearance rate for civil cases (Civil chamber) was 120% which is explained by decrease of incoming cases and high number of examined cases per judge (97 cases). Decrease of non-litigious land registry cases is explained, first, by decrease of total numbers of transaction, for example according to the statistics published by the State Cadastre, total number of transaction of land with buildings was 21619 in 2019 and 18616 in 2020. And, second, because majority of land registry cases of previous years concerned aspects of transformation of property rights (privatization and restitution) and economic activity before economic crises of 2008/2009 which are solved by now. Starting from 2019 the Supreme Court uses the same categories of cases as it is used in the first and second instance courts. Therefore previously used category „other cases” disappears.

**Q099 (2019):** Starting from 2019 the Supreme Court has changed system of classification of cases under different categories for civil cases. During this change we encountered problem of reclassification of cases registered during previous years. This reclassification had as objective to introduce the detailed classification used for first and second instance courts. Statistics for the reference year 2019 encompasses results from both categories. Since 2015 number of unresolved administrative cases increased. During year 2018 additional recourses were allocated to the Administrative department (chamber) of the Supreme Court, including additional judges. As the result, number of resolved cases in 2019 increased. For next coming two years there are two additional judges envisaged for the Administrative department.

Other non-litigious cases (2.3) are specific enforcement procedures which are regarded as uncontested for our civil procedure. These have been received via the specific procedure of a protest submitted by the Prosecutors General Office. The number became available as the result of introduction of the detailed classification regime.

**Q099 (2018):** Supreme Court does not rely only on data in the Court Information System, they keep separate sheet for statistics

**Q099 (2017):** Supreme court has provided data for questions 1 & 2. As regards the decrease of Civil (and commercial) litigious cases, there was a major performance raise in 2016. Also, the Supreme court has only recently begun to collect statistics on their work performance and thus there was and still are some NA answers for CEPEJ questionnaire

**Q099 (2016):** Supreme court had accumulated too many unresolved cases and 1/3 of those are older than 2 years so they have made some changes and achieved progress.

**Q099 (2015):** An explanation for the rather large difference in case count for general civil and commercial non-litigious cases are changes in civil proceedings - while in 2014 undisputed compulsory execution cases were also heard by Supreme Court, in 2015 it was tasked with hearing decisions from Land registry, sworn bailiffs and notaries only.

**Q099 (2012):** In 2012, the decrease of the total of cases before the higher instance courts correlates with the general decrease of the number of civil cases.

**Q100 (2022):** Several judges have retired and new judges have started to work at the Supreme Court. This has made an impact on the case flow. Year 2021 the case flow was slow. Year 2022 the number of resolved cases allowed to diminish the backlog.

**Q100 (2021):** Total number of pending cases has significantly increased. Measures to handle this problem have been adopted and are under implementation. There are amendments to the Criminal Procedure Law adopted (<https://likumi.lv/ta/id/336542-grozijumi-kriminalprocesa-likuma>), in force since 3.11.2022.) to transfer competence to review specific agreement process cases to the regional courts. Some internal case management arrangements have been put into action.

**Q100 (2020):** During last two years 3 out of 8 judges (after increase of number of judges – 9 judges) have retired. Some additional time was needed to replace them (competition and appointment). There was significant decrease of examined cases in 2020 (clearance rate was 102% in 2019 and 95% in 2020) and increase of received cases in 2019: 734 (2018), 764 (2019) and 686 (2020).

**Q100 (2018):** Supreme Court does not rely only on data in the Court Information System, they keep separate sheet for statistics

## Lithuania

**Q091 (2022):** 2.1. The duration of court hearings is influenced by the number of new cases received at the court and the number of working judges who hear these cases (judge workload), the type or type of the case and its complexity, the cases specified in the law when the hearing must be postponed (e.g. by a party to the proceedings disease etc.). It should be noted that in 2022, 705 judges worked in Lithuanian courts (of which 2 judges were appointed for 2 years), 786 judge positions, that is, 81 positions were not filled, which could lead to a larger balance of unexamined cases at the end of the year. It is noteworthy that in 2022 compared to 2021, the number of civil cases examined in district and district courts (first instance) increased by 1.7%.

3. A significant change in received and examined administrative cases compared to 2021 was due to an increase in the number of administrative cases due to the issuance of a court order, when waste system administrators, due to the increased number of debtors, go to court with requests for the local fee for the collection and management of municipal waste, debt recovery, as well as there has been a significant increase in asylum cases due to the illegal migration crisis in the country. For registry cases, the answer should be NA, the NAP was chosen for the calculation purposes: it is not possible to identify those cases among all other general civil cases.

Other cases: In 2022, compared to 2021, the number of cases of administrative offenses examined in district courts decreased significantly - by 65% compared to 2020. – decreased by as much as 76%. These changes were caused by changes to the Code of Administrative Offenses, which entered into force in 2021-07-01 and in which certain cases of administrative offenses were transferred from district courts to be examined by non-judicial institutions.

**Q091 (2021):** in 2021 July 1 the amendments to the Code of Administrative Misdemeanors entered into force, by which the cases of administrative offenses were transferred to be examined (except for the cases referred to in Article 614, paragraph 1, point 3) from district courts out of court to pre-trial institutions.

in 2021 in the district courts, there was a noticeable decrease in the number of civil cases examined by the first instance due to the bankruptcy of legal entities - 1,212 cases (1,624 in 2020, 2,787 in 2019). Compared to 2019, such cases decreased by more than half. It can be assumed that such a decrease in cases in this category could have been caused by the 2020 initiative adopted by the Council of Judges. The impact of the consequences of the novel coronavirus (COVID-19) on Lithuania entered into force Law no. XIII-2861, which was temporarily (until December 2020 31) the initiation of the insolvency process was suspended. It is noteworthy that out of 1212 civil cases on bankruptcy of legal entities, which examined in 2021, the majority - 860 cases - were received by 2020.

**Q091 (2020):** "Pending non-litigious cases": general decrease of number of cases and application of administrative means. The number of resolved civil and commercial litigious cases might have been affected by the pandemic as not all the categories of cases could have been adjudicated remotely. The number of administrative cases, as well as for civil and commercial litigious cases could have decreased because of the need for some period to adapt IT and video conference equipment in the situation emerged. The increase of number of pending administrative cases older than 2 years is related to decisions of courts in environmental law cases to stay proceedings pending a decision in a related case, which will be a preliminary ruling in another case: legal entities are challenging a decision requiring them to pay a tax on the pollution of packaging waste from which they were exempted because they had concluded a contract for the organization of waste management. As the documents proving the waste management issued by the licensed recycler were canceled, the documents certifying the waste management of other entities were canceled, which obliged the entities (which had a contract with the waste manager to organize packaging waste management) to pay this fee. The cases are suspended and pending a decision in a case challenging a decision declaring waste management documents issued to applicants invalid because it will have a preliminary ruling in these cases.

**Q091 (2019):** In 2019 there is a downward trend in the backlog of incoming and resolved cases. At the end of the year, the backlog of pending cases at the district, county (I instance) and county administrative courts amounted to 29 898 cases, at the end of 2018 – 33 233 cases; at the end 2017 - 36 419 cases (10 percent less than in 2018 and 18 percent less than in 2017). In 2019 the number of court order cases has decreased. This decrease may have been caused by the general decrease of debtors' natural persons in 2017–2019. According to the information provided by the credit bureau Creditinfo data, on 1st January 2020 there were 163 929 debtors (natural persons), on 1st January 2019 -177 055, on 1st January 2018 - 207 000 debtors (natural persons).

In 2018, the number of administrative cases received increased by 27.35% compared to 2017 (e.g. the number of cases concerning conditions and detention of prisoners, cases concerning the legal status of aliens have significantly increased) and this led to the growth in the number of pending cases at the end of 2018 (and to the beginning of the reference year 2019). In 2019, compared to 2018, the number of administrative cases heard in regional administrative courts increased by 14 percent. The change in the increase was due to a 34 percent increase compared to 2018 in the number of applications for a local fee for the collection and treatment of municipal waste. In 2019 a further upward trend in tax cases, enforcement cases and arrest cases, but there has been a significant reduction in civil liability for damage caused by illegal actions by public authorities.

In 2019, as compared to 2018, the number of administrative misconduct cases investigated in district courts increased by 16 percent. The change was due to a 64 percent increase in the number of cases of administrative offenses related to transport and road transport (370-463 Articles of the Code of Administrative Offenses). In 2019 significantly increased the number of cases of driving under the influence of drugs, psychotropic or other psychoactive substances without driving license. The number of cases related to trade, the financial system and statistics has also increased.

**Q091 (2018):** The decrease in general civil (and commercial) non-litigious cases (2.1.) may have been due to the overall decrease in debtors' natural persons in 2017 and 2018. The latter suggestion is based in data from the credit bureau Creditinfo (1 January, 2019 number of debtors natural persons was 177,055; 1 January - 207,000; 1 January, 2017 - 252 479). Credit Bureau "Creditinfo" stores information about credit risk for businesses and private entities, forms the credit history and establishes credit ratings.

The decrease in "other non-litigious cases" (2.3.): civil cases in process of enforcement (execution) in all district courts was due to changes in the law that came into effect in 2017 July 1, on the basis of which the bailiff, rather than the court of first instance, is responsible for dealing with the succession in enforcement proceedings.

The decrease in "other cases" (4): administrative offence cases (including cases in process of enforcement (execution) in 2017-2018 period was due to the entry into force of the Code of Administrative Offences on 1 January, 2017 which left the handling of a large proportion of administrative misconduct and the imposition of penalties to various public administration entities (out of court). This could also be due to the expanded list of circumstances in which the person is not prosecuted under the Code of Administrative Offences. The decrease in these cases was also influenced by the Amendments to the Criminal Code (on 1 January, 2017) that criminalized persons who drove a road vehicle or taught practical driving while under the influence of alcohol with more than 1.5 ounces of alcohol. In 2018, compared to 2017, the number of cases of administrative offences investigated in district courts decreased by 15.66%, compared to 2016, a decrease of 75.83%. Concerning administrative cases (3): in 2018, the number of cases received increased by 27.35% compared to 2017 (e.g. the number of cases concerning conditions and detention of prisoners, cases concerning the legal status of aliens have significantly increased) and this led to the growth in the number of pending cases at the end of the reference year.

**Q091 (2017):** Other non-litigious cases: civil cases in process of enforcement (execution).

Concerning the category "non-litigious cases" the number of pending cases on 1 January 2017 increased considerably compared to their number on 1 January 2016. The same increase characterises the categories "general civil and commercial non litigious cases" and "other non- litigious cases" (pending cases at the beginning of 2017). However, we can observe that at the end of 2017 the number of pending cases decreased concerning the category "non-litigious cases" and the sub-category "other non-litigious cases". Only with regard to "civil and commercial non-litigious cases" the number of pending cases at the end of 2017 increased. We can see that these variations are the result of variations in the number of incoming cases for the period 2015-2017. Besides, as the numbers are small, variations appear important. The main reason for increased pending cases is the increased number of incoming other non-litigious civil cases, i.e. enforcement cases, in 2017. More precisely, in 2017, the number of civil cases in enforcement procedure – requests to change the recoverer, increased. There is no particular reason, besides the fact that some companies were buying the recoverers' rights from other natural persons or legal entities.

As regards the category "other cases", it refers to cases of administrative offences and cases of administrative offences in process of enforcement (execution). Following the entry into force of a new Code of Administrative Offence (1 January 2017), the number of incoming cases of administrative offences decreased. The decrease in the number of incoming administrative law cases in 2017 is explained by the increased number of incoming administrative cases in previous years (due to the decisions of the Constitutional Court).

Registry cases cannot be identified among the overall number of general civil cases.

Administrative law cases: courts received less administrative cases; they are fighting backlogs from previous years.

**Q091 (2016):** Administrative law cases - courts are fighting backlogs. This led to the growth in the number of resolved cases and consequently to the decrease in the number of pending cases 31 December 2016.

Other non-litigious cases: civil cases in process of enforcement (execution). The increased number of these incoming cases also results in the increase of number of incoming non-litigious cases. The number of increased incoming other non-litigious cases (enforcement) may be due to the number of the resolved civil cases in 2015 (the number of pending cases on 1 January 2016 decreased). As regards registry cases: the answer should be NA, the NAP was chosen for the calculation purposes: it is not possible to identify those cases among all other general civil cases.

**Q091 (2015):** Civil and commercial non-litigious cases include court orders

Category "other" includes: Cases of administrative offences and cases of administrative offences in process of enforcement (execution).

**Q091 (2014):** The number of incoming administrative cases increased which affected the total. They were mostly cases on remuneration of public servants due to the decision of the Constitutional Court declaring the laws on the reduction of the remuneration of State servants and judges unconstitutional. For the same reason, the number of cases of administrative offence (in execution process) increased, which affected the category "other". As to the significant decrease in the number of general civil (and commercial) non-litigious cases (pending 31 Dec) in 2014, civil cases on deliver of judicial orders are resolved quickly and such residues are normal.

**Q092 (2014):** For 2013 and 2014, the category "civil and commercial non-litigious cases" includes court orders.

**Q092 (2013):** For 2013 and 2014, the category “civil and commercial non-litigious cases” includes court orders.

**Q093 (2013):** For 2010, this category encompasses only cases of administrative offence, while since 2012 it subsumes also the administrative offence cases in the process of execution.

**Q094 (2022):** Protracted proceedings in criminal cases are caused by the non-appearance of the parties to the proceedings or their representatives at the court session, the request of the parties to the proceedings to postpone the proceedings and the collection of additional evidence. It can be concluded that the protracted examination of criminal cases is also usually determined by circumstances depending on the actions of the participants in the process.

There were 57 criminal cases (64 in 2021, 72 in 2020), the examination of which lasted longer than 5 years. In the last few years, there has been a trend towards a decrease in the number of criminal cases examined at the first instance in first instance courts, the examination of which lasted longer than 5 years.

**Q094 (2018):** On 1 January 2017 Amendments to the Criminal Code of the Republic of Lithuania were adopted that provide for criminal liability for persons who drove a road vehicle or taught practical driving while under the influence of alcohol more than 1,5 promilles. This change of regulation had impact on the increase of the number of criminal cases starting from 2017 (in comparison with 2016).

**Q094 (2016):** The crime situation changed in Lithuania - the number of registered crimes by prosecution also decreased through these years, as a result less cases were received in courts. As regards 94.1 and 94.2: the answer should be NA, the NAP was chosen for the calculation purposes.

**Q094 (2012):** For 2012, in contrast with the 2010 data, criminal cases in the execution process were also taken into account. The increase in the number of incoming and resolved criminal cases is due to the entry into force of the Law on Domestic Violence in December 2011. It has made compulsory the criminal investigation in respect of every single incident of domestic violence. The Lithuanian economic situation as well as the national economic priorities also account for the increase.

**Q097 (General Comment):** In Lithuania, statistical data on case flow and their classification are made according to the specific regulations and are mainly based on the institutes of Civil, Criminal Codes and the codes of Civil and Criminal procedures, as well as the Code of Administrative Offences and the law on Administrative procedure. Therefore figures for some of the types of cases are unavailable because there is no such classification while making statistical reports. In respect of the variations that can be observed between figures provided for the different evaluation cycles and in the light of the above described peculiarity of the statistic system of Lithuania, it is noteworthy that cases the number of which is not available are included in other categories, i.e. “civil litigious”, “civil non-litigious”. Accordingly, the indicated totals are relevant. Second instance courts deal with some non-litigious cases, but their number is insignificant.

**Q097 (2022):** 3. in 2021 the duration of the review of decisions of administrative cases at the appellate instance was significantly shortened (more than 130 days compared to 2020), this fact led to a smaller balance of unexamined cases at the beginning of 2022. 3.1. The significant change in administrative cases received and examined by the second instance, compared to 2021, was caused by an increase in complaints regarding the decisions made by the court of first instance regarding debt collection of local fees for the collection and management of municipal waste, as well as complaints regarding asylum requests related to illegal migration to Lithuania.

3.2. The duration of the review of decisions by the appeal instance of administrative cases was significantly reduced (120 days compared to 2021 and 253 days compared to 2020), which led to a smaller balance of unexamined cases at the end of 2022. In 2022, compared to 2021, more complaints about decisions made in courts were examined, as well as accordingly, the ratio of examined complaints and amended or annulled decisions slightly increased.

**Q097 (2021):** Other cases include appeal cases regarding decisions announced by the district courts in cases of administrative offenses.

The number of incoming administrative cases were increased in 2021 due to 1214 cases received in Vilnius Regional Administrative Court and the Regional Administrative Court regarding asylum (due to decisions taken by the Migration Department under the Ministry of Internal Affairs not to consider the request for granting asylum or decisions not to grant asylum). Only 335 such cases were examined.

**Q097 (2020):** Second instance courts deal with some non-litigious cases, but their number is insignificant.

**Q097 (2019):** "Other": administrative offence cases (including cases in process of enforcement (execution)).

"Administrative cases" - the data provided encompasses cases dealt with by the Supreme Administrative Court of Lithuania; it is to notice that these figures include apellation cases (on decisions of the court of first Instance) well as cases that are heard in the Supreme Administrative Court of Lithuania as sole instance.

"Pending cases older than two years": the decrease is due to the fact that cases pending for more than 2 years have been resolved.

**Q097 (2018):** The decrease in "other cases" (4), i.e. administrative offence cases (including cases in process of enforcement (execution), at second instance courts (appeal) in 2017-2018 period was related to the decreased number of resolved administrative offence cases in the first instance courts (see Q091).

**Q097 (2017):** As regards the category "other cases" which refers to cases of administrative offences and cases of administrative offences in process of enforcement (execution), the observed decreases in their numbers (pending at the beginning of 2017, incoming, resolved, pending at the end of 2017) are the consequence of the entry into force of the new Code of Administrative Offences.

**Q097 (2016):** The changes in number of cases are mainly related to the increased number of resolved administrative cases in the first instance administrative courts in 2015 and 2016 (the courts were fighting backlogs from previous years) and the renewed processes that were suspended in the second instance court due to the application to the Constitutional Court of the Republic of Lithuania (related to salaries of civil servants, decreased pensions, etc.).

**Q097 (2014):** The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category "other cases" since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

**Q098 (General Comment):** There is no separate statistical data allowing to distinguish between severe/minor/and other criminal cases. Neither the court information system is applied to this, nor the courts have obligation to provide the information on the seriousness of the crime. In the court information system offenses are described through the indication of an article (it does not show the severeness of a crime by itself).

**Q099 (General Comment):** Other cases - jurisdictional cases and administrative offences cases.

**Q099 (2022):** The Supreme Court of Lithuania hears only those cassation requests that have been selected as meeting the requirements of the law by a special panel of three judges of the Civil Cases Division. Only those cases that are significant in terms of the interpretation and application of equal law come before this court. The judges of the Supreme Court of Lithuania can devote more time and attention to the most important cases in the state. In addition, this ensures the promptness of the court process.

in the Supreme Court of Lithuania in 2022 the duration of civil cases was shortened by 2 days, but the longer duration of cases was also influenced by the fact that not all the posts of judges were filled in this court.

**Q099 (2020):** In 2019, the Supreme Court of Lithuania examined fewer cases than were received, therefore the number of pending cases increased at the end of the year. However, it should be noted that in 2019 the Supreme Court of Lithuania has provided a number of important and particularly socially sensitive interpretations in both civil, criminal and administrative offences cases.

The decrease in the number of resolved civil and commercial litigious cases and accordingly the increase in the number for pending cases at the end of 2020 are due to the reduction in the number of judicial posts and the lengthy appointment by Parliament procedures for vacancies.

**Q099 (2019):** Other cases - jurisdictional cases and administrative offences cases.

Over the last five years, there has been an almost consistent decline in cases, including cassation appeals. In 2019, as compared to 2015, 20 percent less civil cassation appeals were filed and 17 percent fewer civil cassation cases were accepted, 43 percent fewer civil cassation cases were examined. In 2019, the Supreme Court of Lithuania examined fewer cases than were received, therefore the number of pending cases increased at the end of the year.

However, it should be noted that in 2019 the Supreme Court of Lithuania has provided a number of important and particularly socially sensitive interpretations in both civil, criminal and administrative offences cases.

**Q099 (2018):** The number of civil (and commercial) litigious cases (1.) of the cassation instance court (Supreme Court) pending at the end of the year decreased due to the general decrease of resolved cases at first instance. In 2018 the number of civil cases resolved at first instance courts decreased by 10.89% compared to 2017 and was 15.03 % lower than in 2016. This led to the slightly lower inflow and larger number of resolved cases, therefore, to the decreased number of pending cases at the end of the year.

**Q099 (2016):** NA was changed to NAP only for calculation purpose -situation hasn't changed.

**Q099 (2014):** In the frame of the 2014 exercise, it has been indicated that the Supreme Court of Lithuania received 1369 appeals (cassation) in criminal cases and 2794 appeals (cassation) in civil cases. 677 appeals in criminal cases and 2038 in civil cases were returned to the complainants.

2014: Different category of cases as in Q91, 97 and 99 exist in Lithuania, but they are all under the category 1. Civil (and commercial) litigious cases and it is not possible at this point to distinguish them from other cases.

The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category "other cases" since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

**Q100 (2022):** In the Supreme Court of Lithuania, not all the posts of judges were filled, which led to a longer duration of hearing cases.

**Q100 (2020):** general decrease of number of cases

**Q100 (2016):** The number of admitted cassation claims decreased in 2015 and in 2016 was almost the same as in 2015. Besides, the number of resolved cases increased in 2015 due to the aim to comply with the timeliness.

## Luxembourg

**Q091 (2022):** The decrease in the number of non-contentious cases brought before the courts can be attributed to a legislative change in 2021, which raised the jurisdictional threshold from €10,000 to €15,000 in favour of the justices of the peace (<https://legilux.public.lu/eli/etat/leg/loi/2021/07/15/a541/jo>). This change has resulted in a reduction in both new cases filed and cases concluded by the courts, as certain matters that would have traditionally been brought before the courts are now within the purview of justices of the peace since 2021.

**Q091 (2021):** The comment provided for 2020 data remains relevant in respect of cases pending at the end of 2020. It should be recalled that since the law of 27 July 2018 establishing the Judge for family law litigation (JAF), which came into force on 1.11. 2018, cases under the jurisdiction of the JAF are included in the category "civil litigious cases". These are cases previously dealt with by the civil chambers, but also cases dealt with by the youth and guardianship court (e.g., cases relating to parental responsibility with regard to a natural child or a child whose parents are divorced) or at the level of the justice of the peace (maintenance cases). Moreover, it can be observed that the number of incoming cases in these matters has increased since they are within the JAF competence. This is explained by the simplification of the access to justice for the litigant, who, in procedures other than divorce, can refer to the JAF by a simple letter; by the emergence of cases on the basis of new legal provisions (e.g., application by the minor); and by all the litigation generated by the new legal provision establishing the institution of generalized joint parental authority. Moreover, since proceedings before the JAF take much less time than before the reform introducing the JAF, motions to modify decisions taken are filed more quickly and thus increase the volume of cases.

**Q091 (2020):** "The law of July 27, 2018 establishing the family court judge (JAF) went into effect on 1.11. 2018. The cases currently under the jurisdiction of the JAF were included for the first time in the category "contentious civil cases" for the year 2020 which explains the observed increases in the number of new, completed and pending cases compared to the previous data. These are cases previously handled by the civil chambers, but also cases handled by the juvenile and guardianship court (e.g., parental responsibility cases involving a natural child or a child whose parents are divorced) or at the justice of the peace level (alimony cases). In addition, there has been an increase in the number of new cases in these areas since they were handled by the Family Court. This fact can be explained by the simplification of access to justice for the litigant, who, in procedures other than divorce, can refer to the JAF by a simple letter, by the emergence of cases based on new legal provisions (e.g. request emanating from the minor) and by all the litigation generated by the new legal provision of the institution of a generalized joint parental authority? Moreover, since proceedings before the JAF take much less time than proceedings before the introduction of the JAF law, motions to modify decisions are filed more quickly and thus increase the volume of cases.

Including JAF cases, for 2019, new cases would be 7,626 (up from 5,038) while completed cases were 6,714 (up from 5,098). Including JAF cases, for 2018, 91.1 new cases would be 5,248 (up from 4,807) while completed cases were 4,905 (up from 4,857).

Regarding pending cases in 2018, at the end of the years JAF cases constituted a plus of 453, which corresponds to 1,649 pending cases at the end of the 2018 period in item 91.1. instead of the 1,256 cases informed. Taking into account horizontal consistency, the changes in new and completed cases discussed above, imply that at the end of the 2019 period, pending cases (91.1) totaled 2,561 (instead of 1,196).

The figures for previous years remain unchanged.

"Other non-contentious cases" pending at year-end: Due to containment during the COVID-19 pandemic the number of public hearings was reduced to a minimum, allowing courts to prioritize work on cases not requiring such hearings. In addition, special crisis legislation allowed cases to be taken under advisement without a public hearing, with the agreement of the parties.

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**Q091 (2018):** The pending cases at the date of 31/12/2017 had to be adapted, since there were 27 cases of vacation court, which were no longer pending at the end of the year. These 27 cases were withdrawn from the 1,341 pending cases indicated in the Scoreboard 2017 to reach 1,314 other pending non-litigious cases on 01/01/2018.

**Q091 (2016):** For question 91.1 the new data collection system revealed a higher number of pending cases, previously not considered by those in charge of counting.

For question 91.2.2, the new data collection system provides now information on other non-litigious cases, previously unavailable.

**Q091 (2015):** The figures given (with the exception of those for the administrative court) are those of the two district courts (Luxembourg and Diekirch).

The three justices of the peace totalized 78.273 national as well as 285 European payment orders.

**Q091 (2014):** The data (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts are not yet available. The three justices of peace ruled 75 411 national payment orders, 260 european payment orders and resolved a total of 6386 cases for a total of 65840 new cases. The implementation of statistics counters for civil and commercial cases resulted in variations. The applied criteria have been refined and give a more accurate image.

**Q091 (2013):** Data concerns (except for the Administrative Court) district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 580 decisions and registered 664 new cases. The three justices of peace ruled 69 859 payment orders and resolved a total of 5 682 cases for a total of 6 508 new cases. The increase in the number of civil (and commercial) non-litigious cases between 2010 and 2013 is partly explained by the establishment in 2011 of the judiciary statistics office. The increase in the number of administrative law cases mainly stems from the increase in the asylum-related disputes.

**Q091 (2012):** The data provided (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 591 decisions and registered 688 new cases. The three justices of peace ruled 63 651 payment orders and resolved a total of 8041 cases for a total of 9310 new cases. The 2012 data encompasses civil and commercial cases of both district tribunals (Luxembourg and Diekirch).

**Q092 (2014):** 2014: Category 2 (civil (and commercial) non-litigious cases) refers to european payment orders issued by two district courts. They are handled almost immediately, so that there is no stock at the end of the period. That is why the pending cases as well as incoming cases are classified as NAP.

**Q092 (2013):** 2012: Category 2 (civil (and commercial) non-litigious cases) refers to payment orders issued by district courts. They are handled almost immediately, so that there is no stock at the end of the period.

**Q092 (2012):** 2012: Category 2 (civil (and commercial) non-litigious cases) refers to payment orders issued by district courts. They are handled almost immediately, so that there is no stock at the end of the period.

**Q094 (General Comment):** We have classified as minor offenses all cases concluded by penal order in the magistrate's court or district court. Serious offenses encompass all cases concluded by judgment at first instance in the magistrate's court, correctional court, or criminal court.

The figures listed under 'other cases' correspond to those cases which were referred to the investigating department.

Regarding the unavailability of pending and incoming cases: Due to the specific organization of workflow between courts and public prosecution service, files are only transferred to courts shortly before a hearing date, and if a case is not heard on that scheduled date, they are then returned to the public prosecution service until a new hearing date. Thus, there are - with few exceptions - no pending cases before criminal courts over an extended period, and the number of incoming cases is more or less equal to the number of resolved ones.

**Q094 (2022):** In our consideration of minor offences, we have included all cases concluded by penal order in the magistrate's court or district court. Serious offences encompass all cases concluded by judgment at first instance in the magistrate's, correctional or criminal court.

The figures recorded under 'other cases' correspond to those matters brought before the investigating office.

**Q094 (2018):** Nous avons compté parmi les infractions mineures, toutes les affaires terminées par ordonnance pénale au tribunal de police ou au tribunal d'arrondissement. Les infractions graves représentent toutes les affaires terminées par jugement en première instance au tribunal de police, correctionnel ou criminel.

L'augmentation du nombre d'affaires résolues est due au fait que, pour les cycles précédents, les ordonnances pénales des tribunaux d'arrondissement n'étaient pas prises en compte au niveau des infractions mineures, qui comptabilisaient seulement les ordonnances pénales de justices de paix. Ainsi, pour 2016, les infractions pénales mineures reportées s'élevaient à 6460 en comptant les ordonnances pénales des tribunaux d'arrondissement, au lieu de 5454. Le total des affaires terminées a considérablement augmenté puisqu'il nous est depuis la période d'évaluation 2018-2020 possible, par l'ajout de la catégorie « Autres affaires » dans le questionnaire, de renseigner les affaires dont le cabinet d'instruction a été saisi. Les chiffres inscrits dans « autres affaires » correspondent donc aux affaires dont a été saisi le cabinet d'instruction.

Regarding the unavailability of the number of pending cases and incoming cases, Due to the specific organization of the work flow between the courts and the public prosecutor's office, files are transferred to the courts only a short time before the hearing, and, if the case is not heard at the given date, are then returned to the public prosecutor's office until the new date of the hearing. Thus, there are – with very few exceptions - no cases pending before the penal courts over a longer period of time, and the number of incoming cases equals more or less the resolved cases. With regard to civil cases, we should be able to provide information on cases pending for more than two years for the next evaluation, once the new application has been used for a longer period of time.

**Q094 (2012):** Courts do not have a "stock" given that cases are handled at the public prosecutor's office and are only referred to the court shortly before the hearing. The only moment when cases are pending is between the hearing and the adoption of the decision. Usually, the judgment is made within 3 or 4 weeks after the hearing. Thus, data concerning incoming cases is identical to data concerning resolved cases.

**Q097 (2022):** Resolved administrative cases: While the number of cases concluded by the Administrative Court has increased by almost 34%, it transpires that this variation was primarily recorded between 2020 and 2021, and commented upon during the assessment of the 2021 data. Between 2021 and 2022, there is a decrease of -6% in the number of resolved cases.

Administrative pending cases on December 31st reference year: The decline in pending cases between 2020 and 2022 is indeed significant, dropping from 240 to 174 cases. However, when compared to the figures provided in `201`, outstanding administrative matters have only decreased by -4%, reducing from `182` to `174` pending matters before the Administrative Court."

**Q097 (2021):** The increased number of pending administrative law cases at the beginning of 2021 is a consequence of the increase in the number of pending administrative law cases at the end of 2020. In this respect, it should be recalled that the decrease of the Clearance rate for 2020 was mainly due to the increase in the number of appeals, in particular those relating to the general development plan of the City of Luxembourg. These cases had entered the first instance from January to March 2018, while the related judgments, consolidated by the administrative court, were delivered between May and September 2020. The related appeals, 51 in number, were filed between July and November 2020 and were still under investigation on 31 December 2020 due to the fixed time limit regime of investigation, but also due to the pandemic and the introduction of crisis legislation involving a suspension of appeal timeframes.

**Q097 (2020):**

Administrative cases - the decrease in the RC for 2020 is primarily due to the increase in the number of appeal motions, particularly those related to the City of Luxembourg's general development plan. These cases were entered in the first instance from January to March 2018, while the related judgments, consolidated by the Administrative Court, were issued between May and September 2020. The related appeals, numbering 51, were filed between July and November 2020 and were still being processed on December 31, 2020, due to the fixed timeframe regime (suspension from July 16 to September 15 - one month for the answer - one month for the reply - one month for the rejoinder), but also due to the pandemic and the implementation of crisis legislation involving a suspension of the appeal deadlines (until June 24, 2020). Thus, in addition to the increase in the number of requests for appeal, their investigation has been postponed, leading to an increase in the number of cases pending as of December 31, 2020. Throughout 2020, the Administrative Court was essentially up to date and disposed of cases as soon as they had been heard. The same is true in 2021.

**Q097 (2019):** Civil and commercial litigious cases pending at the beginning of the year have been restated in relation to those available at the time of the 2018-2020 evaluation cycle. The introduction of a new case management application at the Court of Appeal (JUCIV) has made it possible to identify a number of cases, still listed as pending, which were in fact completed.

**Q097 (2016):** It is a fact that the number of appeals before the Court decreased between 2014 and 2016. A key reason is that the number of appellate judgments rendered by the court has decreased significantly. The first reason is that the court had to evacuate a large number of cases as a matter of priority under the so-called accelerated procedure provided for by the law of 18 December 2015 on international protection. For the judicial year 2015/2016, 355 judgments out of a total of 938 judgments (excluding striking off) were rendered in accelerated proceedings and therefore not subject to appeal.

**Q097 (2013):** 2013: because of the international events that have increased the number of asylum seekers, the administrative courts that have jurisdiction in case of appeal against a refusal of refugee status, have, in particular in 2013 but already during the 3-4 previous years, known a significant increase in this very specific litigation both at first instance level and appeal level.

**Q098 (General Comment): 0**

**Q098 (2018):** Concernant le nombre d'affaire résolues en matière d'affaire pénales grave, une baisse des recours introduits à la Cour d'appel est observée depuis ces dernières années, en conséquence les affaires terminées ont diminué en 2018. Concernant le nombre d'affaire résolues en matière d'affaire pénales mineures, le chiffre plus élevé des affaires d'infractions mineures s'explique par le fait qu'en 2017, 59 recours avaient été introduits sur des jugements du tribunal de police et que ces recours ont été traités pour partie en 2018 seulement.

**Q099 (General Comment):** The pending files are now detailed between criminal and civil/commercial cases, thus this additional information is now available. There is no cassation possibility against the decisions of the administrative court of appeal.

**Q099 (2022):** In civil (and commercial) litigious cases, it should be noted that for incoming cases, although the relative variation of -29.63% in figures between 2020 and 2022 is significant compared to 2021, the number has decreased from 82 to 76 cases, representing an -11% change. The commentary provided last year remains relevant. The number of new cases depends on appeals filed over which the Court has no influence and is, among other factors, a function of decisions made at other levels. The legislation has not changed since the previous reference period.

Furthermore, the decrease in pending cases as of December 31st can be attributed to the decline in new cases in 2022 since the number of decisions made remained stable between 2020 and 2022.

**Q099 (2021):** The number of incoming cases depends on the appeals lodged which the Court has no influence on and which is, among other things, a function of the number of decisions taken at the level of the other instances. In 2020, the number of decisions taken by the different instances has decreased compared to the previous years, which can explain the decreased number of incoming cases before the Court of Cassation. The legislation has not changed since the previous reference period.

**Q099 (2019):** Pending cases at the beginning of the year have been restated in relation to those available at the time of the 2018-2020 evaluation cycle. The introduction of a new case management application at the Court of cassation (JUCIV) has made it possible to identify a number of cases, still listed as pending, which were in fact completed.

**Q099 (2018):** Comparing 2016 to 2018, the increase in pending cases at the end of the period is 40.73%. However, there was already a clear increase in cases pending at the end of the period between 2016 and 2017, which is largely explained by a larger number of new cases in 2017. Between 2017 and 2018, the variation in cases pending at the end of the period is + 5%, which does not seem excessive, especially taking into account the low numbers.

**Q099 (2017):** Q99: total and civil and commercial litigation cases: the slight increase in the number of incoming cases in 2017 and the relatively stable number of resolved cases explain the increase in the number of pending cases at the end of 2017 to 109 .

**Q099 (2014):** 2014: several categories are in NAP because the Court of Cassation has no jurisdiction over these categories.

**Q100 (General Comment):** The Court of cassation makes a legality control, independant from the severity of the infraction. The pending files are now detailed between criminal and civil/commercial cases, thus this additional information is now available.

**Q100 (2022):** Pending cases as of 1st January refer to the data provided in 2021. This decrease had been elucidated as follows: 'The decline in pending cases can be attributed to the reduction in new cases in 2020, as the number of decisions made remained stable between 2018 and 2020.

**Q100 (2020):** "The number of new cases depends on the appeals filed, on which the Court has no influence, and which is, among other things, a function of the number of decisions taken by the other courts. In 2020, the number of decisions taken by the different instances has decreased compared to the previous years, which can explain the decrease of new cases at the Court of Cassation. The legislation has not changed since the previous reference period.

The decrease in pending cases can be explained by the decrease in new cases in 2020, since the number of decisions taken remained stable between 2018 and 2020.

"

## Malta

**Q091 (2022):** In 2022, there was an overall increase in the caseload of the civil courts when compared to the previous evaluation, primarily because this data reflects the normal caseload following the Covid-19 pandemic. Having said this, during this year there was also one specific 1st instance court that has registered an exponential increase in the incoming caseload as a result of legislative issues. This increase in the incoming caseload was reflected in a modest increase in the resolved caseload, but had a more pronounced effect on the pending caseload.

The data provided for 'pending over 2 years' for the civil and commercial civil cases is missing the aged caseload of the Court of Notarial Acts.

**Q091 (2021):** As from 2021, the civil litigious category includes the data of the Civil Court (Asset Recovery Section) that was established in 2021. A spike in the incoming caseload of civil litigious cases has resulted in the courts not managing to resolve enough cases in order to retain the previous levels of efficiency, despite a marginal increase in the number of resolved cases.

**Q091 (2020):** The lack of horizontal consistency results from recounts that happen throughout the year, and that ensure that the data is always as up to date as possible. However when taken as a global figure, horizontal consistency might then be lost.

**Q091 (2019):** Non litigious cases - incoming cases: The data was provided by the case management system of the Court Services Agency and shows an increase in the incoming caseload of these cases over that of the previous year.

Non litigious cases - pending cases at the end of the reference year: The relative high number of pending cases at the end of the year compared by the previous year is the result of the increase of incoming cases but a retention in the number of resolved cases. As a result, efficiency, as expressed as a higher number of pending cases, has suffered.

**Q091 (2018):** This evaluation cycle contains for the first time the efficiency data of the First Hall, Commercial Section which is a new court established in April 2018. Furthermore there was a registered increase in the incoming caseload particularly of the Court of Voluntary Jurisdiction and in cases of dissolution of marriage.

The lack of horizontal consistency results from recounts that happen throughout the year, and that ensure that the data is always as up to date as possible. However when taken as a global figure, horizontal consistency might then be lost.

**Q091 (2017):** Apart from the provision of the new non-litigious data captured by sub-section 2.1 above, this year we also introduced the data for another civil, litigious court, namely, the Court of Voluntary Jurisdiction, established by the Civil Courts (Establishment of Sections) Order 2003, in terms of Art 2 of the Code of Organisation and Civil Procedure (Chp 12 of the Laws of Malta). The Court has jurisdiction to deal with, amongst other matters, applications related to adoptions, interdictions and incapacitations, matters related to wills and to trusts, and to specific cases falling under the Foster Care Act (Chp 491 of the laws of Malta).

As concerns pending cases at the beginning of the year, information is not available for the newly provided data, namely data from the Court of Voluntary Jurisdiction and the non-litigious data. These data will be available for the next cycle. Increases observed between 2016 and 2017 in the total of incoming and resolved cases result from the fact that new data has been added (data on non-litigious cases and data from the Court of Voluntary Jurisdiction).

**Q091 (2016):** Horizontal consistency: This is a problem encountered also in previous evaluations. Unfortunately this inconsistency results from the way that the data is logged, and it is practically impossible to resolve it at present. Concerning the variations between cycles: In reality, in 2015 the Administrative Review Tribunal worked real hard to reduce the pending caseload and also resolved one set of interrelated cases that translated in the conclusion of about 150 separate cases. So 2015 was a very good year in which the efficiency parameters of the Tribunal spiked. In 2016, the rhythm by which cases were being resolved went back to 2014 figures, hence the apparent decrease in the number of resolved cases between 2015 and 2016. The reduction in the pending caseload is also the result of the additional 150 odd cases that were resolved in 2015 and that dramatically reduced the pending caseload for good, even if the resolved caseload of 2016 was less than that of 2015. Concerning Administrative cases: These figures reflect the pending balance at the beginning of 2016. Throughout 2015, the Tribunal resolved one batch of related cases that resulted in a drop in the number of pending cases and a spike in the number of resolved cases.

**Q091 (2014):** The category “civil litigious cases” covers family mediation cases and cases before the Court of revision of notarial acts and the Small Claims Tribunal. In 2014, another magistrate started presiding over the Administrative Review Tribunal thereby increasing the judicial complement by 2 members. This change resulted in an increase in the number of resolved cases. Following an internal exercise carried out by the Court Administration, cases that have been prescribed, have been cleaned from the system.

**Q091 (2013):** In 2013, the number of administrative law cases continued increasing. The Administrative Court was created in 2010. Over the time, the number of areas of competence of the Administrative Court has increased, which resulted in an increased caseload.

**Q091 (2012):** The Administrative Court was set up in late 2010, as a result of which, figure given in the previous report reflected the operation of the Court over a couple of months only. For 2012, the communicated figures reflect the operation of the Court over a twelve month period.

**Q094 (2022):** Since in Malta the vast majority of the cases contemplate the possibility of imprisonment, barring a few contraventions, the cases indicated as misdemeanors/minor offences, are those cases which are heard by the Court of Magistrates (excluding those being heard as a Court of Criminal Inquiry) having a maximum punishment of 2 years imprisonment while the cases indicated as 'severe criminal offences' are those having a punishment of over 2 years (Criminal Court & Court of Criminal Inquiry).

**Q094 (2020):** Given that the categorisation of criminal offences in Malta does not exactly match with the CEPEJ definitions provided, only the total of such cases is being reported. An actual breakdown of the figures quoted above is as follows:

- Pending 1st January 2020 = 11899 (79 cases Criminal Court and 11820 cases Court of Magistrates)
- Incoming cases 2020 = 11086 (17 cases Criminal Court and 11069 cases Court of Magistrates)
- Resolved cases 2020 = 7321 (5 cases Criminal Court and 7316 cases Court of Magistrates)
- Pending cases 31st December 2020 = 15883 (89 cases Criminal Court and 15794 cases Court of Magistrates)

The lack of horizontal consistency results from recounts that happen throughout the year, and that ensure that the data is always as up to date as possible. However when taken as a global figure, horizontal consistency might then be lost. The decrease in the number of incoming and resolved cases, and the ensuing high number of pending cases, results from the restrictions imposed by the pandemic on the functioning of the Courts of Law.

**Q094 (2018):** Given that the categorisation of criminal offences in Malta does not exactly match with the CEPEJ definitions provided, only the total of such cases is being reported. An actual breakdown of the figures quoted above is as follows:

- Pending 1st January 2018 = 11887 (61 cases Criminal Court and 11826 cases Court of Magistrates)
- Incoming cases 2018 = 13817 (19 cases Criminal Court and 13,798 cases Court of Magistrates)
- Resolved cases 2018 = 14168 (8 cases Criminal Court and 14140 cases Court of Magistrates)
- Pending cases 31st December 2018 = 11589 (72 cases Criminal Court and 11517 cases Court of Magistrates)

The lack of horizontal consistency results from recounts that happen throughout the year, and that ensure that the data is always as up to date as possible. However when taken as a global figure, horizontal consistency might then be lost. The decrease in the number of incoming and resolved cases is a phenomenon we are observing over the past years. The discrepancy between the data of 2016 and 2018 makes sense when one looks at the 2017 data that also shows a decrease in the caseloads from 2016. It is to be noted that the incoming caseload in 2018 is actually a bit higher than that of 2017.

**Q094 (2016):** In the Maltese legal system, all proceedings which appear before the Court of Magistrates may be punishable with a fine or imprisonment, bar a few contraventions which still appear before the Court of Magistrates and it is not possible to obtain data relating to these few cases. Nevertheless, all cases which lead to an imprisonment of ten years or more can only be heard by the Criminal Court whilst cases between 2 and 12 years may be heard by the Court of Magistrates only once the procedure before it as a Court of Criminal Inquiry is completed. Since in Malta the vast majority of the cases contemplate the possibility of imprisonment, barring a few contraventions, the cases indicated as misdemeanors/minor offences, are those cases which are heard by the Court of Magistrates (excluding those being heard as a Court of Criminal Inquiry) having a maximum punishment of 2 years imprisonment while the cases indicated as 'severe criminal offences' are those having a punishment of over 2 years (Criminal Court & Court of Criminal Inquiry).

This definition of severe/minor-misdemeanor cases is not fully consistent with the definition built by CEPEJ and therefore a comparison is not possible with the previous cycles. According to the Maltese categorization of cases, the number for severe criminal cases in 2016 is as follows: pending on the 1st Jan of Ref Year = 3054; Incoming cases = 827; Resolved cases = 1143; Pending cases on the 31st Dec of Ref Year = 2736. The number for minor/misdemeanor criminal cases is as follows: pending on the 1st Jan of Ref Year = 10571; Incoming cases = 15887; Resolved cases = 15682; Pending cases on the 31st Dec of Ref Year = 10805.

**Q094 (2013):** The 2014 data is derived from the official court statistics that are also available online at [www.justiceservices.com](http://www.justiceservices.com). The horizontal discrepancy in the data at point 6 cannot be verified since the data collection in the criminal courts is not as yet automated.

**Q097 (2022):** The increase in the incoming caseload at 1st Instance has reflected itself in an increase in the incoming caseload at the 2nd Instance across all courts. Moreover, in one particular court, the incoming caseload has increased twofold due to a legal provision that facilitates the filing of specific cases.

The number of resolved cases has increased across all 2nd Instance courts and underscores the efforts of the judiciary to address the burgeoning caseload.

**Q097 (2020):** The decrease in the Incoming caseload results from the disruption of the pandemic on the court operations. In the second instance courts, we are still unable to distinguish precisely between the cases that are appealed. Thus, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**Q097 (2019):** Total other than criminal cases - resolved cases: The data shows an increase in the resolved caseload of the 2nd instance courts and in fact, the pending caseload at the end of the year is less than that registered in 2018. These courts were more efficient in 2019.

**Q097 (2017):** In Malta, the civil second instance courts comprise the Civil Court of Appeal in its Inferior and Superior Jurisdiction. To date, whilst we can collect the data relating to the incoming, resolved and pending caseloads of these courts, we cannot easily distinguish between the sub-divisions of case typology outlined above. What we can tell for sure is that all cases filed before the Courts of Appeal are civil and commercial litigious cases (including a minority of administrative law cases) so the figures provided at Category 1 reflect the global total of cases heard at the second instance courts. Non-litigious cases are not filed before these courts (hence NAP answers).

Concerning the variation between 2016 and 2017 in the pending cases older than 2 years, the reason is due to a different methodology used in 2016 and in 2017.

**Q097 (2016):** Regarding Civil (and commercial) litigious cases: 2015 was the best year in terms of number of resolved cases, mainly because the judiciary were trying hard to conclude cases that were ready for sentencing. In fact, our efficiency indicators reflected this effort. As regards to the other data, we do not, as yet, have those statistics at hand and hence, the last 3 evaluations were marked as NAP.

**Q097 (2014):** The discrepancy in the data provided for 2014 as "pending cases on 31st December 2014" results from an internal exercise being carried out by the Court Administration in which cases that have been prescribed, are being cleaned from the system. This exercise is going to be carried out more frequently so that it does not reflect in discrepancies in the data that is published.

**Q097 (2013):** The significant increase of the number of civil and commercial litigious cases between 2010 and 2013 was due to the fact that the number of appeals has increased substantially in the past few years and the jurisdiction of the Court of Appeal has been extended to include also appeals from large public contract awards. Accordingly, the Court of Appeal was not in a position to manage the considerable influx of cases.

**Q097 (2012):** In 2012, a number of judges in the Appeal Court retired and their replacement took some time to materialise, as a result of which, the number of decided cases decreased.

**Q098 (2022):** There was a registered increase in incoming cases across all courts.

**Q098 (2021):** During 2021, the criminal courts were still largely effected by Covid restrictions. Given that these particular courts did not introduce video-conferencing, it was not possible to counteract the increasing incoming caseload with an equally increasing resolved caseload. As a result of this imbalance, the efficiency parameters of the criminal courts suffered. Having said this, following the removal of the pandemic restrictions, sincere efforts have been made in order to restore the efficiency of the criminal courts to the former levels.

**Q098 (2020):** The above data reflects the aggregate scores of the Criminal Court of Appeal in its Superior and Inferior Jurisdiction.

The pandemic restrictions effected the caseload of the Court.

**Q098 (2018):** Given that in the Maltese legal system, the definition of severe/ minor-misdemeanor cases is not fully consistent with the definition built by CEPEJ, the data for these types of cases for Malta, is going to be presented within this section: For severe cases: Pending caseload at 1st January 2018 = 32; Incoming cases = 6; Resolved cases = 14; Pending cases on the 31st December = 21. Minor/ misdemeanor criminal cases: 1st January 2018 = 1266; Incoming cases = 445; Resolved cases = 644; Pending cases on the 31st December = 1018.

**Q098 (2016):** There was an increase in the pending caseload of the Court of Criminal Appeal, Inferior Jurisdiction. In the Maltese legal system, the definition of severe/minor-misdemeanor cases is not fully consistent with the definition built by CEPEJ and therefore a comparison is not possible with the previous cycles. According to the Maltese categorization of cases, the number for severe criminal cases in 2016 is as follows: pending on the 1st Jan of Ref Year = 26; Incoming cases = 15; Resolved cases = 10; Pending cases on the 31st Dec of Ref Year = 32. The number for minor/misdemeanor criminal cases is as follows: pending on the 1st Jan of Ref Year = 1214; Incoming cases = 629; Resolved cases = 485; Pending cases on the 31st Dec of Ref Year = 1358.

**Q098 (2012):** In 2012, the increase of the number of criminal cases resulted from the fact that for some time the number of judges hearing the appeals, particularly in the Criminal Court of Appeal (Inferior Jurisdiction), was reduced due to retirement and re-allocation of duties. Accordingly, the number of appeals in the inferior jurisdiction increase considerably.

**Q099 (2017):** In Malta the 2nd instance courts are the highest instance. Hence the NAP answer to this section.

**Q099 (2016):** In Malta the 2nd instance courts are the highest instance. Hence the NAP answer to this section.

**Q100 (2018):** NA

## Netherlands

**Q091 (General Comment):** In the Netherlands, some registers are kept by the judiciary. Those do not include a land- or business registry, see [www.rechtspraak.nl/registers](http://www.rechtspraak.nl/registers). Most registers are related to debt, bankruptcy and help or surveillance of people who are unable to handle their financial situations. Also, there is a register with 'nevenfuncties' (jobs and positions held by judges next to their judgeship). Mutations in these registers are not counted as court cases. The Dutch system does not count mutations in the registers as court cases, so 'other registry cases' is NAP.

Regarding the unavailability of the number of pending cases at the beginning of the year, since the Netherlands do not officially measure it, it is not provided.

**Q091 (2022):** In previous years, we were able to produce the number of incoming and pending cases for categories 1, 2, and 2.1, but not this year. The Judiciary has decided on a different norm for one of the components needed for this number, so these numbers are no longer available as of 2022.

**Q091 (2021):** In previous years, we were able to produce the number of incoming and pending cases for categories 1, 2 and 2.1, but not this year. The Judiciary has decided on a different norm for one of the components needed for this number, so these numbers are no longer available.

**Q091 (2020):** Administrative law cases include tax cases and immigration / asylum cases.

First instance cases at Council of State, Court of Appeal, including trade tribunal, are excluded.

In the Netherlands, there are some registers that are kept by the judiciary. Those do not include a land- or business registry, see [www.rechtspraak.nl/registers](http://www.rechtspraak.nl/registers). Most registers are related to debt, bankruptcy and help or surveillance of people who are unable to handle their financial situation. There is also a register with so-called 'nevenfuncties' (a list of jobs and positions held by judges next to their judgeship). Mutations in these registers are not counted as court cases. For the category 'other registry cases' the answer is NAP, as the Dutch system does not count mutations in the registers as court cases.

**Q091 (2019):** In The Netherlands, there are some registers which are kept by the judiciary. These do not include a land- or business registry (see [www.rechtspraak.nl/registers](http://www.rechtspraak.nl/registers)). Most registers are related to debt, bankruptcy and help or surveillance of people who are unable to handle their financial situation. There is also a register with so-called 'nevenfuncties' (a list of jobs and positions held by judges next to their judgeship). Mutations in these registers are not counted as court cases. For the category 'other registry cases', the answer is NAP, as the Dutch system does not count mutations in the registers as court cases.

**Q091 (2018):** In the Netherlands, there are some registers that are kept by the judiciary. Those do not include a land- of business registry. See: <https://www.rechtspraak.nl/Registers>

Most registers are related to debt, bankruptcy and help or surveillance of people that are unable to handle their financial situation. There is also a register of 'nevenfuncties', which lists all the jobs/positions that judges fulfill next to being a judge. Mutations in these registers are not counted as court cases. For the category "other registry cases", since the Dutch system does not count mutations in the registers as court cases, the answer is NAP.

**Q091 (2017):** None

**Q091 (2016):** Number of administrative law cases litigious plus non-litigious.

In 2016, there has been a strong decrease in numbers of cases compared to 2014. This decrease pertains to the group of misdemeanours, in particular the group of traffic offences ("Mulder Law"). The cases of "vorderingen dwangsom" (coercive detention) are no longer treated by the Public Prosecution. This following complaints at the Ombudsman. These coercive detention cases increased at first strongly in 2013 and 2014. But after that decision of the Public Prosecution The "Mulder Law" cases decreased from 200.000 in 2014, via 100.000 in 2015 to 40.000 in 2016.

**Q094 (General Comment):** Classification of severe and minor cases:

Minor offences: mainly traffic offences (speeding tickets, running red lights) and petty theft, vagrancy, littering, etc.

Severe offences: driving while drunk, grand theft, violent crimes, vice, drugs/narcotics, etc.

**Q094 (2022):** Increase in Category 1 - This is due to a technical change in registration, where it was found that some 14.500 cases were effectively resolved (from a legal standpoint) but had remained 'open' in the administration. This has led to a decrease of the number of pending cases. Increase in Category 2 - These cases are both minor criminal offences and also traffic fine cases (so-called WAHV- or Mulder-cases). The latter group shows the main increase. Possibly the increase is due to numbers being low in 2020 and 2021 as a result of Corona, and increased mobility since then

**Q094 (2020):** Classification of severe and minor cases:

Minor offences: mainly traffic offences (speeding tickets, running red lights) and petty theft, vagrancy, littering, etc.

Severe offences: driving while drunk, grand theft, violent crimes, vice, drugs/narcotics, etc.

Effects of the pandemic:

No in person hearings happened in the period between 17 March and April 6 2020. At the start of the pandemic, not everyone was able to work remotely due to insufficient available laptops and that many files were still coming in on paper. There were some exceptions for working remotely as well, such as security, some administrative staff (people that compiled paper files, for example), etc.

Some measures were taken: hearing in other buildings, online or hybrid, and hearings in the evenings. The age restriction for judges was upped from 70 years old to 73 years old, more criminal orders were handled by the public prosecution and more cases were handled by one judge instead of more (enkelvoudig versus meervoudig)

**Q094 (2016):** In 2016, there has been a strong decrease in numbers of cases compared to 2014. This decrease pertains to the group of misdemeanours, in particular the group of traffic offences ("Mulder Law"). The cases of "vorderingen dwangsom" (coercive detention) are no longer treated by the Public Prosecution. This following complaints at the Ombudsman. These coercive detention cases increased at first strongly in 2013 and 2014. But after that decision of the Public Prosecution The "Mulder Law" cases decreased from 200.000 in 2014, via 100.000 in 2015 to 40.000 in 2016.

**Q097 (General Comment):** It is not possible to differentiate between litigious and non-litigious cases at second instance. The financial registrations at first instance make a clear distinction between types of cases (that the answer for first instance can be based upon), but for second instances this differentiation does not exist (and thus, the registration is all the same).

As to the lack of horizontal consistency that can be observed, the reason is that the official number of cases pending on January 1st is determined at different time then the other 3 categories (official incoming, official resolved, official pending on December 31st). Due to time lags in registration and dynamics in the data systems, if the cases pending on January 1st are measured at the same time as the others, the result would be different.

**Q097 (2021):** The number of incoming administrative law cases increased between 2020 and 2021, most probably due to the pandemic. Especially, the number of appeals for tax cases is higher in 2021.

**Q097 (2020):** It is not possible for us to differentiate between litigious and non-litigious cases at second instance. In short, we can provide this for first instance because the financial registrations makes clear distinction between types of cases (finances differ) that we can base that answer on, but for second instances, this differentiation in finances does not exist and thus, the registration is all the same.

**Q097 (2019):** .

**Q097 (2018):** If there is an appeal, cases are litigious in my view. I would tend to enter the value "0", but since the question is being asked, you probably see things differently. So I chose the answer "NA"

**Q097 (2017):** Administrative law cases, litigious plus non-litigious.

**Q097 (2016):** Administrative law cases, litigious plus non-litigious.

**Q098 (2014):** The reason for the horizontal inconsistency in 2014 is that the figures from the 4 columns of the table are not retrieved at the same time. The number of pending cases on Jan 1st is determined one year before the other 3 columns can be filled. One year later it is possible to determine the number of incoming cases, the number of resolved cases and the number of pending cases on Dec 31st. The definition of 'pending' together with dynamic changes in the registration system mean that the number of pending cases on Jan 1st will have changed. To ensure horizontal consistency, all the 4 columns should be determined after the years' end which would imply to overrule a previously determined and official (i.e. published) number of pending cases on Jan 1st.

**Q099 (General Comment):** The formula for pending cases on 31 December might not work satisfactory – there will be a gap between pending cases at the end of the year and the number of pending cases at the beginning of the year + incoming cases -/- resolved cases. Furthermore, the number of resolved cases only includes cases resolved with a decision of a judge. Cases in which the appeal in cassation has been withdrawn or annulled, cases that have been administratively resolved by the clerk, cases in which the processing of the appeal in cassation has been suspended, and cases that have been discharged upon objection cannot be counted separately. Therefore, their number is not included. 2 – Non-litigious cases: in theory, it might possible these cases get to the Supreme Court, but the numbers are not specified for the courts. 3 – Administrative law cases: please note that the Dutch Supreme Court only handles tax cases and some social security cases. There is not third instance court for other administrative cases in the Netherlands, so these are not included in the numbers given. 4 – Other cases: There might be other cases in separate courts, but these numbers are not nationally available.

**Q099 (2021):** The formula for pending cases on 31 December might not work satisfactory – there will be a gap between pending cases at the end of the year and the number of pending cases at the beginning of the year + incoming cases -/- resolved cases. The gap is caused by cases that are labelled 'outflow other'. These are cases that do not get resolved because of administrative reasons (for instance, the appeals is filed to late, or mandatory court fees have not been paid and there is no dispensation).

2 – Non-litigious cases: in theory, it might possible these cases get to the Supreme Court, but the numbers are not specified for the courts.

3 – Administrative law cases: please note that the Dutch Supreme Court only handles tax cases and some social security cases. There is not third instance court for other administrative cases in the Netherlands, so these are not included in the numbers given. 4 – Other cases: There might be other cases in separate courts, but these numbers are not nationally available. Regarding discrepancy: There are always factors that might influence the number of cases the SC handles in a year. There are no published numbers identifying the various types of cases the tax chamber handles. As mentioned before, we can provide a more general explanation for an increase in SC cases and/or disposition time. For example, delays or catch up in lower courts (increasing/lowering the number of incoming cases), new laws or changes in law that the SC must answer, cases may become more complex due to increasing complexity of laws and differences (and thus, cases may take longer), or cases that are connected are grouped to deal with in clusters (meaning more cases for a longer time). While a specific cause cannot be clearly pinpointed, all these factors might influence the numbers.

**Q099 (2020):** With regard to 2. Non litigious cases: In theory, it is possible these cases get to the Supreme Court, but these cases are not specified in available numbers for the courts.

With regard to 3. Administrative law cases: Please note that the Dutch Supreme Court only handles tax cases and some social security cases. There is no third instance court for other administrative cases in the Netherlands, so these are not represented in this number.

With regard to 4. Other cases: There might be other cases in separate courts (Kamers), but these numbers are not available nationally.

With regard to the discrepancies: there are always some factors that might be of influence on the number of cases the Supreme Court handles in a year. It might be due to delays or catch ups in lower courts (so incoming cases are lower/higher), new laws or changes in law that the SC must answer (like covid-regulations), cases may become more complex because laws and differences are more complex (as a result cases may take longer), or cases that are connected that are grouped to deal with in clusters (meaning more cases for a longer time). While we cannot clearly pinpoint a 'cause' of the discrepancies, all these factors mentioned might influence the numbers.

**Q099 (2019):** Reason for discrepancies: discrepancies seem higher, as absolute values are lower. When asked, the High Court explains that there is always an eb and flow of cases due to several factors.

**Q099 (2018):** Cases handled by the High Court are 'litigious' by nature (= cases are settled at first instance if one party remains inactive)

**Q099 (2017):** the answer to this question is still not available.

**Q099 (2016):** At the moment the Supreme Court has not the data available to answer this question. The National Correspondent is consulting the Supreme Court to improve this situation.

**Q100 (General Comment):** No distinction is made between severe criminal cases, misdemeanors and/or minor criminal cases in the numbers and accounts kept by the Dutch SC.

Pending cases at the end of the year are not equal to the number of pending cases at the beginning of the year + incoming cases - solved cases

**Q100 (2021):** No distinction is made between severe criminal cases, misdemeanors and/or minor criminal cases in the numbers and accounts kept by the Dutch SC.

Pending cases at the end of the year are not equal to the number of pending cases at the beginning of the year + incoming cases - solved cases

**Q100 (2020):** In the numbers and accounts that are kept by the Dutch Supreme Court, no distinction is made between severe criminal cases and misdemeanours and/or minor criminal cases.

With regard to the discrepancies: there are always some factors that might be of influence on the number of cases the Supreme Court handles in a year. It might be due to delays or catch ups in lower courts (so incoming cases are lower/higher), new laws or changes in law that the SC must answer (like covid-regulations), cases may become more complex because laws and differences are more complex (as a result cases may take longer), or cases that are connected that are grouped to deal with in clusters (meaning more cases for a longer time). While we cannot clearly pinpoint a 'cause' of the discrepancies, all these factors mentioned might influence the numbers. The gap of 213 is caused by cases that are labeled as 'outflow other' (in Dutch: uitstroom overig). These are cases that do not get resolved because of administrative reasons (for instance: the appeal is filed too late, or mandatory court fees have not been paid and there is no dispensation).

## Poland

**Q091 (2022):** \* Administrative law cases - In 2022, the number of incoming administrative cases decreased compared to the previous year. The number of incoming complaints about the inaction of public administration bodies and the protracted conduct of proceedings by these bodies also decreased. The decrease in the receipt of such complaints in 2022 was 30.2% compared to 2021. This may be indicative of the catching up of public administration activities caused by the COVID-19 pandemic. Data for the next years will show whether the downward trend will continue.

**Q091 (2021):** \* administrative law cases - It is difficult to identify, apart from the COVID-19 pandemic, any particular reason for the increase in the number of cases brought before provincial administrative courts. A particularly large increase in the number of cases submitted to administrative courts concerned complaints about the inaction of public administration bodies and the protracted conduct of proceedings by these bodies. The increase in the receipt of such complaints in 2021 was 73.2% compared to 2020. This may also be indicative of some backlog in public administration due to the numerous pandemic restrictions in 2020.

**Q091 (2020):** Comments: The discrepancies in Table 91. First instance courts: number of other than criminal law cases - compared to the previous periods (2018 and 2019) are mainly due to combinations of two reasons. First - the COVID19 pandemic, which significantly reduced case inflow to the courts (in some type of cases even by several dozen of percent), reduced the number of resolved cases and pending cases as well. The second factor, which in contrary - caused increase in the volume of cases registered in court system was the inflow of cases related with conversion of the right of perpetual use of built-up land for residential purposes into land ownership (2.2.1 - Non litigious land registry cases). In 2020, there were more than a million incoming cases of this type (in 2019 – more than 2,5 million), which also resulted in an increase in the number of resolved cases in this area, as well as pending cases for the next reporting period.  
Administrative law cases: the main reason for the slight slowdown in casework was the pandemic.

**Q091 (2019):** The discrepancies in section 4.2.2. Case flow management - first instance - compared to the previous period mainly concern the data shown in point 2.2.1 Non-litigious land registry cases.

In explaining the above, it should be emphasized that the general state of cases in courts of first instance in 2019 was related to cases brought to the land registry departments with regard to the conversion of the right of perpetual use of built-up land for residential purposes into land ownership. In 2019, more than 2 million incoming cases of this type, which also resulted in an increase in the number of resolved cases in this area, as well as pending cases for the next reporting period.

It should be noted that after excluding from the analysis all cases considered in Land Registry Departments, the impact of cases and settlements in 2019 were almost at the same level as in the previous year.

**Q091 (2018):** The discrepancy between 2016 and 2018 was realised in 2017 due to the increasing number of mostly non-litigious cases. More details in 2017 data.

Number of pending cases in the category 2.1. General civil (and commercial) non-litigious cases has dropped slightly. That situation is caused by high effectiveness of courts. Number of resolved cases is higher than number of incoming cases. That situation has maintained since 2017.

Higher number of pending cases in Non-litigious business registry cases is temporary and it is a result of higher number of initiated compulsory proceedings. If it is ascertained that the application for entry in the Register or compulsory documents have not been submitted despite expiry of the deadline, the registry court shall call on the obliged parties to submit them. We observed that the effectiveness of courts has increased and therefore number of pending cases in mentioned category has dropped at the end of the year.

In regard to non litigious land registry cases we observe in Divisions of Land and Mortgage higher staff turnover. It contributes to problems with solving cases, therefore number of pending cases has increased.

In regard to "other" cases we have observed significant increasing of incoming cases without specified category. In this category we include following cases: exemption from costs, reconstruction of files, affidavit of assets, excluding judge etc. Higher number of pending cases on 31 Dec. is a consequence of high number of incoming cases during the year. It was probably temporary situation.

**Q091 (2017):** As a general explanation for discrepancies in 2016 to 2017 data, it has to be stated that in 2016, there was a substantial number of incoming non-litigious cases, mostly general civil cases, but also registry cases (around 700k cases total).

This important number of cases was not resolved and the backlog remained important at the end of the year. This could explain the large difference of pending cases between 1 Jan 2016 and 1 Jan 2017.

2.1. In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases on 1 Jan. ref. year has increased. In 2017 we did not notice any problems with mentioned system, so the number of resolved cases has increased significantly. At the same reason the number of pending cases on 31 Dec. 2017 has dropped.

We indicate that fluctuation of the number of cases can be also caused by implemented organizational changes in courts (changes in staff, changes in the organization of work). 2.2. Registry cases (2.2.1+2.2.2+2.2.3) discrepancies are justified in points 2.2.1 and 2.2.2.

2.2.1. Non litigious land registry cases. Higher number of pending cases (on 1 Jan. ref. year and on 31 Dec. ref. year) is caused by Higher number of incoming cases than resolved cases. This situation is related to large-scale investments in infrastructure in Poland Building new roads is closely connected with changes in land registry. We need to indicate that courts have to cope with large number of difficult cases. (Mentioned reason is related to resolved / incoming cases)

2.2.2. Within the changes in business registry cases we can observe significant increase in all types of Application for registration

(first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of

removing from registry). We indicate that it could be caused by fluctuation in compulsory proceedings. Mentioned proceedings are carried on in the cases where it is found that an application for an entry in the National Court Register or the documents whose submission is obligatory were not submitted despite the lapse of the time limit. The registry court shall summon the obliged persons to submit them, and shall set an additional 7-day time limit. We emphasize, that the registry court shall discontinue the compulsory proceedings, if it can be concluded from the circumstances of the case that the proceedings will not lead to the fulfilment of the mentioned obligation. (Mentioned reason is related to resolved / incoming and pending cases)

2.2.3. and 2.3. - Categories do not exist in our judicial system.

**Q091 (2016):** Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry).

In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

**Q094 (2022):** Severe criminal cases includes all offences under the Penal Code, Penal Fiscal Code and offences specified in other Acts. Misdemeanours are cases conducted under the Petty Offence Code.

The category "Other cases" covers the rest of cases conducted in criminal courts which are not connected directly with the severe criminal cases or misdemeanours (mainly cases conducted under the Code of Criminal Procedure and Petty Offences Procedure Code).

Cases under the Criminal Procedure Code and the Misdemeanours Code, which are presented as 'other criminal cases', are preliminary or follow-up proceedings.

**Q094 (2020):** The discrepancies in Table 94. First instance courts: number of criminal law cases - compared to the previous period (2018) are mainly due to two reasons. First – the COVID19 pandemic which reduced the inflow of Misdemeanour and / or minor criminal cases (p. 2). Second – in 2020 release the number of Other cases (p. 3) was added to the table. It significantly increased the number of total cases shown in the line Total of criminal cases (1+2+3).

**Q094 (2014):** For the 2014 evaluation, changes in the statistical forms made possible the identification of some types of misdemeanor cases (mainly the organizational ones, which were not considered in 2012). Above this, there is a constant growth in the number of incoming cases.

**Q094 (2012):** The increase of the total of criminal cases and the number of severe criminal cases in respect of the item "pending cases on 1st January 2012" is due to the fact that since 2010, there was a significant increase of the inflow of cases.

**Q097 (General Comment):** The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97, while Q99 is replied by NA.

The category „Other cases” includes appeals and complaints concerning social insurance, minors and others.

**Q097 (2022):** According to the available data for civil, commercial and labour and social security cases at second instance for 2022. - taking 2021 as a benchmark: In courts of appeal :

(a) In civil and commercial cases, including in the AGa category in 2022, the number of cases settled actually decreased slightly (by 1.0%), with a total increase in settlements in ACa+AGa cases of 7.5% compared to 2021. Thus, overall in civil and commercial appellate cases, the number of settlements in the appellate courts has increased. Despite the increase in settlements, the impact of ACa+AGa cases (65.6%) was not brought under control, due to its drastic increase of 51.9% compared to 2021. (cases involving franking credits).

- In 2022, there was a slight decrease in the handling of ACz (by 1.9%) and AGz (by 2.4%) complaint cases, which can be explained by a decrease in the impact of these categories of cases by 7.3% and 4.9%, respectively, compared to 2021. The impact of ACz cases was controlled at 100.6% and AGz cases at 101.9%;

Thus, in AGa cases, the reason for the decrease in handling (by only 1%) was a drastic increase in the impact of ACa cases (by 64.5%), while the handling of ACa and AGa cases combined increased, so there is no basis for further explanation. In AGz cases, the decrease in disposals should be linked to the decrease in receipts. The decrease in the handling of cases has not impeded the control of the impact of the cases, so there are no grounds for further explanation. b) In labour and social security cases, the total number of cases disposed of in 2022 decreased (by 17%), of which the number of cases disposed of in the APa category decreased by 9.6%, which was due to a 14.8% decrease in the number of cases received in this category, as 104.9% of the cases received were managed, while in the AUa category, the number of cases disposed of decreased by 18.1% (from 21,360 to 17,500 cases) in relation to 2021, This was partly attributable to the 4.9% decrease in receipts, but above all to the inability to handle a larger number of homogeneous AUa cases, as was the case in 2021 regarding the pension amount of women from the so-called "1953 vintage", which were handled in large numbers in 2021. in connection with new decisions of the pension authority, issued on the basis of the provisions of the Act of 19 June 2020 amending the Act on pensions from the Social Insurance Fund (Journal of Laws of 2020, item 1222) implementing the judgment of the Constitutional Tribunal of 6 March 2019. P 20/16. It should be emphasised that the disposition of this type of cases in 2021 was atypically high (in both appellate and district courts) and significantly higher than in 2020, when it amounted to 12 929 cases in appellate courts. Moreover, in 2021, proceedings were discontinued in 6 923 cases in this category, while in 2022, only 1 193 cases were discontinued. only 1 193 cases of this category were discontinued, which resulted in a decrease in the total number of cases handled in the labour and social security division and the inability to control the impact in 2022. (93,6%); - in 2022, the handling of grievance cases in the AUz cat. decreased by 28.9% (from 3,611 to 2,565), which was also due to the decrease in the inflow of cases in this category (by 27.43%) in relation to 2021, as the inflow in this category of cases was contained. In the APz category, the 16.41% decrease in the number of cases settled in 2022 (from 201 to 168 cases) was also due to a 19.40% decrease in the inflow of cases in this category (from 201 to 162 cases) in relation to 2021.

In regional courts:

(a) in civil appellate cases Ca the number of civil cases settled in 2022 decreased in comparison to 2021 only minimally by 0.01% (by 6 cases), so there are no grounds for further clarification;

- in complaint cases Cz at second instance, the number of cases handled in 2022 decreased by 10.60% (from 37,565 to 33,594) compared to 2021, as a result of a 17.48% decrease in receipts (from 38,499 to 32,000). It should be emphasized that

**Q097 (2021):** The category „Other cases” includes appeals and complaints concerning social insurance, minors and others. \* administrative law cases - The figures given to you on the receipt of cases at the Supreme Administrative Court and their settlement were affected primarily by two circumstances, i.e. changes in the organizational structure of the Supreme Administrative Court (NSA) and the related transfer of cases between departments, and, as indicated above, restrictions on court operations due to the declared epidemic state in Poland.

As of January 1, 2021, new additional adjudicatory divisions were established in the Finance Chamber and the General Administrative Chamber. Some cases from Divisions I and II of both chambers were transferred to the newly created Division III. These actions had a significant impact on the way the statistics were read.

According to the data provided to you, in 2020 the NSA completed 15786 cases registered in the "SK" repertory (cassation complaints, complaints for the resumption of proceedings). However, this number includes not only cases completed by issuing a substantive decision, but also cases closed due to their transfer to a new department. There were 3115 such cases in 2020. Given the above, the real efficiency in 2020 was 88%, not 110% as reported. Cases closed in the Finance Chamber of the Supreme Administrative Court in 2020 were, in turn, in large part added to the impact in 2021, for they were re-registered in another judicial department.

The re-registration of the aforementioned cases in the Financial Chamber, as well as the re-registration of cases in the General Administration Chamber for similar reasons (4079 cases) were recorded in the total number of cases received by the NSA in 2021. Hence, 7194 cases (re-registered) would have to be deducted from the total number of 26873, which was given to you in earlier correspondence. Thus, the real flow of new cases to the NSA was 19679.

The data on the completion of cases for 2021 shows that 17111 cases were completed at the NSA. It should be noted that this figure also includes cases closed in the General Administration Chamber due to their transfer to Division III. Such cases, as mentioned, were 4079. Thus, it can be assumed that in 2021 the NSA completed 13032 cases through their substantive settlement. These data, in turn, allow us to assume that the NSA's adjudication efficiency in 2021 was 67%.

Despite the decrease in efficiency in 2021 compared to the previous year, it should be noted that in 2021 the NSA settled more cases than in 2020. On the other hand, undoubtedly, the higher inflow of cases to the NSA was due to the increased number of complaints filed with provincial administrative courts, as discussed in more detail in point 1. The increased inflow of cases to the NSA was also due to a partial blockage in the circulation of documentation between administrative courts of both instances, which occurred especially during the first phase of the pandemic (March-May 2020). During this period, far fewer cases were submitted to the NSA, which consequently translated into an increase in impact in the following months of 2020 and 2021. In turn, referring to issues related to the number of cases handled at the NSA in 2021, one can additionally point to staff shortages resulting from the retirement of some judges and the fact that more than a quarter of full-time positions were unfilled (more than 20% of judicial positions remained unfilled). In addition, the COVID-19 pandemic necessitated the reorganization of the Court's work by providing parties with the opportunity to attend hearings remotely. For technical reasons, fewer cases may be handled at remote hearings than at land-based hearings.

**Q097 (2020):** "Other than criminal law" cases: compared to the previous period (2018), decreases in the numbers of "incoming cases" before courts and "resolved cases" result from the COVID19 pandemic. As regards increases in the number of pending cases, they are due to increased amount of unresolved specific categories of cases in civil litigious procedures (e.g. claims under the loan agreement) and civil non-litigious procedures (e.g. division of the property). Administrative law cases : In 2020, the court disposed of 57.70% of all cases within 12 months, and within up to 24 months 78.66%. With regard to cassation complaints, 44.06% of cases were dealt with within 12 months. As far as complaints are concerned, 75.99% are settled within 2 months, while within 12 months the rate is 99.57%. 4. "4.Other cases": From the analysis of annual information for 2020 at the level of district courts and appellate courts in the labour and social security division, the following factors had an impact on the decrease in the degree of control of the impact (and thus the number of cases handled) and the increase in the average duration of proceedings in Ua, Uz and AUa and AUz cases in relation to 2019: - restrictions on court activity in 2020 related to the Covid-19 pandemic, due to the declaration of an epidemic state in the territory of the Republic of Poland from 20 March 2020 and the associated need for quarantine, sick leave, isolation, the need to provide care for children under 8 years of age, remote working, resulting in a reduction in the work of adjudicators, clerks and experts; - Insufficient number of experts on the list of expert witnesses compared to the number of cases requiring an opinion and the need to carry out joint or multiple expert opinions from different specialities, refusal of experts to carry out examinations necessary for their opinion (as a result of the epidemic situation in relation to SARS-CoV-2 infections), - a large number of suspended cases resulting from the regulation of the Act of 19 June 2020 on amending the Act on pensions from the Social Insurance Fund (Journal of Laws of 2020, item 1222), concerning a group of women born in 1953 (in these cases the proceedings were suspended by law as of 10 July 2020 until the pension authority issues a new decision recalculating the benefit of entitled persons, but not earlier than after 6 months from the suspension).

**Q097 (2019):** The decrease of Clearance Rate for 1. Civil and commercial litigious cases and 4. Other cases in 2019 compared with 2018 is caused by increased value of incoming cases. For 1. Civil and commercial litigious cases: from 141 045 cases in 2018 to 155 341 cases in 2019 (increase of 10%) and for 4. Other cases: from 41 242 cases in 2018 to 44 233 cases in 2019 (increase of 7%). The number of judges hearing in these type of cases in 2019 was at comparable level like in 2018 so the number of cases per one judge had increased automatically. In 2019, 16,844 cassation appeals (3,385 appeals less than in 2018) and 80 appeals for reopening the proceedings were submitted to the Supreme Administrative Court. From the previous period, 27,649 complaints and 28 applications for reopening of proceedings remain to be considered. In total, the Supreme Administrative Court had to consider 44,493 cassation appeals. In 2019, a total of 16,375 cassation complaints were examined. In 3,465 cases, the Supreme Administrative Court allowed the cassation appeal (21.16%), dismissed 11,721 cassation appeals (71.58%), and settled 1,189 in a different way (7.26%). Apart from cassation appeals, in 2019 the Supreme Administrative Court handled 4,665 complaints against decisions (orders) of courts of first instance, of which 715 allowed the appeal (15.36% of all appeals), and in 3,773 cases, the Supreme Administrative Court dismissed the appeal (80.88%), and it handled 177 matters in a different way (3.79%).

Moreover, the Supreme Administrative Court examined 162 complaints about violation of a party's right to hear a case in court proceedings without undue delay, of which 4 were admitted (2.47% of all settlements of this type), 60 were dismissed (37.04%), and 98 were settled in other way (60.49%).

In 2019, the Supreme Administrative Court handled 42.33% of all cases within 12 months, and 80.43% within 24 months. With regard to cassation complaints, 23.54% of the cases were settled within 12 months. In the case of complaints, 91.13% are examined by 2 months, and within 12 months, this ratio is 99.72%.

**Q097 (2017):** 2.2.2. There is not any specific explanation for observed increase. We can indicate only that mentioned increase is related especially to Register of Pledges.

As regards General civil (and commercial) non-litigious cases, we have validated previous data and we have made some corrections. We also indicate that a number of pending cases on 1 Jan. ref. year have been increased due to higher number of incoming cases in 2016.

**Q097 (2016):** Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry).

In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

**Q098 (General Comment):** Severe criminal cases includes all offences under the Penal Code, Penal Fiscal Code and offences specified in other Acts. Misdemeanours are cases conducted under the Petty Offence Code. The category "Other cases" covers the rest of cases conducted in criminal courts which are not connected directly with the severe criminal cases or misdemeanours. Mainly these are cases conducted under the Code of Criminal Procedure and Petty Offences Procedure Code, e.g: complaints against the discontinuation of the proceedings, complaints against the application or extension of pre-trial detention, complaints against the ordering the execution of a substitute prison sentence, complaints against a failure to grant parole. Cases under the Criminal Procedure Code and the Misdemeanours Code, which are presented as 'other criminal cases', are preliminary or follow-up proceedings.

**Q098 (2022):** Serious criminal cases include all offences under the Penal Code, the Fiscal Penal Code and offences under other laws. Misdemeanours are cases conducted under the Misdemeanours Code.

The category "Other cases" includes other cases conducted in the criminal courts that are not directly related to serious criminal cases or misdemeanours (mainly cases conducted under the Criminal Procedure Code and the Misdemeanours Code).

**Q098 (2021):** Severe criminal cases includes all offences under the Penal Code, Penal Fiscal Code and offences specified in other Acts. Misdemeanours are cases conducted under the Petty Offence Code.

The category "Other cases" covers the rest of cases conducted in criminal courts which are not connected directly with the severe criminal cases or misdemeanours (mainly cases conducted under the Code of Criminal Procedure and Petty Offences Procedure Code).

**Q098 (2020):** Variations in the number of criminal law cases in 2020 compared to the previous period (2018) are mainly due to two reasons. First – the COVID19 pandemic which reduced the inflow of severe criminal cases (p. 1) and misdemeanour and / or minor criminal cases (p. 2). Second – in 2020 release, the number of Other cases (p. 3) was added to the table. It significantly increased the number of total cases shown in the line Total of criminal cases (1+2+3).

**Q098 (2012):** The increase of the total of criminal cases and the number of severe criminal cases in respect of the item “pending cases on 1st January 2012” is due to the fact that since 2010, there was a significant increase of the inflow of cases”.

As to the number of minor cases, there was a change in the statistical system which resulted in aggregating some categories of cases considered as minor with other criminal second instance cases. Accordingly, it was impossible to include them in the provided figures.

**Q099 (General Comment):** The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97, while Q99 is replied by NA.

While the Supreme Court considers non-contentious cases, there is no inclusion of this category of cases in the internal statistics. Accordingly, the reply is NA.

**Q099 (2022):** Compared to previous years, the number of pending cases on 31 December of the reference year has increased, but it should be noted that the number of incoming cases has increased significantly.

In the Civil Chamber, for example, the number of incoming cases doubled compared to the cases received in 2020 (4360 incoming cases in 2020, while 8176 incoming cases in 2023).

Another factor that significantly affects the statistics of case recognition is the new measure introduced by the amendment to the Supreme Court Act of 9 June 2022, which entered into force on 15 July 2022 - the motion to examine the fulfilment of the requirements of independence and impartiality of a Supreme Court judge, taking into account the circumstances of his or her appointment and his or her post-appointment. Article 29(6) of the Supreme Court Act, which provides an additional procedural guarantee for the parties, on the other hand affects the length of the proceedings before the Supreme Court. It can be noted that this measure is widely used by the parties, which can be particularly observed in disciplinary proceedings. Furthermore, it has an impact on other Chambers of the Supreme Court, including the Civil Chamber.

It should also be noted that the Supreme Court has not had all of its legally stipulated Supreme Court judge positions filled for years (as at 31 December 2021, 90 of the 125 positions stipulated in Section 2 of the Supreme Court Rules were filled), which, combined with the increasing number of incoming cases each year, has resulted in an increasing number of pending cases. Even taking the abovementioned problems into account, it should be noted that the number of cases decided by the Supreme Court is increasing year-on-year.

In the Civil Chamber, 5785 resolved cases (compared to 4926 resolved cases in 2021);

In the Extraordinary Review and Public Affairs Chamber, 1617 resolved cases (compared to 1120 resolved cases in 2021);

In the Criminal Chamber, 4161 resolved cases (compared to 4003 resolved cases in 2021);

Only the Labour and Social Security Law Chamber has recorded a slight decrease in the number of resolved cases - 2286 in 2022 (compared to 2299 resolved cases in 2021).

**Q099 (2021):** \*1. They include cases conducted in the Civil Chamber, the Labor and Social Insurance Chamber Chamber and the Chamber for Extraordinary Control and Public Affairs, including those with the reference NSNc

\*4)The data includes cases conducted in the Chamber for Extraordinary Control and Public Affairs with the references NSK, NSKP, NZP, NZ, NSW, NSP NKRS, NWW, and NO signatures. These are cases that fall under the jurisdiction of the Extraordinary Control and Public Affairs Chamber mainly in the field of public law public, i.e., other than extraordinary complaints in both civil and criminal cases (which have been assigned to civil and criminal cases shown in boxes 99 and 100, respectively),

For example, cases in the field of telecommunications regulation, energy, competition protection, but also appeals against resolutions of the National Judicial Council.

\*4)Other cases are also disciplinary cases resolved in the Disciplinary Chamber of the Supreme Court.

In the case statistics of the Chamber Civil, Labor and Social Security Chamber, as well as in the statistics of civil cases (extraordinary complaints) of the Extraordinary Control and Public Affairs Chamber, there was an increased receipt in 2021 compared to 2020. This was an increase so significant that the statistics of cases handled declined compared to 2020. It should be assumed that - similar to previous years previous years, the general reason for the less favorable statistics are further organizational changes within the Supreme Court and the impact of the dispute over judicial reform on the efficiency of the work of Supreme Court judges. In addition, following the assumption of the post of President of the Civil Chamber of the Supreme Court by prof. Joanna Misztal-Konecka, there has been a review of the observance of the order in which cases are received in their allocation to individual judges. The Office Instruction was then modified in the part concerning the system of case numbers. Some cases were then assigned new case numbers, which could lead to an artificial overestimation of the number of cases with an unchanged rate of their handling.

**Q099 (2020):** \*Civil cases :- litigious cases heard by the civil chamber and the labour and social insurance chamber: Civil Chamber - pending cases on 1 Jan - 2596, incoming cases - 4360, resolved cases - 5518, pending cases on 31th Dec - 1438; Labour and social insurance chamber - pending cases on 1 Jan - 2161, incoming cases - 1535, resolved cases - 1938, pending cases on 31th Dec - 1758; \*Other cases: - cases pertaining to public law, decided by the Chamber for Extraordinary Control and Public Issues and disciplinary cases resolved in the Disciplinary Chamber of the Supreme Court: the Chamber for Extraordinary Control and Public Issues - pending cases on 1 Jan - 149, incoming cases - 6696, resolved cases - 6710, pending cases on 31th Dec - 135; the Disciplinary Chamber of the Supreme Court: pending cases on 1 Jan - 105, incoming cases - 312, resolved cases - 395, pending cases on 31th Dec - 22; Other cases: \*These increases must be explained by the election year, in which the Chamber of Extraordinary Control and Public Affairs dealt with numerous protests. This has resulted in a substantial increase in the dynamics of cases in this Chamber.  
Discrepancies - Administrative law cases - see data in Q97 and general comment to that question.

**Q099 (2019):** 1. Civil cases = civil cases + labour and social security cases;  
4. Other cases = public law cases + disciplinary cases;  
3. Data from Supreme Administrative Court; "1. Civil and commercial litigious cases": Pending cases on 1 Jan. ref. year : 2586 (civil cases) + 2010 (labour and social security cases); Incoming cases :5105 (civil cases) + 2480 (labour and social security cases); Resolved cases: 5095 (civil cases) + 2329 (labour law and social security cases); Pending cases on 31 Dec. ref. year: 2596 (civil cases) + 2161 (labour and social security cases);  
"4. Other cases": Pending cases on 1 Jan. ref year: 117 (disciplinary cases) + 215 (public law cases); Incoming cases: 269 (disciplinary cases) + 894 (public law cases); Resolved cases: 281 (disciplinary cases) + 955 (public law cases); Pending cases on 31 Dec. ref. year: 105 (disciplinary cases) + 154 (public law cases).  
Public law cases and disciplinary cases were not entered in the table in 2018. Public law cases in 2018: Pending cases on 1 Jan. ref. Year – no data; Incoming cases – 293; Resolved cases – 81; Pending cases 31th December – 212; Disciplinary cases in 2018 : In 2018 the Disciplinary Chamber of the Supreme Court received a total of 161 cases, of which 52 to the First Department and 109 to the Second Department. In the First Department, in 2018, 11 cases were resolved. In the Department of the Second Disciplinary Chamber, 17 cases were considered and completed in terms of content, and 16 cases formally (data from the Supreme Court activity report for 2018).

**Q099 (2016):** In 2014 the Administrative Supreme court cases were not included and they are reintroduced in this cycle. In regard to administrative law cases we kindly indicate that administrative cases are excluded from the jurisdiction of the common courts. Administrative cases are proceeded by the Voivodship Administrative Courts and Supreme Administrative Court, which are only competent to proceeded such cases.

**Q099 (2012):** In the frame of the 2012 exercise, it has been indicated that the Supreme Court provided the Ministry of Justice with data set that allowed summing up non-criminal cases with administrative cases of the Supreme Administrative Court. Therefore it was possible to include both data-sets.

**Q100 (General Comment):** The Supreme Court does not divide its statistics into categories corresponding to those defined and used by the CEPEJ.

**Q100 (2020):** The dynamics of the movement of cases of 2020 in the work of the Criminal Chamber of the Supreme Court was due to changes of a personnel nature. In addition, some of the disciplinary cases of advocates were submitted for consideration to the Criminal Chamber on the basis of decisions of the First President of the Supreme Court made in the period until May 2020 or decisions of the President of the Supreme Court directing the work of the Criminal Chamber at a later date, as the Disciplinary Court of the Polish Bar Association refers files of disciplinary cases with cassation appeals to the Criminal Chamber, recognizing that the Disciplinary Chamber should refrain from examining them. At the same time, the above-standard involvement in the work of judges, assistants and all other employees of the Criminal Chamber allowed for an increase in the number of cases dealt with.

**Q100 (2018):** Number of incoming cases has increased due to implemented law changes in Code of Criminal Procedure. On 15 April 2016 entered into force regulations about complaints against appellate court judgments. Parties may complain to the Supreme Court of the Republic of Poland against an appellate court judgment revoking a judgment of the court of the first instance and referring the case for reconsideration. In the first period of functioning of mentioned regulations there were not many incoming cases. The situation changed in 2018. We have observed that many cases incoming on the base of regulations implemented in 2016. Moreover, in 2018 were carried on some organisational changes e.g. Military Chamber of Supreme Court has been closed and all cases were moved to Criminal Chamber.

## Portugal

**Q091 (General Comment):** The question 91\_1 "Civil (and commercial) litigious cases", includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases.

**Q091 (2022):** The question 91\_1 “Civil (and commercial) litigious cases”, includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases.

On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly – those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries

From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since is not yet possible to provide figures that reflect the amount of work take non by the courts as referred above, the data does not include civil and labour enforcement cases. The number of enforcement cases for the year 2022 are: Pending cases on 1 Jan. 2022: 394367; Incoming cases: 108036; Resolved cases: 140946; Pending cases on 31 Dec. 2022: 361457. This numbers correspond to the total number of existing procedures in Portugal in 2022, following the existing model prior to the entry into force of the said legal diploma.

For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative Reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators.

The question 91\_3 “Administrative law cases”, includes administrative and tax cases. The number of Pending cases on 1 Jan. that correspond only to tax cases is 38089. The number Incoming cases that correspond only to tax cases is 11619. The number of Resolved cases that correspond only to tax cases is 14888. The number of Pending cases on 31 Dec. That correspond only to tax cases is 34820. In what concerns this type of cases, in 2022 there were 24,212 new cases and 27,051 completed cases. However, of these totals, only 23,483 new cases and 26,322 completed cases corresponded to real movements of the beginning and end of cases. The remaining 729 cases refer to cases that were internally transferred between units.

**Q091 (2021):** The increase in the number of cases resolved on 1 January 2021 should be contextualised, in our view, within the framework of the effects of the Covid 19 pandemic and the consequent confinement, with a reflection on the functioning of the courts in 2020, considering that in certain periods face-to-face services were interrupted or conditioned.

**Q091 (2020):** The decrease in the number of Civil (and commercial) litigious cases reflects the effects of the Covid 19 pandemic and the consequent lockdown, that had an impact on the functioning of the courts, considering that in certain periods face-to-face services have been interrupted or conditioned.

On 1 September 2013, the new Code of civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly – those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since it is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above, the data does not include civil and labour enforcement cases. The number of enforcement cases for the year 2020 are: Pending cases on 1 Jan. 2020: 521224; Incoming cases: 96047; Resolved cases: 159616; Pending cases on 31 Dec. 2020: 457655. These numbers correspond to the total number of existing procedures in Portugal in 2020, following the existing model prior to the entry into force of the said legal diploma.

For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative Reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators. In the scope of Working Group within the Ministry of Justice that monitors the development of the procedural processing system of the 1st instance judicial courts (Citius System), work is underway to implement the mechanism in question, in order to allow for autonomous accounting of cases that are awaiting the performance of an act that falls within the competence of the registry or the judge. At the moment, it is not yet possible to estimate a date for the conclusion of the work. The question 91\_3 “Administrative law cases”, includes administrative and tax cases. The number of Pending cases on 1 Jan. that correspond only to tax cases is 44542. The number Incoming cases that correspond only to tax cases is 44329. The number of Resolved cases that correspond only to tax cases is 48704. The number of Pending cases on 31 Dec. that correspond only to tax cases is 40167. In what concerns this type of cases, in 2020 there were 68,467 new cases and 73,880 completed cases. However, of these totals, only 20,731 new cases and 26,144 completed cases corresponded to real movements of the beginning and end of cases. The remaining 47,736 cases refer to cases that were internally transferred between units, namely due to the establishment of specialised courts in September 2020 (which are not independent legal entities), or that were subject to changes in the subject matter. Considering that in 2020 the number of cases transferred between organizational units was very high in the 1st instance administrative and tax courts, for this cycle we indicated in the table only the numbers of cases opened and closed, without including transferred cases. In previous editions, the figures included transferred cases, which could impair the comparative reading.

**Q091 (2019):** 91.1 The decrease of the number of pending cases older than 2 years follows the general trend of decrease of pending cases for this category. There were no legislative changes that can explain this decrease.

**Q091 (2018):** The question 91\_1 "Civil (and commercial) litigious cases", includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases.

On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since it is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above, the data does not include civil and labour. The number of enforcement cases for the year 2018 are: Pending cases on 1 Jan. 2018 700.638; Incoming cases:127.646; Resolved cases:222.480; Pending cases on 31 Dec. 2018: 605.804 These numbers correspond to the total number of existing procedures in Portugal in 2018, following the existing model prior to the entry into force of the said legal diploma.

For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators.

The question 91\_3 "Administrative law cases", includes administrative and tax cases.

The number of Pending cases on 1Jan. that correspond only to tax cases is 47931

The number Incoming cases that correspond only to tax cases is 14895

The number of Resolved cases that correspond only to tax cases is 16828

The number of pending cases on 31 Dec. that correspond only to tax cases is 45998

91.1 Due to increased efficiency of first instance courts, we can notice for the last several cycles a downward trend in respect of the number of pending cases, namely civil and commercial litigious cases

**Q091 (2017):** Q 91.1 - the decrease of pending cases older than 2 years can be explained by the global decrease of these cases. There were no legislative changes that could explain this decrease.

The question 91\_1 "Civil (and commercial) litigious cases", includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases.

On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since it is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above (the technical work is still on going), the data does not include civil and labour enforcement cases. The number of enforcement cases for the year 2017 are: Pending cases on 1 Jan. 2017: 804.423; Incoming cases: 148.713; Resolved cases: 249.837; Pending cases on 31 Dec. 2017: 703.299. These numbers correspond to the total number of existing procedures in Portugal in 2017, following the existing model prior to the entry into force of the said legal diploma.

For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators.

The question 91\_3 "Administrative law cases", includes administrative and tax cases.

The number of Pending cases on 1Jan. that correspond only to tax cases is 49.943

The number Incoming cases that correspond only to tax cases is 14.707

The number of Resolved cases that correspond only to tax cases is 16.811

The number of pending cases on 31 Dec. that correspond only to tax cases is 47.839

**Q091 (2016):** " Item 91-1 "Civil (and commercial) litigious cases", includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still on-going aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above, the data does not include civil and labour enforcement cases. The data on enforcement cases for the year 2016 is: pending cases on 1 Jan. 2016: 934.860; incoming cases: 158.164; resolved cases: 289.402; pending cases on 31 Dec. 2016: 803.622. These numbers correspond to the total number of existing procedures in Portugal in 2016, following the existing model prior to the entry into force of the said legal diploma. For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators. Item 91\_3 "Administrative law cases", includes administrative and tax cases. The separate data on tax cases is as follows: pending cases on 1Jan. - 53.597; incoming cases - 16.445; resolved cases - 20.222; pending cases on 31 Dec. - 49.820. Regarding the decrease in the number of incoming administrative law cases, it results from the decrease in the number of incoming tax law cases, in particular in what concerns misdemeanour appeals".

**Q091 (2015):** The category "civil (and commercial) litigious cases" includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. It is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred in that table. Just for information, the data on the total number of existing enforcement procedures in Portugal in 2015, following the existing model prior to the entry into force of the said legal diploma is the following: pending cases on 1 Jan. 2015: 1.000.446; incoming cases: 199.359; resolved cases: 272.191; pending cases on 31 Dec. 2015: 927.614.

The category "administrative law cases" includes administrative and tax cases. The separate data on tax cases is the following: pending cases on 1Jan - 47.866; incoming cases - 24.808; resolved cases - 19.164; pending cases on 31 Dec. - 53.510.

**Q091 (2014):** For 2014, data are not available due to technical constraints.

**Q091 (2013):** Portugal took important measures in order to improve the courts clearance rate and backlogs which resulted in an increased number of resolved non-criminal and enforcement cases. Some measures were focused primarily on enforcement cases, since they represent 70% of the total of pending cases. For example, the government adopted measures with the purpose to eliminate cases where there are no assets to execute or no procedural momentum, as well as measures with the aim to limit the number of incoming cases, establishing initial court fees. Courts with excessive number of pending cases were subject to particular assistance of specialized teams.

**Q091 (2012):** As for the number of incoming non-criminal and enforcement cases, the 2012 data reflect the effects of the entry into force of Decree 113-A/2011, which proceeded to a major judiciary reorganization. The figures reflect the corresponding movement of cases between organizational units. As a result, in 2012, a higher number of cases that have not entered ex novo in the Portuguese courts were taken into account. These cases have ended in the unit/court where they left and entered into the new courts where they were transferred.

**Q092 (2013):** On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

**Q092 (2012):** On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

**Q094 (2022):** In our view, the increase in the number of incoming and outgoing cases in 2022 compared to 2020 reflects the effects of the Covid-19 pandemic and the resulting lockdown, which had an impact on the functioning of the courts in 2020, considering that in certain periods face-to-face services were interrupted or conditioned.

3. "Other criminal cases" - cases involving procedural types provided for in criminal law, which do not fall into the "severe criminal cases" and "minor criminal cases" categories. These are, for example, cases relating to "legal accumulation", "interrogation of foreigners", "judicial expulsion", "compulsory internment" and "habeas corpus".

**Q094 (2021):** The discrepancy should be contextualised, in our view, within the framework of the effects of the Covid 19 pandemic and the consequent confinement, with a reflection on the functioning of the courts in 2020, considering that in certain periods face-to-face services were interrupted or conditioned.

**Q094 (2020):** 94.1 - The decrease in the number of cases completed in the category "Total of criminal law cases" between 2018 and 2020 is justified by the decrease in court activity in the year 2020 due to the Covid-19 pandemic situation. 94.2 - The decrease in the number of incoming and outgoing cases in the category "Misdemeanour and / or minor criminal cases" between 2018 and 2020 is justified by the decrease in court activity in the year 2020 due to the Covid-19 pandemic situation. Still, the number of cases pending on January 1, 2020 reduced compared to the number of cases pending on January 1, 2018, since the number of cases completed from 2018 to 2019 was relatively higher than the number of cases entered in those years. 94.3 - The increase in the number of pending cases older than 2 years in the "Other criminal cases" category in 2020 compared to 2018 may be related to reduced court activity in the year 2020 due to the Covid-19 pandemic situation.

**Q094 (2018):** Regarding the decrease of the numbers comparing to 2016, there were no legislative changes or others that could explain this decrease. Due to increased efficiency of first instance courts, we can notice for the last several cycles a down-ward trend in respect of the number of pending cases, namely criminal law cases.

**Q094 (2016):** There is no specific reason explaining the decrease in the number of incoming and pending criminal cases in comparison with the values of previous cycles. There were no legislative changes or other that could explain this value. However, we can note that cases at first instance in criminal and other areas have been decreasing in the last years. In addition, this decrease may also result from the fact that the number of criminal cases registered by police forces has been decreasing.

**Q094 (2012):** The number of pending minor criminal cases on 1 January and 31 December 2012 decreased due to the fact that the number of misdemeanor and minor criminal resolved cases in 2010 and 2011 was significantly superior to the number of cases filed on both those years. Generally, there is a decreasing trend concerning minor offences.

**Q097 (General Comment):** Since 2007, statistical data concerning pending cases in 2nd instance judicial courts are collected through the courts information systems. Being a dynamic system, allowing regular corrections and up-dating, this data collection may lead to oscillation data from previous years resulting in variations in pending cases.

In Portugal, there are not non-litigious cases in superior courts.

The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

**Q097 (2022):** total: The increase in the number of cases filed in 2022 compared to 2020 reflects, from our point of view, the effects of the Covid 19 pandemic and the consequent lockdown, which had an impact on the functioning of the courts in 2020, considering that in certain periods face-to-face services were interrupted or conditioned.

1. The drop in the number of pending cases in 2022 compared to 2020 is related to the fact that in the period from 2020 to 2022 the number of cases completed was higher than the number of cases received.

**Q097 (2021):** The decrease in the number of pending cases is related to the fact that in 2020 the number of cases that were completed in the second instance courts was higher than the number of new cases. This downward trend in pending cases has been constant since 2016.

**Q097 (2020):** The decrease in the number of cases under the category "Civil (and commercial) litigious cases" between 2018 and 2020 is justified by the decrease in court activity in 2020 due to the Covid-19 pandemic situation. The number of cases pending on December 31, 2020 has reduced compared to the number of cases pending on December 31, 2018, since the number of cases completed from 2018 to 2020 was relatively higher than the number of cases entered in those years. The increase in the number of cases completed in Administrative Courts between 2018 and 2019 may be justified by the increase in the number of judicial magistrates working in these courts. Even so, despite this increase in cases completed, there was an increase in the number of cases pending on January 1, 2020 compared to the number of cases pending on January 1, 2018, considering that the number of cases completed from 2018 to 2019 was still relatively lower than the number of cases entered in those years.

**Q097 (2019):** This increase of resolved cases can be explained by the increase on the number of judges in Administrative Courts.

**Q097 (2018):** Regarding the increase in the number of pending administrative law cases comparing to 2016, there were no legislative changes or others that could explain this variation".

**Q097 (2016):** There is no specific explanation as regards the increase in the number of civil and commercial litigious cases pending on 1 January 2016 between 2015 and 2016. The question 97\_3 "Administrative law cases", includes administrative and tax cases.

The number of Pending cases on 1Jan. that correspond only to tax cases is 3.909

The number Incoming cases that correspond only to tax cases is 1.809

The number of Resolved cases that correspond only to tax cases is 1.663

The number of Pending cases on 31 Dec. that correspond only to tax cases is 4.055

**Q097 (2015):** The question 97\_3 "Administrative law cases", includes administrative and tax cases.

**Q098 (General Comment):** When courts handle appeal cases it is not possible to separate appeals that had in their origin a criminal case or a misdemeanor case.

**Q098 (2016):** There is no specific reason explaining the increase in the number of pending criminal cases on 31 December 2016 in comparison with the values of the previous cycle. There were no legislative changes or other that could explain this change.

**Q099 (General Comment):** In Portugal, there are not non-litigious cases in superior courts.

The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

**Q099 (2022):** 1 - 1st column

The increase in the number of pending cases on January 1, 2022 compared to January 1, 2020 is related to the fact that in the period from 2020 to 2021 the number of incoming cases was higher than the number of outgoing cases. In our view, this behavior reflects the effects of the Covid-19 pandemic and the resulting lockdown, which had an impact on the functioning of the courts in 2020 and 2021, considering that in certain periods face-to-face services were interrupted or conditioned.

3 - 1st column

The decrease in the number of cases pending on January 1, 2022 compared to January 1, 2020 is related to the fact that in the period 2020 to 2021 the number of cases closed was higher than the number of cases admitted.

**Q099 (2021):** The increase in the number of cases pending on 1 January 2021 is related to the fact that in 2020 the number of cases brought was slightly higher than the number of cases completed. There is no specific explanation for these values.

**Q099 (2020):** There was an increase in the number of cases pending from 2018 to 2020 at the Supreme Court of Justice, considering that the number of cases that ended from 2018 to 2020 was relatively lower than the number of cases brought in those years. The rise in the number of pending cases in the year 2020 is also partly explained by the decrease in court activity in the year 2020 due to the Covid-19 pandemic situation.

**Q099 (2019):** 99 (total) - the increase on the number of pending cases vis a vis 2018 is explained by the fact that the closed cases from 2018 to 2019 were relatively inferior to the number of incoming cases in those years. There were no legislative changes that could explain these numbers.

99.1 - the increase on the number of pending cases vis a vis 2018 is explained by the fact that the closed cases from 2018 to 2019 were relatively inferior to the number of incoming cases in those years. There were no legislative changes that could explain these numbers.

**Q099 (2018):** Regarding the slight decrease in the number of pending civil and commercial litigious cases at the beginning of the year 2018, comparing to 2016, there were no legislative changes or others that could explain this decrease

**Q099 (2017):** Q99.1 - The decrease in the number of pending civil and commercial litigious cases on 31 december 2017 is explained by the fact that the number of resolved cases in 2017 was superior to the number of incoming cases in the same year. There were no legislative changes or other that can explain this decrease.

**Q099 (2016):** In Portugal, there are not non-litigious cases in superior courts.  
The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

The question 99.3 "Administrative law cases", includes administrative and tax cases.

The number of Pending cases on 1Jan. that correspond only to tax cases is 783

The number Incoming cases that correspond only to tax cases is 1.039

The number of Resolved cases that correspond only to tax cases is 946

The number of Pending cases on 31 Dec. that correspond only to tax cases is 876

**Q099 (2015):** The question 99.3 "Administrative law cases", includes administrative and tax cases.

**Q100 (General Comment):** The communicated data reflects the case-flow of criminal cases before the highest instance courts.

"Misdemeanor cases" are never taken to high instance courts.

**Q100 (2020):** The increase in the number of criminal cases pending on January 1, 2020 compared to the number of cases pending on January 1, 2018, at the Supreme Court is justified by the fact that the number of cases completed from 2018 to 2019 was relatively lower than the number of cases entered in those years.

**Q100 (2016):** In Portugal, misdemeanour/minor criminal cases may not be dealt in the Supreme Court of Justice.

**Q100 (2012):** The number of pending cases has decreased between 1 January 2010 and 1 January 2012 due to the fact that the number of resolved cases in that period was superior to the number of incoming cases. Conversely, in the period between 31 December 2010 and 31 December 2012, the number of incoming cases was superior to the number of resolved cases, which resulted in the increase of the number of pending cases. In addition, the number of pending cases at 1 January 2010, as well as the number of incoming cases in 2010 benefited from the effect of the change of the Criminal Procedure Code (Law n.48/2007) that narrowed the access to the High Judicial Superior Council. In the years 2011 and 2012, this effect was diluted, leading to a slight increase of the pending cases on 31 December 2012.

## Romania

**Q091 (General Comment):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

**Q091 (2022):** There are no explanations for the discrepancies, as for volumes of cases in the order of hundreds no conclusions can be drawn regarding statistical trends.

**Q091 (2021):** As presented in the comments to the data communicated in the previous CEPEJ cycle, the measures taken in the pandemic period led to an increase in the stock of cases, that explain the number of pending cases on Jan 1st and also some of the values of the pending cases in courts for 2 years. At the same time, as shown in some of the data on resolved cases, although the stock at the beginning of 2021 was considerable by the enhanced activity the number of resolved cases increased

**Q091 (2020):** The decrease in the number of resolved cases in 2020 was caused by the context of the Covid-19 pandemic. The activity of all the courts was partially suspended between the 15-th of March until the end of May 2020 because a state of emergency was declared. During that period only few urgent cases were adjudicated. Some courts instituted preventive measures even before the 15-th of March 2020 which included postponing non-urgent cases. After the state of emergency ended there were still in place measures that affected the normal activity of the courts like: the introduction of specific timeframes for each case, hearings through video conference, a strict limitation of human interaction at the auxiliary compartments of the courts that dealt directly with public like the Archive and the Registry office, so that requests and documents had to be submitted by post, fax or e-mail. These measures affected not only the court staff but all court users that had to adapt to the new circumstances and led to the postponement of many cases. There were also gaps in activity caused by cases of Covid-19 among the personnel of the courts. The same explanation is valid for the increased Disposition time which led to an increased number of pending cases older than 3 years.

**Q091 (2019):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2. Referring to the non-litigious business registry cases, the differences in the statistical data are given by the dynamics in the business environment and the interactions at economic level and do not relate to any manifestation at the level of public authority. By referring to total requests that are the object of registration in the trade register, the influence is insignificant. Referring to the administrative cases, the decrease in the number of pending cases in administrative matters can be determined by aspects such as: certain types of cases that have been exhausted before courts (e.g cases on salary rights of public servants initiated in 2010) or cases such as those on pollution taxes that were mostly exhausted before courts and for which administrative procedures have been expressly regulated as to discharge the huge workload in courts that they have generated. In terms of incoming administrative cases, when referring to a decrease in their number, similar reasons that justify the decrease in the number of pending administrative cases should be taken into consideration, namely, for example, those referring to the administrative procedures that have been expressly regulated as to discharge the huge workload in courts (e.g. regarding to the cases on pollution taxes). There is no particular explanation on the increased number of general civil and commercial non-litigious cases in 2019, resulting in a slight decrease of the CR for this category. However, it should be noticed that the operativity and volume of solved cases has increased.

**Q091 (2018):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2. Referring to the non-litigious business registry cases, the differences in the statistical data are given by the dynamics in the business environment and the interactions at economic level and do not relate to any manifestation at the level of public authority. By referring to total requests that are the object of registration in the trade register, the influence is insignificant. Referring to the administrative cases, the decrease in the number of pending cases in administrative matters can be determined by aspects such as: certain types of cases that have been exhausted before courts (e.g cases on salary rights of public servants initiated in 2010) or cases such as those on pollution taxes that were mostly exhausted before courts and for which administrative procedures have been expressly regulated as to discharge the huge workload in courts that they have generated. In terms of incoming administrative cases, when referring to a decrease in their number, similar reasons that justify the decrease in the number of pending administrative cases should be taken into consideration, namely, for example, those referring to the administrative procedures that have been expressly regulated as to discharge the huge workload in courts (e.g. regarding to the cases on pollution taxes).

**Q091 (2017):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2. "Administrative law cases": indeed, the data are correct, namely there is a significant increase in the number of incoming cases in 2017 that could be explained by the changes brought in 2013 to the Law no. 554/2004 of administrative litigations; the amendments resulted in a high number of second appeals in this matter (by number of second appeals we understand all second appeals under the competence of both the Supreme Court (High Court of Cassation and Justice) and of the courts of appeal, because in this matter some of the cases shall be judged in first instance by tribunals and others by the courts of appeals).

**Q091 (2016):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2. The high clearance rate of administrative cases in previous cycles has led to lower significantly the number pending cases. The increase of the number of incoming cases is a consequence of a higher number of requests filed in administrative domain that also triggers an increase in the number of resolved cases. The decrease in the number of non-litigious pending cases as well as "other" pending cases is mostly due to lower number of incoming cases.

**Q091 (2014):** By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field "stocks" to the field "closed" only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014. The initial total number of pending cases has increased as a result of reporting the data into Ecris database. The number of incoming cases and this of resolved cases are comparable from one year to another for the period 2010-2013. The stocks at the end of the period is in relation to the adjustment of the stocks at the beginning of the period, but comparable with 2012. Concerning the number of administrative law cases the workload has constantly decreased starting with 2012. The increase of stocks initially communicated for 2013 comes from the high number of incoming cases in 2012. The final stock of 2014 is lower also because of the lower number of the new cases in 2013. It may also be noticed that the new cases closed in 2013 was higher than in 2012. The high decrease in the number of incoming, resolved and pending administrative law cases on 31 December between 2013 and 2014 is progressive and is caused by the social climate.

**Q091 (2013):** With regard to the category “civil and commercial litigious cases”, because of the delays between hearings that are often very long (usually the first hearing is determined by an electronic system after a long period of time, in relation with the actual workload of judges), the new entered files are not usually finalised within a year.

With regard to the category “civil and commercial non-litigious cases”, all the indicators kept a growing trend in 2012 and 2013. As for the stock of files (pending on 31.12), the increase between 2012 and 2013 is due to the fact that during the same period the number of resolved files has also decreased.

As to the trends observed in 2013 in respect of the “non-litigious enforcement cases” and “non-litigious land registry cases”, data are correct.

As to the category “administrative law cases”, the big differences have always been a reason for concern and continuous analysis. In the report on the status of Judiciary on 2012, it was noted that “in the administrative contentious and fiscal matters, the most of the cases were related to the restitution of the tax for pollution, but also to the obligation of the authorities to register the vehicles, without the payment of the tax for pollution (obligation to perform)”. It should be mentioned that the actions of the legislative have led to the growth of the number of administrative cases in the past 5 years, at tribunals with more than 400% and at the courts of appeal with around 200%.

**Q091 (2012):** With regard to the category “civil and commercial non-litigious cases”, all the indicators kept a growing trend in 2012.

As to the category “administrative law cases”, the big differences have always been a reason for concern and continuous analysis. In the report on the status of Judiciary on 2012, it was noted that “in the administrative contentious and fiscal matters, the most of the cases were related to the restitution of the tax for pollution, but also to the obligation of the authorities to register vehicles, without the payment of the tax for pollution (obligation to perform)”. It should be mentioned that the actions of the legislative have led to the growth of the number of administrative cases to be solved in the past 5 years, at tribunals with more than 400% and at the courts of appeal with around 200%.

**Q094 (General Comment):** There is no classification of severe and less severe offences in the Romanian statistics. In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

**Q094 (2020):** As stated at Q91 the context of the Covid-19 pandemic affected the activity of the courts which led to the decrease in the number of resolved cases in 2020 an increased Disposition time and an increased number of pending cases older than 3 years. In criminal law cases postponements were recurrent in cases involving persons serving a prison sentence, because generally they have to be brought to every court hearing which was not always possible due to the curantine measures taken by the prison administrations.

**Q094 (2018):** The changes brought to the code of criminal procedure may be among the reasons for the augmentation of the total number of criminal law cases pending on January 1st between 2016 and 2018, namely for e.g. the procedure regarding the prosecutor's decision to discontinue the criminal investigation has to be confirmed by a judges/in court, according to the new provisions.

**Q094 (2016):** In the national Statis system, the cases are recorded on categories of pending cases as follows: - 0-1/2 years; - 1/2-1 year; - 1 - 1 and 1/2 years; - 1 and 1/2 - 3 years; - 3 - 5 years;

In the table above, last column, there are mentioned the numbers for cases pending for more than 3 years.

The total number of incoming criminal cases in first instance courts has substantially increased when compared to 2014 data (+41%). These figures have been confirmed by the CEPEJ National Correspondent.

**Q094 (2014):** The significant increase in the number of total pending cases on 1st of January within the period 2012 – 2014 is due to the new way of counting the statistical data by the application Statis. The time of reaching a decision is not equivalent to the time of drafting the decision. For the present evaluation, files where a decision is reached but is not drafted yet are not counted.

**Q097 (General Comment):** It is worth specifying that, since 2010, the first table (question no. 91) centralizes all the first instance cases (irrespective of the level of the courts), the second table (question no. 97) centralizes all the second instance cases – appeal (irrespective of the level of the court) and table no. 3 (question no. 99) shows the statistical data on all second appeal cases (last instance cases) from all courts (irrespective of their level).

In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

**Q097 (2022):** Due to the large number of magistrates retiring in 2022, the number of solved cases decreased, as a result the stock of files at the end of the year increased, while the number of newly entered cases followed an upward trend compared to the previous reporting cycle.

**Q097 (2021):** As stated at Q91 the context of the Covid-19 pandemic affected the activity of the courts which led to the decrease in the number of resolved cases, therefore the the stock with old cases increased in some cases.

**Q097 (2020):** As stated at Q91 the context of the Covid-19 pandemic affected the activity of the courts which led to the decrease in the number of resolved cases in 2020 an increased Disposition time and an increased numer of pending cases older than 3 years.

**Q097 (2019):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

**Q097 (2018):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The increase in the number of cases in appeal reflects the changes in the procedural provisions in the new codes; the jurisdiction of the courts in judging appeals and second appeals has changed. Accordingly, the number of appeals in the New Civil Procedural Code includes the number of appeals and second appeals from the Old Code and shows continuous increase since the entry into force of the provisions.

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The general increase in the number of cases in appeal reflects the changes in the procedural provisions in the new codes; the jurisdiction of the courts on judging appeals and second appeals has changed. Accordingly, the number of appeals in the new Civil Procedure Code includes the number of appeals and second appeals from the old Code and shows continuous increase after 2014.

**Q097 (2014):** By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field “stocks” to the field “closed” only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The meaningful increases in figures observed between 2012 and 2014 are due to the fact that, in relation to the appeal, beyond the differences recorded in Statis, there was a change of jurisdiction in civil matters. Accordingly, the appeal (apel) became the main instrument to challenge a decision.

**Q097 (2013):** With regard to the category “civil and commercial litigious cases”, the observed evolutions between 2010 and 2013 are due to the fact that following the changes in the procedural provisions in the new codes, the jurisdiction of the courts on judging appeals and second appeals has changed. Accordingly, the number of appeals in the new Civil Procedure Code includes the number of appeals and second appeals from the old Code. Thus, even if the number of solved files in second instance is higher in 2013 than in the previous year, the number of new appeals (incoming cases in second instance) is higher. This explains the growth of the workload in the last period of time on these courts, although previously the trend was descending.

With regard to the category “civil and commercial non-litigious cases”, the analysis of data and the noticed evolutions and variations between 2010 and 2013 should be qualified. In fact, the figures are not so high and the growth and regress of a few cases during one year lead to relatively important variations. For example, a growth of only 8 cases at the end of the year will reflect a growth of 35%. The same reasoning should be applied with regard to the category “non-litigious land registry cases” where a growth of only 122 cases at the beginning of the year will reflect a growth of over 40%.

In respect of the category “non-litigious enforcement cases”, the considerable increases between 2010 and 2013 with regard to all the items (pending cases, incoming and resolved) were the consequence of the new distribution of competences between courts. Since 2013, all the enforcement cases are in the jurisdiction of the courts of appeal. The number of cases in third instance decreased correlatively.

Following the changes in the procedural provisions made in 2013, the second appeal, as means of review in the field of non-litigious business registry, became appeal, in accordance with the new principles of the Civil Procedure Code as regards the means of review.

**Q098 (General Comment):** There is no classification of severe and less severe offences in the Romanian statistics.

**Q098 (2016):** In the national Statis system, the cases are recorded on categories of pending cases as follows: - 0-1/2 years;  
- 1/2-1 year;  
- 1 - 1 and 1/2 years;  
- 1 and 1/2 - 3 years;  
- 3 - 5 years;

In the table above, last column, there are mentioned the numbers for cases pending for more than 3 years.

**Q098 (2014):** The significant increase of the total of criminal cases in respect of all the enumerated categories (pending, incoming and resolved cases) in 2014 is due to the entry into force of the new Codes and the changes of jurisdiction.

**Q098 (2012):** The decrease of the total of criminal cases in 2012 in respect of all the enumerated categories (pending, incoming, resolved cases) is due to the entry into force of Law n° 202/2010, the so called "small reform law". Consequently, the legal remedy of appeal (appeal on the merit) has been abolished in several criminal matters, remaining only the "recurs" ("appeal on law").

**Q099 (2022):** There are no explanations for the discrepancies, anyway for volumes of cases in the order of hundreds no conclusions can be drawn regarding statistical trends.

**Q099 (2021):** The increase in Pending cases older than 2 years for administrative cases could be explained both by the significant increase in 2017 of the number of incoming cases of this type and by the limited capacity for resolving cases during the pandemic crises (from 30038 in 2019 to 26800 in 2020); therefore, the effect shall be seen in terms of statistics after 3 years in the number of pending cases (according to our statistical application the pending cases are registered in the category cases pending for more than 3 years).

**Q099 (2019):** In 2017 there was a significant increase in the number of incoming administrative cases explained by the modifications in terms of procedure, namely amendments regarding the jurisdiction for administrative cases brought in 2013 that might have generated later effects in terms of number of "second appeals" (peculiarity of our system). Since 2017 and the described peak, the number of incoming administrative cases is decreasing.

**Q099 (2018):** The differences compared to the previous cycle are due to changes brought by the Constitutional Court's decisions to the interpretation given by the High Court of Cassation and Justice to the legislation regarding the increasing number of incoming civil litigious cases and the decreasing number of civil litigious cases pending for more than 2 years.

**Q099 (2017):** In the national Statis system, the cases are recorded on different categories of pending cases. So, for the last column, there are mentioned the numbers for cases pending for more than 3 years. The increase in the number of incoming administrative cases may be explained by the modifications in terms of procedure, namely modifications regarding the jurisdiction for administrative cases brought in 2013 that might have generated later effects in terms of number of "second appeals" (peculiarity of our system); moreover, there should be mentioned that the number of second appeals in this question, refers to both the second appeals judged by the supreme court (High Court of Cassation and Justice) and by the courts of appeals, aspect that is valid even for the previous cycles.

**Q099 (2016):** In the national Statis system, the cases are recorded on different categories of pending cases. So, for the last column, there are mentioned the numbers for cases pending for more than 3 years. As result of the changes in the procedural provisions in the new codes; the jurisdiction of the courts on judging appeals and second appeals has changed and some of the cases that were under the jurisdiction of the High Court are now under the jurisdiction of the courts of appeal Consequently the number of cases in Supreme court shows significant decrease in all categories.

**Q099 (2014):** By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators and offers data with greater value for 2014. This partly explains the considerable increase of the number of pending administrative cases on 1st January between 2012 and 2014. Besides, the number of incoming cases in 2013 was higher than in 2014.

**Q099 (2013):** In respect of the administrative law cases, until 2013, there was only a second appeal that is encompassed in the answers to question 99.

**Q100 (2022):** according to the application for statistics

**Q100 (2021):** according to the application for statistics

**Q100 (2018):** The increase in the total of criminal law cases incoming between 2016 and 2018 can be explained by the re-trial / re-examination of a high important number of cases (to be noted that none of these cases were new) according to the Constitutional Court's decision that brought changes to the interpretation given by the High Court of Cassation and Justice in the matter of judicial organisation.

**Q100 (2016):** The jurisdiction of the courts on judging appeals and second appeals has changed and some of the cases that were under the jurisdiction of the High Court are now under the jurisdiction of the courts of appeal. Consequently, the number of cases in the Supreme court shows a significant decrease in all categories.

In the national statistics system, the cases are recorded on categories of pending cases as follows: - 0-1/2 years;

- 1/2-1 year;

- 1 - 1 and 1/2 years;

- 1 and 1/2 - 3 years;

- 3 - 5 years;

In the table above, last column, there are mentioned the numbers for cases pending for more than 3 years.

**Q100 (2014):** The significant decrease between 2012 and 2014 of the total of criminal cases in respect of the following categories – incoming, resolved and pending on 31st December, is due to the entry into force of the new Codes and the changes of jurisdiction.

**Q100 (2012):** The important increase of the total of criminal cases pending on 1 January 2012 is the consequence of the entry into force of Law n° 202/2010. Consequently, the legal remedy of appeal (appeal on the merit) has been abolished in several criminal matters, remaining only the “recurs” (“appeal on law”). It resulted in an increase of the number of “recurs”.

## Slovak Republic

**Q091 (General Comment):** For 2016 data, new methodology was implemented based on the working group's conclusions and CEPEJ mission's recommendation (06/2016). Former reporting structure was not consistent with the methodology of CEPEJ, which could lead to inappropriate comparison of Slovak Republic (SR) with other countries. Also, the Ministry of Justice (MoJ) realized that evaluation of courts' performance by disposed and unresolved (decided and undecided) cases is discriminating SR in comparison with other countries in European Union (EU) as this methodology is not counting a decision of first instance court as disposed until the case becomes valid. This results into reporting such case as unresolved despite respective court has already made a decision and it is no longer in its disposition how - and more importantly when - the case will be resolved (disposed) by the second instance court. This is the nature of reporting of many “unresolved” cases on courts despite court already decided, in fact. Newly proposed way of reporting extracts the numbers of decided cases in respective court instances from “unresolved” and allocates these numbers to those court instances that made an actual decision in respective time. This means that decision validity state is not being awaited for as it could potentially contain an appeal and thus also a time that a case spends on second instance court. Upon decision's validity the case would become „disposed/resolved“ at the first instance court but most probably it would not be disposed in the same period when it was decided by the (first instance) court. This past methodology (applied by 2016) resulted (visually) in accumulation of unresolved cases while some of them were already decided by first instance court.

**Q091 (2022):** Discrepancy between the pending cases on 31 Dec. 2021 and the pending cases on 1 Jan. ref. year in the line 1. and Total is due to an administrative error caused by the court. In the rest lines, there is no discrepancy between the pending cases on 31 Dec. 2021 and the pending cases on 1 Jan. ref. year (compared with the previous year).

A significant increase in the Business registry cases category in 2022 (comparing incoming and resolved to 2020) is related to legislative changes to Act no. 530/2003 Coll. on the Commercial Register. The amendment to the law - included the birth-number among the recorded data with the aim of unambiguously identifying natural persons registered in the business register. In the case that it was not possible to add this data automatically from other reference sources into the business register, it had to be added based on a court proposal submitted by September 30, 2022 (increase in incoming cases).

Other discrepancies are reflection either of the submission activity of the public (incoming cases) or productivity of the judicial system itself - in resolved cases.

**Q091 (2021):** An erroneous reporting of decided cases at the courts in 2020 had to be corrected in Pending cases at 1st January 2021 by 1128 cases (line 2. and Total of other than criminal law cases).

2.2.2 Non-litigious business registry cases - the increase in cases coming to the courts in 2019 due to the new legislation gradually stabilized over the course of the year 2020, 2021.

The category “other” encompasses bankruptcy and debt restructuring cases, including the debt elimination procedure (bankruptcy of the natural persons), inheritance proceedings and other. In covid years especially the number of cases inheritance proceedings rose.

3. Administrative law cases - new reform of Administrative courts was expected and the clearance rate of the regional courts dropped to 80 %.

**Q091 (2020):** Exolanation of the discrepancies:

In the category 2.2.3. Other registry cases was added register "RPVS" - Register of public sector partners. The Register of public sector partners has the character of a register of legal and natural persons, which receives from the state, local-government and other public sector entities public financing or property above the limit specified by law. The persons who conclude a contract, framework agreement or concession contract pursuant to public procurement regulations, healthcare providers and so on. The classification of the registry in category 2.2.3. was consulted with CEPEJ organization.

In the category 2.2.2 and consequently in the category 2.2. - at the end of year 2019, the incoming cases into the business register was enormously increased due to new applied legislation, which caused high level of the pending cases at the beginning of the year 2020.

Administrative law cases - keeps the high level of pending cases.

Non-litigious business registry cases - the cause of the increase is explained below:

The Commercial Code (Act No. 513/1991 Coll) was amended by the Act No. 390/2019 Coll, which became effective from the 1st of October 2020. This amendment brought following changes (also changes to the Commercial register):

- 1.From October 1, 2020, it is possible to submit an application for registration of data in the Commercial Register only in electronic form (including objections to the refusal of registration )
- 2.Obligation of the company's founders to submit the consent of the real-estate owner to setting up a registered seat of the company with verified signature of the owner.
- 3.The list of the information is being expanded in order to identify these persons more precisely. In the case of natural persons, a date of birth and a birth number must be given, if it was assigned. In the case of legal persons, their registration number must be given. The existing companies are required to complete this information by September 30, 2021.
- 4.The amendment also covers one of the reasons why the court is entitled to dissolve a company without liquidation. It is a breach of the obligation filing the financial statement into the collection of deeds within the specified period of 9 months from its preparation. This means, that if a company doesn't deposit this financial statement in the collection of documents within 15 months from its preparation, the registry court will decide on its dissolution without a proposal.

The other discrepancies are mainly caused by the situation in 2020 due to Covid-19 pandemic situation.

The emergency situation due to COVID 19 has been ongoing since March 2020. Since then, hearings have been held to the necessary extent, which is determined by a decree of the Ministry of Justice. The decree was amended 4 times according to the development of the epidemic situation.

Thus, the courts were not closed in 2020, but operated in a restricted regime, and that restricted regime depended on the development of the epidemic situation. There were situations where hearings were organised to the absolute minimum, for example in April 2020, almost no hearings were held. Since May 2020, it has been up to the courts to ensure hearings to the extent necessary and in accordance with other regulations related to the pandemic situation.

In several measures in 2020, the Ministry of Justice recommended that courts organize work so that court staff and judges work from home.As for an access to the file for lawyers, it was provided.

**Q091 (2019):** The changes in the total number of Pending cases on 1 Jan. ref. year - the courts, which did not comply with the established methodology for reporting bankruptcy and restructuring, corrected the data in 2019 and thus the initial state of 2019, which causes differences compared to 2018 pending cases. Similar situation is in the other non-litigious cases, where the methodology for the cases (acceptance of things into custody of court) was changed due the legislation changes in the court register during the year 2019.

Line 2; 2.1;2.2;2.2.2: According to the act. no. 390/2019 Coll. on the end user of benefits for entrepreneurs, the entrepreneurs became obliged to make the corresponding entry in the Business Register by 31 December 2019. The increase in new-coming cases was mainly in the last three months of 2019 by 117 thousand cases in business register courts.

The deadline for processing proposals for the registration of end-user benefit data by the court has been postponed to 30 June 2020, due to the large expected new-coming cases of business records at the end of the year.

**Q091 (2018):** 1. Differences in the initial states of things as of 1 January 2018 different from the final states as of 31 December 2017 are due to the introduction of electronic data collection through the Data Collection Application (hereinafter referred to as AZU). When introducing electronic data collection in 2018, the courts were allowed to record the actual state of pending cases as of 1 January 2018 with the aim of not transmitting any inaccuracies from paper collection of previous periods. These differences should not occur in the next year due to the introduction of automatic transfer of the number of undecided cases from the end of the previous period in the electronic data collection.

2. Another reason for the differences in the opening cases as of 1 January 2018 from the closing stocks as of 31 December 2017 is the change in the classification of some court registers between rows in the table in question 91. The change of classification was carried out on the basis of the recommendation of the national correspondent for the SR and after its thorough consultation with the members of the working group GT CEPEJ - EVAL

**Q091 (2017):** The data in the table are not horizontally consistent. This is caused by the fact, that the data on pending cases on 1. January 2017 (the same as data on 31. December 2016 given for the previous cycle) were collected in a one-shot collection for the Justice Scoreboard 2017 and were not bound by control patterns of horizontal consistency as it is in the new electronic data collection active since January 2018. The improper initial number of unresolved cases taken from a "paper" collection of data in 2016 caused such differences. Likewise, the transition from 2015 final numbers to 2016 initial numbers were counted up manually from paper collections. We cannot therefore consider the initial numbers as of 1 January as reliable. The transition between the old system of collecting the statistical data to new one is more complicated than was expected, with the setting up of Analytical centre of the MoJ, application of CEPEJ methodology and its tools is one of the targets in the ongoing project between CEPEJ and Ministry of justice of the Slovak republic.

There are still two different IT tools used to collect the statistical data from the courts to Analytical centre. Some inconsistencies in data between the old and new system persist.

The Analytical centre makes every effort to complete the transition between two systems as soon as possible to get reliable data as soon as possible.

As to administrative cases, until the 30. June 2016 the case-jurisdiction in administrative matters in the first instance stipulated by law was divided between Regional courts and the district courts. The general rule was, that the general jurisdiction in first instance lies at the Regional courts. However, there was a small number of proceedings (enumerated in law) where the District courts had the jurisdiction to act as a court of first instance. In reality, more than 90% of all administrative cases were tried by the Regional court as the courts of first instance.

Since 1. July 2016 the new Code of the administrative procedure came into force. According to this new law the Regional courts have the exclusive jurisdiction to try administrative cases as the courts of first instance.

As for the appeal procedure, there is the general rule that the appellate court is the court one level above in the structure of the court system. It means that the appeals against the decisions of the District courts are processed at the Regional courts and the appeals against the decisions of Regional court are processed at the Supreme court as the court of appeal.

In our data for administrative cases in the year 2017 there were some appeal procedures pending at Regional courts as the courts of appeal as the result of application of the previous procedural rules described in point 1. Those appeal proceedings were indicated in table to Q 97

All appeals against the decisions of Regional court (as the courts of first instance) were always tried by the Supreme court and we are presenting this data for all evaluation cycles in the table to Q 99

**Q091 (2016):** The new structure of data presented by the Ministry of Justice is the reason for the discrepancies and incompatibility of the data with the previous cycles. As regards the category "general civil non-litigious cases" we notice a decrease of incoming cases as of the year 2013.

In this cycle the succession cases were classified as "Other non litigious cases" while in previous years they were classified as "general civil (and commercial) non litigious cases."

**Q091 (2014):** The increase in the number of incoming and pending other than criminal law cases at all levels of the judiciary is due to the increase in the number of litigious cases. The Slovak judicial system for a several years faces significant increases of claims filed with the courts by debt-collecting companies and non-bank loan companies against consumers, as well as class actions of one private company against the State for alleged damages etc. The higher number of resolved administrative cases was achieved by the intensive effort to reduce the existing backlogs in administrative matters.

**Q091 (2013):** The Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

**Q091 (2012):** The number of pending enforcement and business registry cases was gradually and considerably decreasing over the period 2011-2012. As concerns the variation noticed in respect of the number of incoming and resolved administrative law cases, it was due to the fact that in 2010 a meaningful number of specific collective claims were filed and resolved.

**Q092 (General Comment):** The category "civil (and commercial) non-litigious cases" includes all cases arisen from legal relationships regulated by family law (maintenance cases, custody of the child, visiting rights, guardianship, divorce cases with the ruling on rights and obligations towards the minor child etc.), cases related to assessment of the legal capacity of natural persons, reminder procedure (electronic payment orders).

**Q093 (General Comment):** The category "other" encompasses bankruptcy and debt restructuring cases, including the debt elimination procedure (bankruptcy of the natural persons), issuing of the enforcement permission for the enforcement agents, enforcement of court rulings on the visiting rights to minor child and enforcement of court fees receivables.

**Q094 (General Comment):** The statistical data collected by the Ministry of Justice of the Slovak Republic does not allow the categorization of the criminal matters according to the types of criminal offences as defined in explanatory note.

**Q094 (2022):** Among "Other criminal cases" it is possible to include, for example, motions regarding the expungement of a conviction, motions regarding the imposition of protective measures and the execution of detention, motions related to custody and the execution of a sentence, motions for conditional release, motions related to probation and mediation, requests from domestic and foreign authorities in criminal cases, motions that are decided in preliminary proceedings, etc. Other discrepancies are reflection either of the submission activity of the prosecutors or productivity of the judicial system (judicial staff) in resolved cases.

**Q094 (2020):** Sources: Analytical center, Ministry of Justice of the Slovak republic

**Q094 (2018):** There is a big discrepancy between pending cases on 31st of December 2016 and "Pending cases on 1st of January 2018". This is caused of two factors: The first one and major is in delivered data in 2016. In the 2017 was the data collection still in paper form and in the old methodology, as we explained already. In the same time the project Audit with the experts from CEPEJ was already influencing the newly growing Analytical center and motivated as to try collect pending cases for 2016 backward. Since there were no electronic tools for collecting data available neither for courts nor for Ministry of Justice; the result were obviously full of mistakes. Analytical center had no chance to make data check, since pending cases were never collected before, so we had to rely on the courts data without possible checkup. After 2017, when was already available electronic tool (AZU) for collecting data from courts with implemented controlling formulas, then the mistakes from previous manual collection have occurred significantly especially in the first instance criminal agenda. The second factor is, that the Clearance rate dropped from 106, 52% in 2016 to the level 101, 81% in 2018.

**Q094 (2016):** For 2016 data, new methodology was implemented to make the reporting structure consistent with the CEPEJ methodology and leads to better comparison of Slovak Republic (SR) with other countries. The previous methodology was not counting a decision of first instance court as resolved until the case becomes finalised at last instance. This resulted in reporting such case as unresolved despite respective court has already made a decision. This is the nature of reporting of many "unresolved" cases on courts despite court already decided, in fact. New way of reporting extracts the numbers of decided cases in respective court instances from "unresolved" and allocates these numbers to those court instances that made an actual decision in the reference period that is in correspondence with CEPEJ methodology and better comparable with other countries.

**Q097 (2022):** The decline in litigious and non-litigious cases has been gradual since 2017. This phenomenon was not analysed in more detail. The decrease may be caused by the impact of the activity of courts of first instance as well as the behaviour of participants in court proceedings - a lower number of appeals.

There is some small amount of non-litigious registry cases, but they can not be monitored separately, they are part of the bigger group.

In August 2021, the Supreme Administrative Court of the Slovak Republic was established as a separate institution and it took over all the administrative law cases of the Supreme Court of the Slovak Republic. The Supreme Administrative Court of the Slovak Republic acts as second instance court in the administrative cases.

Source: [https://www.nssud.sk/web\\_object/stat\\_2022.pdf](https://www.nssud.sk/web_object/stat_2022.pdf)

**Q097 (2021):** Explained in the table.

**Q097 (2020):** More significant decline of incoming cases and resolved cases as well in the Second instance courts as a result of a pandemic situation. In the category 3. Administrative law cases was only one pending case on 1 January 2020, which was resolved during the year and no case came into the Second instance courts in the year 2020.

The number of non-litigious business registry cases is included in "general civil and commercial non-litigious cases".

**Q097 (2019):** The decrease in the number of cases (especially incoming and pending on 31 December) was not analysed yet but we can confirm that there were no significant changes in the system or legislation.

**Q097 (2018):** The discrepancies in the number of pending cases as of 1 January 2018 in comparison with the final numbers as of 31 December 2017 were caused due to the introduction of electronic data collection through the Data Collection Application (hereinafter referred to as AZU). When introducing the electronic data collection in 2018, the courts were allowed to record the actual state of pending cases as of 1 January 2018 with the aim of not transmitting any inaccuracies from paper data collection of previous periods. These differences should not occur in the next year, given the introduction of automatic transfer of the number of undecided cases from the end of the previous period in the electronic data collection

**Q097 (2017):** As regards the trends of the decrease in all monitored indicators, the decrease in caseload at first instance courts has a secondary impact on the drop in caseload at the courts of appeal. We did not analyse in details the cause of decrease and the detail structure of caseload. The decrease of caseload has the positive effect of raising the CR to 121% and decreasing of total number of pending (unresolved) cases.

The data in the table are not horizontally consistent. This is caused by the fact, that the data on pending cases on 1. January 2017 (the same as data on 31. December 2016 given for the previous cycle) were collected in a one-shot collection for the Justice Scoreboard 2017 and were not bound by control patterns of horizontal consistency as it is in the new electronic data collection active since January 2018. The improper initial number of unresolved cases taken from a "paper" collection of data in 2016 caused such differences. Likewise, the transition from 2015 final numbers to 2016 initial numbers were counted up manually from paper collections. We cannot therefore consider the initial numbers as of 1 January as reliable. The transition between the old system of collecting the statistical data to new one is more complicated than was expected, with the setting up of Analytical centre of the MoJ, application of CEPEJ methodology and its tools is one of the targets in the on-going project between CEPEJ and Ministry of justice of the Slovak republic.

There are still two different IT tools used to collect the statistical data from the courts to Analytical centre. Some inconsistencies in data between the old and new system persist.

The Analytical centre makes every effort to complete the transition between two systems as soon as possible to get reliable data as soon as possible.

As to administrative cases, since 1 July 2016 the appeals against the decisions of the District courts are processed at the Regional courts and the appeals against the decisions of Regional court are processed at the Supreme court as the court of appeal.

In our data for administrative cases in the year 2017 there were some appeal procedures pending at Regional courts as the courts of appeal as the result of application of the previous procedural rules described in point 1. Those appeal proceedings appear in this table. All appeals against the decisions of Regional court (as the courts of first instance) were always tried by the Supreme court and we are presenting this data for all evaluation cycles in the table to Q 99

**Q097 (2016):** The new structure of data presented by the Ministry of Justice influenced also the second instance. Registry cases are all included in 2.1 and can not be separated by categories.

**Q097 (2014):** In respect of the variations observed in 2014 with regard to the category "administrative law cases", it is worth mentioning that the low number of cases makes small absolute variation large in relative terms.

**Q097 (2013):** For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

**Q098 (2022):** In the line "Total" of the table in Q 98 are data for all court registers in the criminal appeal agenda. Among the category "Other criminal cases" are included for example cases in which the appeals court decides on jurisdictional disputes, objections of bias, on complaints for inaction and other complaints filed after the filing of the indictment, etc.

Sources: Analytical center, Ministry of Justice of the Slovak Republic.

**Q098 (2020):** Sources: Analytical center, Ministry of Justice of the Slovak republic

**Q098 (2016):** The 2016 data are based on the new methodology which may cause inconsistency comparing to previous cycles. The 2014 data are based on the methodology that covered only two main criminal court registers, while the 2016 data are based on the methodology that covers more than two criminal court registers. This makes the basic and key difference.

**Q099 (General Comment):** The collected statistical data for the Supreme Court do not distinguish the litigious and non-litigious cases. In the civil and commercial matters the Supreme court decides primarily on the applications for appellate review on legal questions. In the commercial cases it decides also in the appellate procedure against the decisions of the Regional courts as the courts of first instance.

**Q099 (2022):** The collected statistical data for the Supreme Court do not distinguish the litigious and non-litigious cases. Information delivered by the Supreme Court of the Slovak Republic available on internet <https://www.nsud.sk/data/att/f59/688231.22d3e0.pdf>. The new Supreme Administrative Court of the Slovak Republic took over the Administrative law cases from the Supreme Court .

Data for new Supreme Administrative Court of the Slovak Republic are not mentioned in the table, since the table is only for the Supreme Court of the Slovak Republic.

The data for new Supreme Administrative Court of the Slovak Republic in 2022 were:

Pending cases on 1 Jan. ref. year - 2106

Incoming cases - 2015

Resolved cases - 1889

Pending cases on 31 Dec. ref. year - 2232

Pending cases older than 2 years from the date the case came to the Supreme Court - 103

Source: [https://www.nssud.sk/web\\_object/stat\\_2022.pdf](https://www.nssud.sk/web_object/stat_2022.pdf)

**Q099 (2021):** As to the number of administrative law cases, in August 2021, the Supreme Administrative Court of the Slovak Republic was established as a separate institution and it took over all the administrative law cases of the Supreme Court of the Slovak Republic. Therefore, the above-mentioned figures of the administrative law cases cover only the period from January to July 2021.

**Q099 (2020):** Decline of incoming cases and resolved cases as well in the Supreme court as a result of a pandemic situation.

**Q099 (2019):** No cases in the category other cases

Line 1: A significant drop in the number of cases for 2019 compared to 2018 has been caused by a massive decrease of incoming cases of a certain plaintiff - Pohotovost' s. r. o., a legal person which back then overwhelmed the Supreme Court's Civil and Commercial law divisions with thousands of appeals and caused an abnormal caseload. Therefore, the indicators for 2019 should be considered as regular average numbers. Compared to e.g. 2018 and previous years which were rather exceptional.

**Q099 (2018):** The decrease in numbers of both incoming and resolved other than criminal cases may be explained by two important issues. First of all this is the complex change of the Civil and Administrative court procedure by introducing the new procedural rules which came into force since 1 July 2016. The other reason is the decrease of the caseload at the lower courts which naturally influence the number of cases at the Supreme court level.

**Q099 (2017):** The decrease in numbers of both incoming and resolved cases must be understood in connection with the data for previous years. As we explained in previous cycles (data 2014, 2015, 2016), at the level of the Supreme Court of the Slovak Republic there was the enormous increase of incoming (and resolved) cases related to consumer protection in civil and enforcement procedure. We recorded in previous years thousands of recurring submissions of several private loans' companies. These submissions started to be processed quicker and subsequently, its number dropped. The similar explanation is relevant also for the administrative cases.

As regards the variations, some inconsistencies in data between the old and new system persist, and they can be explained as the transition between the old system of collecting the statistical data to new one is more complicated than was expected, with the setting up of Analytical centre of the MoJ, application of CEPEJ methodology and its tools is one of the targets in the on-going project between CEPEJ and Ministry of justice of the Slovak republic.

There are still two different IT tools used to collect the statistical data from the courts to Analytical centre. The Analytical centre makes every effort to complete the transition between two systems as soon as possible to get reliable data as soon as possible.

As to administrative cases, in the year 2017 there were some appeal procedures pending at Regional courts as the courts of appeal as the result of application of the previous procedural rules described in point 1. All appeals against the decisions of Regional court (as the courts of first instance) were always tried by the Supreme court and we are presenting this data for all evaluation cycles in this table.

**Q099 (2016):** The enormous increase of the incoming cases is related to consumer protection in civil and enforcement procedure.

**Q099 (2013):** For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

**Q100 (General Comment):** The collected statistical data does not distinguish between the two types of criminal offences.

**Q100 (2022):** Information delivered by Supreme Court of the Slovak Republic available on internet  
<https://www.nsud.sk/data/att/f59/688231.22d3e0.pdf>

**Q100 (2018):** The decrease in incoming and resolved cases is influenced by the decrease of the caseload at the lower courts

**Q100 (2016):** During 2015 there were more pending cases created

## Slovenia

**Q091 (General Comment):** Category 1. Category 1. 'Civil (and commercial) litigious cases' at first instance includes: civil litigious cases at local and district courts, various civil cases at local and district courts, commercial litigious cases at district courts, labour law cases at labour courts,

social law cases at social court, various labour and social law at labour and social courts, insolvency cases including compulsory composition, bankruptcy of legal person, bankruptcy of physical person, bankruptcy of inheritance, compulsory dissolution, simplified compulsory composition and preventive restructuring at district courts.

The number includes the labour law and social law cases (before specialised labour and social law courts) due to their similarity to litigious cases in material and procedural aspects.

Q91 - Category 2.1. 'General civil (and commercial) non-litigious cases': see Q92.

Q91 - Category 2.2.1. 'Non litigious land registry cases' at first instance includes (at local courts): land registry cases, decisions on appeals at first instance and various land registry cases.

Q91 - Category 2.2.2 'Non-litigious business registry cases ' at first instance includes (at district courts): business registry cases and various business registry cases.

Q91 - Category 2.2.3. 'Other registry cases': No cases were included in this category.

Q91 - Category 2.3. 'Other non-litigious cases': No cases were included in this category.

Q91 -Category 3. 'Administrative law cases' at first instance include (at the Administrative court): - administrative cases and various administrative cases.

Q91 - Category 4. 'Other cases': see Q93.

The above listed cases are classified into CEPEJ categories slightly differently over the years.

Q 91, 97, 99, 101 - Inconsistencies:

Inconsistencies within the tables are possible due to the peculiarity of the Supreme Court's Data Warehouse (used in the Slovenian judiciary as the official source of data since January 1st 2012, at every court, and for providing data to the Ministry of Justice and at the Judicial Council).

It is a "live" system (dynamic reporting), meaning that the reported figures for a specific date or period of time inevitably vary for different reasons (e.g. the data was not promptly entered into the CMS; in some instances, the decision, in which category some specific new cases should be included, may be subsequently changed and when data are unified some figures change; there is also the possibility that a mistake was done when entering the data and was later detected in the quality check and corrected.)

In Data warehouse reports, every category (column in the table) is calculated (counted) separately, therefore the „Pending on 31 Dec“ may not equal to the formula (Pending 1 Jan + Incoming – Resolved) due to fore mentioned influences."

**Q091 (2022):** 2.2. Registry cases and 2.2.2. Land Registry cases - Pending cases on 31 Dec – increase by 123%/143%: In 2020, the number of incoming cases decreased due to Covid-19 pandemics and its effect on the sales of real estate. Consequently, the number of pending cases at the end of 2020 decreased. In 2022, it returned to usual level. 2.2.2. Business Registry cases – Pending cases older than 2 years – increase by 300%: Please note the small number of cases (4 cases in 2022), compared to incoming/resolved cases (approx 43.000 per year).

3. Administrative cases – Pending cases older than 2 years – increase by 149%:

In previous years, the Administrative court was faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (e.g. 24,5 % of incoming cases in 2017), as well as some new competences. This caused an increase in the number of pending and resolved cases. In the aforementioned cases, the court was also faced with new legal and factual issues, as well as administrative difficulties. In recent years, the Administrative court is also dealing with a considerable number of priority or urgent cases (e.g. asylum seekers), which means a longer waiting line for “regular” cases. Though administrative and managerial actions have been taken, the number of (older) pending cases has increased due to the aforementioned difficulties and the overburdening of the court.

4. Other cases – Pending cases on 31 Dec – decrease by 46%:

Due to the limitation of operation of courts due to Covid-19 pandemics in 2020, the number of pending cases was unusually high. In 2022 it returned to usual level. 4. Other cases – Pending cases older than 2 years - increase by 86%:

The majority of cases in this category are enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction). This is automated and fast procedure (average duration is between 1 and 2 months), however some of those cases could not be completed due to legal reasons (e.g. waiting for inheritance cases regarding parties to finish). Please note the small number of cases (approx. 100 cases), compared to incoming/resolved cases (approx 120.000 per year).

**Q091 (2021):** 2.2 Registry cases and 2.2.1 Non litigious land registry cases - Pending cases on 1 Jan.: decrease by approx. 50%

In 2020, the number of incoming cases decreased due to Covid-19 pandemics and its effect on the sales of real estate.

Consequently, the number of pending cases at the beginning of 2021 decreased. 2.2 Registry cases and 2.2.1 Non litigious land registry cases - Incoming cases/Resolved cases: increase by approx. 25%

In 2021, the number of incoming (and consequently resolved) cases increased, most likely due to the loosening of Covid-19 restrictions and its effect on the real estate market.

2.2 Registry cases and 2.2.1 Non litigious land registry cases - Pending cases on 31 Dec.:

In 2021, the number of incoming and resolved cases increased (see above). However, the increase in resolved cases was slightly lower, hence the increase in pending cases at the end of the year (Disposition time in register cases is low – approx. 0,2 months; ratio of Resolved vs. Pending cases is approx. 65:1).

2.2.2. Non litigious business registry cases – Pending cases older than 2 years from the date the case came to the first instance court: decrease by 200%:

Please note the small (absolute) number of cases (less than 5 cases).

4. Other cases - Pending cases on 31 Dec.: decrease 38%

The majority of cases in this category are enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court in Ljubljana – exclusive jurisdiction), where the trend of decrease of pending cases is observable in 2021 and 2022. More factors could have contributed to the decrease, but no specific major reason can be identified.

4. Other cases - Pending cases older than 2 years: increase by 58%

The majority of cases in this category are enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction). Some of those cases are waiting for inheritance cases regarding parties to finish. Please note the small number of cases (less than 100 cases), compared to incoming cases (more than 100.000 per year).

**Q091 (2020):** The decrease in the number of resolved cases at 1. Civil (and commercial) litigious cases and 4. Other cases is due to the limitation of operation of courts due to Covid-19 pandemics.

The decrease in the number of pending cases at the end of the year at 2.2.1 Non litigious land registry cases (and consequently at 2.2 Registry cases) is not unusual due to the high number of incoming and resolved cases in a year compared to pending cases at the end of the year (around 1-2%).

Regarding the increase in Administrative law cases - Pending cases older than 2 years: In previous years, the Administrative court was faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (e.g. 24,5 % of incoming cases in 2017), as well as some new competences. This caused an increase in the number of pending and resolved cases. In the aforementioned cases, the court was also faced with new legal and factual issues, as well as administrative difficulties. In recent years, the Administrative court is also dealing with a considerable number of priority or urgent cases (e.g. asylum seekers), which means a longer waiting line for "regular" cases. Though administrative and managerial actions have been taken, the number of (older) pending cases has increased due to the aforementioned difficulties and the overburdening of the court.

**Q091 (2019):** In general, the trend of decrease in the number of incoming cases can be observed in all types of civil cases, causing also a decrease in the number of resolved and pending cases. In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and partly to a successful introduction of new business models in the

Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Accordingly, in the last years, the clearance rate is at or slightly above 100%.

In 2019, a new Family Code and new Non-Contentious Civil Procedure Act stepped into force. The main change for district courts was establishing family law cases as non-litigious cases (before 2019 classified as litigious cases). Additionally, local courts became competent to decide in tutelage cases (before 2019 in competence of the executive branch).

This reflected in a decreased number of reported 1. Civil litigious cases, while the number of 2.1 General civil non-litigious cases did not change (an increase in new cases is similar to the decrease in the number of incoming cases that is generally observed).

Administrative cases: In previous years, the Administrative court was faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (e.g. 24,5 % of incoming cases in 2017), as well as some new competences. This caused an increase in the pending and resolved cases. In the aforementioned cases, the court is faced with new legal and factual issues, as well as administrative difficulties. Though administrative and managerial actions have been taken, an increase in the number of pending cases is expected due to the aforementioned difficulties and the overburdening of the court.

**Q091 (2018):** In general, the trend of decreasing number of incoming cases can be observed in all types of civil cases, causing also a decrease in number of resolved and pending cases. In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and partly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Accordingly, in last years, clearance rate is at or slightly above 100%.

Administrative cases: The Administrative court is faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (24,5 % of incoming cases in 2017). This caused an increase in the pending and resolved cases. In these cases, the court is faced with new legal and factual issues, as well as administrative difficulties - the actions are often incomplete or the information is insufficient, filled in foreign languages, the foreign parties have yet to nominate a proxy etc. The court has established a special office to perform a preliminary examination of the actions and assist in the exchange of documents between parties, however longer times for resolving cases are expected due to the aforementioned difficulties and the overburdening of the court.

**Q091 (2017):** In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases. For discrepancies, see general comments.

The Administrative court is faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (24,5 % of incoming cases in 2017). In these cases, the court is faced with new legal and factual issues, as well as administrative difficulties - the actions are often incomplete or the information is insufficient, filled in foreign languages, the foreign parties have yet to nominate a proxy etc. The court has established a special office to perform a preliminary examination of the actions and assist in the exchange of documents between parties, however longer times for resolving cases are expected due to the aforementioned difficulties and the overburdening of the court. At the end of 2017, the first case was ready to be processed on the merits of the case.

**Q091 (2016):** In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases. For discrepancies, see general comments.

**Q091 (2015):** In recent years, the number of incoming non-litigious cases is generally decreasing partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary. Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases have a considerable effect on the number of pending cases.

**Q091 (2014):** In previous cycles, insolvency cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'. For 2014, they are encompassed within the item "other". The 2014 data includes labour law and social law cases decided before specialised labour and social law courts, due to their similarity to litigious cases in material (employment contract derives from civil law contract) and procedural (the court procedure in labour and social cases is based on general civil law procedure) aspects.

**Q091 (2013):** "Civil and commercial litigious cases" include labour law and social law cases that are proceeded by specialised labour and social law courts. Cases that do not fit exactly to the determined types of civil, commercial, non-litigious, land and business registry, enforcement and administrative law cases, were previously included in other cases. For 2014, 'Other cases' include only cases outside of the above mentioned legal fields, while the various cases are distributed among the other items. With regard to the category 'non-litigious business registry cases', the increase of the number of pending cases on 31 December 2013 can be explained with the fact that there were 8.000 more incoming cases in 2013 than in 2012, but courts were not able to handle the case-load.

**Q091 (2012):** "Civil and commercial litigious cases" encompass bankruptcy proceedings, which were in the previous round counted as 'other cases'. The number of incoming non-litigious business registry cases rose, probably due to the postponed effect of the financial and economic crisis. Nevertheless, courts managed to solve almost all incoming cases. The total subsumes for the first time cases processed by the Central Department for Authentic Document (part of the Local Court of Ljubljana) which has jurisdiction over all enforcement cases. The area of land registry cases is in constant improvement since a successful computerisation project in 2003. The decrease in the number of pending cases stems from a better organisation of work and of the totally electronic procedure.

**Q092 (General Comment):** Categories used in "Civil and commercial non-litigious cases": all non-litigious civil cases at local and district courts, non-litigious commercial cases at district courts (different kinds of personal and family status, property and other disputes, provided by the Non Contentious Procedure Act or other law, procedures for issuing a payment order at local and district courts in civil matters, procedures for issuing a payment order in commercial matters at district courts, cases pursuant to the Inheritance Act at local courts, cases pursuant to the Mental Health Act at local courts; and civil enforcement cases on the basis of an enforcement title, commercial enforcement cases on the basis of an enforcement title, cases for enforcement on real-estate property, enforcement cases on the basis of authentic document in civil matters after the writ for the execution became final, temporary injunctions in civil matters, temporary injunctions in commercial matters, various enforcement cases.

The above listed cases are classified into CEPEJ categories slightly differently over the years.

**Q092 (2014):** 2014 Category 2.1 „General civil (and commercial) non-litigious cases“at the first instance includes 1. (former category 2. „General civil (and commercial) non-litigious cases“): N, Ng, Pl, Plg, D, Pr; and 2. (former category 3. ' Non litigious enforcement cases'): I, Ig, In, VL, Z, Zg and R-i.

**Q092 (2013):** 2013 Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D, Pr.

**Q092 (2012):** 2012 "Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D and P."

**Q093 (General Comment):** Category 4. „Other cases“ at first instance includes: free legal aid at district courts, labour courts and at the Administrative court, enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction), international attestations at district courts, attestations according to the Hague convention at district courts, legal aid between national courts at local and district courts, international legal aid at district courts.

**Q093 (2014):** 2014 4. „Other cases“ at first instance includes: Bpp ,COVL, Ov-i, Ov-H and St [(St-01), (St-02), (St-03), (St-04) (St-05)].

In previous cycles, all the mentioned St cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'."

**Q093 (2013):** 2013 "Other" civil law cases at first instance include: Bpp, COVL, Ov-i, Ov-H."

**Q093 (2012):** 2012 "Other" civil law cases at first instance include: Pom , Pom-i, R, Rg, Ov-i, Ov-H, Bpp, COVL, II Upr, I Upr.

**Q094 (General Comment):** Other cases: criminal investigations at district courts, criminal cases against juveniles in preparatory proceedings, execution of the sanction of prison, execution of criminal sanctions of foreign courts, criminal investigation actions at local and district courts, cases of the out-of-hearing senate, clemency procedures at local and district courts, legal aid between national courts in criminal matters, international legal aid in criminal matters, cases of decisions to permit interventions within human rights and freedoms, legal aid between courts in minor offences, international legal aid in minor offences, search of premises, setting a task for the good of the community or the local community, compliance detention. various criminal matters at local and district courts and in minor offences at local courts.

Regarding criminal investigations at district courts: Slovenia has a system where the state public prosecutor can request a (first instance) court to perform a criminal investigation (or individual investigatory acts). When this procedure at court is finished, the case is returned to the state prosecutor, who can decide whether to dismiss a case or file an accusatory act at the (same) court. When the accusatory act is filed, a criminal trial (i.e. deliberating on the responsibility and sanctioning of the offender) begins.

Regarding setting a task for the good of the community or the local community: A request for prison sentence or fine to be replaced by a task for the good of the community can be filed after the finality of the main court decision and is decided upon in a separate proceedings.

Regarding compliance detention: In minor offences cases, if the fine is not paid in due time, a compliance detention (to comply with paying the fine) is ordered. The proposal is decided upon by a local court according to the domicile of the offender.

Compliance detention last up until the fine is paid, but can not exceed 30 days. The obligation to pay fine does not cease with detention.

Regarding various cases: this category is composed of different (accessory) proceedings, not fitting in any of the categories above.

**Q094 (2022):** In 2022, approx. 25-30% of pending cases and 6-7% of incoming/resolved cases were criminal investigation cases (see general comment).

1. Severe criminal cases - Pending cases older than 2 years – increase by 39%;

3. Other cases - Pending cases older than 2 years – increase by 25%:

Factors contributing to this increase are: increased complexity of cases (cases with multiple offenders, cases with offenders in detention, need for experts, international element), trouble finding and serving court documents to foreign offenders and victims, non-responsiveness of parties, delays due to international legal aid, limitation of operation of courts due to Covid-19 pandemics in 2020 and 2021 and lack of candidates for new judges at district courts.

**Q094 (2021):** 1. Severe criminal cases - Pending cases on 1 Jan.: increase by 22%

In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions, hence the increase in pending cases at the beginning of 2021.

1. Severe criminal cases - Resolved: increase by 17%

In 2020 first instance courts resolved less cases than usual due to Covid-19 restrictions, hence the increase in resolved cases in 2021.

2. Misdemeanour and / or minor criminal cases - Pending cases older than 2 years from the date the case came to the first instance court: decrease by 34%.

The decrease is due to the more efficient work of courts in resolving older cases.

3. Other criminal cases - Pending cases on 1 Jan. ref. year: increase by 16%

In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions, hence the increase in pending cases at the beginning of 2021.

In 2021, approx. 30% of pending cases and 7% of incoming/resolved cases were criminal investigation cases (see general comment).

**Q094 (2020):** Until now, at "1. Severe criminal cases" we have reported both criminal investigation and criminal trial cases (see general comment) for the same criminal offence. For 2020, we have excluded data on investigations to report data on criminal trials only, and criminal investigation is reported at 3. Other criminal cases. The main reason is the comparability of data between countries as criminal investigation is not within the jurisdiction of courts in most countries. Investigation cases, that were previously reported at 1. Severe criminal cases and are now reported under 3. Other cases represent 5-10% of all reported cases.

The number of incoming Severe criminal cases decreased by 1% in 2019 and the number of resolved cases decreased by 2% in 2019. However, in 2020 the number of incoming cases decreased by 1%, and the number of resolved cases decreased by 23%, mostly due to limitations of operations of courts due to the Covid-19 pandemics. Consequently, the number of pending cases has also increased by 22%.

The number of pending Severe criminal cases, older than 2 years increased in 2019 (by 15%) and stayed roughly the same in 2020, while the number of Misdemeanour cases stayed roughly the same in 2019 and increased significantly (by 128%) in 2020. No specific explanation can be given for any of the mentioned changes. This two factors resulted in increase in total number of pending cases older than 2 years.

**Q094 (2018):** Severe criminal law cases include all offences, listed in the Criminal Code. Such offences are punishable by either imprisonment, fine (monetary penalty) or in some cases with restricting the driving of motorized vehicles. Minor offences are set in other laws (not the Criminal Code) and the procedure is regulated by the Minor Offences Act. Minor offences cannot be punished by deprivation of liberty, but rather by a fine and/or other sanctions, provided by laws.

Discrepancies: This year, some of the cases, previously reported at Severe or Misdemeanor cases, are reported under new category - Other cases (for details, please see general comment). The methodology for the total number of cases reported did not change, and the changes for total are below 20%.

**Q094 (2016):** The observed decreases can be attributed to the decrease in the number of cases, processed by the police and the state prosecution (see Q107).

**Q094 (2014):** According to 2014 data, the category "severe criminal law cases" includes all offences, listed in the Criminal Code. Such offences are punishable by either imprisonment, fine (monetary penalty) or in some cases with restricting the driving of motorized vehicles. At first instance, this category encompasses: criminal cases at local and district courts (K); criminal investigations at district courts (Kpr); criminal cases against juveniles at district courts (Km); criminal investigation actions at local and district courts (Kpd); various criminal matters at local and district courts (Kr); clemency procedures at local and district courts (Po); criminal cases against juveniles in preparatory proceedings (Kmp); cases of the out-of-hearing senate (Ks); execution of the sanction of prison (IKZ); execution of criminal sanctions of foreign courts (IKZt); cases of decisions to permit interventions within human rights and freedoms (Pp). The attention should be drawn on the fact that the 2014 data is not comparable to pre-2014 results, because until 2014, only first 3 categories above were reported. In 2015, the reporting method was further improved, and other types of cases were also included in the reporting.

The minor offences are set in other laws (not the Criminal Code) and the procedure is regulated by the Minor Offences Act. The minor offences cannot be punished by deprivation of liberty, but rather by a fine and/or other sanctions, provided by laws. At first instance, this category subsumes: minor offences in regular court procedure – request for judicial protection (PR-zsv); minor offences in regular court procedure – accusation proposals (PR-obp); cancellation of validity of the driver's licence according to the legal limit of punitive points (EPVD); compliance detention (PRuz). This category does not include: legal aid in minor offences (PomPR); international legal aid in minor offences (PomPRi); search of premises (PRhp); setting a task for the good of the community or the local community (PRnk) and various cases in minor offences (PRr).

**Q094 (2012):** The decrease in the number of “misdemeanour and/or minor criminal cases” in 2012 is the result of the reform in law on minor offenses which transferred the jurisdiction of some cases previously tried by courts to other authorities. According to 2012 data, the category “severe criminal law cases” at first instance included: criminal cases at local and district courts (K); criminal investigations at district courts (Kpr); and criminal cases against juveniles at district courts (Km). The category did not encompass: criminal investigation actions at local and district courts (Kpd); various criminal matters at local and district courts (Kr); clemency procedures at local and district courts (Po); criminal cases against juveniles in preparatory proceedings (Kmp); cases of the out-of-hearing senate (Ks); execution of the sanction of prison (IKZ); execution of criminal sanctions of foreign courts (IKZt); cases of decisions to permit interventions within human rights and freedoms (Pp).

The category “misdemeanour cases and minor offences cases” at first instance included: minor offences in regular court procedure – request for judicial protection (PR-zsv); minor offences in regular court procedure – accusation proposals (PR-obp); minor offences at the transition from 2004 to 2005 (PRs); minor offences, introduced in the judicial jurisdiction after the 31.12.2004 (PRv); cancellation of validity of the driver’s licence according to the legal limit of punitive points (EPVD); compliance detention (PRuz). This category did not subsume: legal aid in minor offences (PomPR); international legal aid in minor offences (PomPRi); search of premises (PRhp); setting a task for the good of the community or the local community (PRnk); and various cases in minor offences (PRr).

**Q097 (2022):** Pending cases on 1 Jan. (all categories) - decrease by approx. 35-50%: In 2021, the number of pending cases decreased by approx. 50% due to effects of Covid-19 pandemics in 2020. In 2022, the number increased again (by approx 20%). For (land) registry cases (2.2. and 2.2.1) please note small (absolute) number of cases. Incoming cases (2.2 and 2.2.2) – decrease by 21% and 36%: please note small (absolute) number of cases. Resolved cases (2.2. and 2.2.2) - decrease by 21% and 35%: please note small (absolute) number of cases and low disposition time (number of resolved cases is highly dependant on number of new cases). Pending cases on 31 Dec. (all categories) – increase by 50% - 90%: in reporting period a slight decrease in number of incoming cases and more significant decrease in number of resolved cases is observable (especially in 2021). Clearance rate was slightly below 100%. Please note the ratio between pending and incoming/resolved cases is approx 1:5 (a slight decrease in % of resolved cases will reflect in higher % increase in pending cases). The decrease in the number of resolved cases in 2021 is due to two factors: 1. impact of Covid-19 pandemics, namely the higher number of judges and court staff on sick leave or quarantined (compared to 2020), and 2. more general human resources issues (retirement of judges, prolonged sick leaves etc.). In 2022, the number of second instance judges decreased by 7% (mostly due to retirement) which resulted in decreased number of resolved cases.

**Q097 (2021):** All categories - Pending cases on 1 Jan.: decrease by approx. 50%  
In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions (and the number of resolved cases at first instance courts decreased). As second instance courts deal with the majority of cases without hearing of parties, their functioning was not affected that much. The number of appeals coming from first instance decreased, which resulted in the decrease of pending cases at second instance courts at the beginning of 2021.  
Resolved cases: The decrease in the number of resolved cases is due to two factors: 1. impact of Covid-19 pandemics, namely the higher number of judges and court staff on sick leave or quarantined (compared to 2020), and 2. more general human resources issues (retirement of judges, prolonged sick leaves etc.).  
Categories 1, 2 and 2.1 - Pending cases on 21 Dec.: increase by approx. 10-30%  
Higher courts resolved approx. 10% less cases in 2021, which resulted in a greater increase of pending cases on 31. Dec (Disposition time in higher courts is low – 1-2 months; ratio of Resolved vs. Pending cases is approx. 10:1)  
Categories 2.2/2.2.1 - Pending cases on 21 Dec.: increase by approx. 60/90%  
Please note the increase in resolved land registry cases in 2021 (Q91) which may result in an increase of appeals, and small (absolute) number of cases at second instance (20-30 pending cases).  
Category 2.2.2 - Pending cases on 21 Dec.: decrease by approx. 25%  
Please note the small (absolute) number of cases at second instance (less than 5 pending cases).

**Q097 (2020):** The decrease in pending cases at the beginning and the end of the year is due to the fact that higher courts are successfully reducing the number of pending cases. The decrease in incoming and resolved cases is partially due to the national trend observed in general, and partially due to the limitation of operation of courts due to Covid-19 pandemics. The discrepancies in categories 2.2.1. Non litigious land registry cases and 2.2.2 Non-litigious business registry cases (and subsequently in 2.2. Registry cases), as well as at Pending cases older than 2 years from the date the case came to the second instance court are due to a small absolute number of cases.

**Q097 (2019):** No particular explanation can be given for the general decrease of incoming cases (national trend) which resulted in the decrease in the number of incoming and pending cases.

The increase in incoming Non-litigious business registry cases in 2018 resulted in an increased number of pending cases in the beginning of 2019. Please note small (absolute) number of cases.

**Q097 (2018):** No particular explanation can be given for the general decrease of incoming cases (national trend), as well as for the increase in number of incoming registry cases.

**Q097 (2017):** In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

**Q097 (2016):** In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

**Q097 (2015):** In recent years, the number of incoming non-litigious cases is generally decreasing partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary. Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases have a considerable effect on the number of pending cases.

**Q097 (2013):** 2013 The area of land registry cases has been in constant improvement since a successful computerisation project in 2003 – the average disposition times have fallen from 18 months to 2 weeks. The lowering of the number of pending cases is the consequence of a better organisation of work and of the totally electronic procedure.

**Q097 (2012):** 2012 The figures of pending cases on 1 January 2012 for civil litigious cases (as well as for incoming, resolved and pending cases on 31 December 2012) are higher than in the previous exercise, because we included in this category the cases of bankruptcy proceedings (including: compulsory composition, bankruptcy of legal person, bankruptcy of physical person, bankruptcy of inheritance and compulsory dissolution), which were counted as 'other cases' in the previous evaluation cycle. The example in the questionnaire for this 7th category was 'insolvency registry cases', so we mistakenly included here all the cases pursuant to the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act handled by district courts. These are not insolvency registry proceedings, but are to be understood as litigious proceedings according to the CEPEJ Explanatory note.

With regard to the category "administrative law cases, in the previous round we included appeals in administrative disputes, which are lodged with and dealt with by the highest instance court, namely the Supreme Court of the Republic of Slovenia in this category (Q 97.6). To ensure internally consistent answers we decided to provide the data in this chapter regarding the instance of the court that decides on the case not the instance of the procedure in which the cases is decided. This means that all the cases that are addressed by the Supreme Court of the Republic of Slovenia are taken into account at question 97.

**Q098 (2022):** Discrepancies (to 2020 data) – 2. Misdemeanour and / or minor criminal cases (also reflected in Total):

An increase is due to two factors: 1) Until 2020, the appeal in minor offences in regular court procedures – request for judicial protection was limited (depending on the criteria – sanction) by the Minor Offences Act. At the end of 2020 the Constitutional court established that the aforementioned limitation for appeal was unconstitutional, which lead to the increase in the number of appeals in 2021 and 2022; 2) the higher court, competent for the coastal region received multiple cases of fishermen regarding border-crossing issues (in relation to the Arbitration under the arbitration agreement between the government of the Republic of Croatia and the Government of the Republic of Slovenia; PCA CASE NO. 2012-04). Pending cases older than 2 years: please note small (absolute) number of cases.

**Q098 (2021):** All categories - Pending cases on 1 Jan.: decrease by approx. 10-70%

In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions (and the number of resolved cases at first instance courts decreased). As second instance courts deal with the majority of cases without hearing of parties, their functioning was not as affected that much. The number of appeals coming from first instance decreased, which resulted in the decrease of pending cases at second instance courts at the beginning of 2021.

2. Misdemeanour and / or minor criminal cases – Incoming/Resolved cases: increase by approx. 150/90%, Pending cases on 21 Dec.: increase by approx. 1400% (this also reflected in Total)

The increase in incoming cases at second instance in 2021 is mostly due to two factors: 1) according to the Minor Offences Act, the appeal in minor offences in regular court procedures – request for judicial protection was limited (depending on the criteria - sanction). At the end of 2020 the Constitutional court established that the aforementioned limitation for appeal was unconstitutional, which led to the increase in the number of appeals in 2021; 2) In 2021, the higher court, competent for the coastal region received multiple cases of fishermen regarding border-crossing issues (in relation to the Arbitration under the arbitration agreement between the government of the Republic of Croatia and the Government of the Republic of Slovenia; PCA CASE NO. 2012-04). Despite the efforts (see the number of resolved cases), the number of pending cases at the end of the year increased (Disposition time in higher courts is low – less than 1 month; ratio of Resolved vs. Pending cases is approx. 33:1).

**Q098 (2020):** The decrease in pending cases at the beginning and the end of the year is due to the fact that higher courts are successfully reducing the number of pending cases. The decrease in incoming and resolved cases is due to the limitation of operation of courts due to Covid-19 pandemics

The discrepancies at Pending cases older than 2 years from the date the case came to the second instance court are due to a small absolute number of cases.

**Q098 (2018):** Discrepancies: This year, some of the cases, previously reported at Severe or Misdemeanor cases, are reported under new category - Other cases (for details, please see general comment). The methodology for the total number of cases reported did not change, and the changes for total are below 20%.

**Q098 (2016):** The observed decreases can be attributed to the decrease in the number of cases, processed by the police and the state prosecution (see Q107).

**Q098 (2014):** According to 2014 data, the figures for “severe criminal law cases” at second instance includes: criminal cases (Kp) and various criminal cases (Kr). In this respect, it should be highlighted that the 2014 data is not comparable to pre-2014 results, because until 2014, only first category was reported. In 2015, the reporting method was further improved, and other types of cases were also included in the reporting.

The figures for “minor offences cases” at second instance included: minor offences in regular court procedure – request for judicial protection (PRp-zsv); minor offences in regular court procedure – accusation proposals (PRp-obp); cancellation of validity of the drivers license according to the legal limit of punitive points (EPVDp); compliance detention (PRuzp); setting a task for the good of the community or the local community (PRnkp); various cases in minor offences (PRr).

**Q098 (2012):** According to 2012 data, the figures for “severe criminal law cases” at second instance included criminal cases (Kp) and excluded various criminal cases (Kr).

The figures for “minor offences cases” at second instance included: minor offences in regular court procedure – request for judicial protection (PRp-zsv); minor offences in regular court procedure – accusation proposals (PRp-obp); minor offences at the transition from 2004 to 2005 (PRps); minor offences, introduced in the judicial jurisdiction after the 31.12.2004 (PRpv); cancellation of validity of the driver’s licence according to the legal limit of punitive points (EPVDp); and compliance detention (PRuzp). The category did not include: setting a task for the good of the community or the local community (PRnkp) and various cases in minor offences (PRr).

The decrease of the number of “misdemeanour and/or minor criminal cases” before courts in 2012 is the result of the reform in law on minor offenses which transferred some of the jurisdiction in cases previously tried by courts to other authorities.

**Q099 (General Comment):** The Supreme court has Criminal, Civil, Commercial, Labour and Social and Administrative department, The categories 1., 2.1 and 2.2.1 include corresponding cases from Civil, Commercial and Labour and Social departments registers. Category 3. includes registers of the Administrative department. The distribution of cases for Q99 is the same as for Q91.

Inconsistencies noticed are due the Data Warehouse system explained in Q91.

**Q099 (2022):** Total of other than criminal law cases/1. Civil (and commercial) litigious cases - Pending cases on 1 Jan. - decrease: A trend of decrease of pending cases is observable.

Total of other than criminal law cases/1. Civil (and commercial) litigious cases/3. Administrative cases - Pending cases older than 2 years - decrease: Please note the small (absolute) number of cases at the Supreme Court instance.

2. Non litigious cases (all discrepancies): Please note the small (absolute) number of cases at the Supreme Court instance.  
2.2 Registry cases (all discrepancies): Please note the small (absolute) number of cases at the Supreme Court instance.

**Q099 (2021):** 1. Civil (and commercial) litigious cases - Pending cases on 1 Jan.: decrease by approx. 40%  
In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions (and the number of resolved cases at first instance courts decreased). As the Supreme Court deals with the majority of cases without hearing of parties, its functioning was not affected as much and it managed to resolve more cases than it had received.  
2. Non litigious cases (2.1+2.2+2.3); 2.1 General civil (and commercial) non-litigious cases; 2.2 Registry cases; 2.2.1 Non litigious land registry cases  
Please note the small (absolute) number of cases at the Supreme Court instance.

**Q099 (2020):** Please note, the procedure of manifested inadmissibility cases are included in figures above.  
The decrease in the number of (all) pending cases is due to the efficient work of the court in 2019 and 2020. Discrepancies in sub categories (form 1. through 3) are due to a small absolute number of cases).

**Q099 (2019):** The differences are due to a small (absolute) number of cases in some legal areas. The decrease in pending cases at the end of 2019 is due to more efficient work of the Supreme court (changes in criteria for manifested inadmissibility in 2017).

**Q099 (2018):** Administrative cases - in 2017, the procedure of manifested inadmissibility was introduced in administrative cases, reducing the number of incoming (as well as resolved and pending) cases. As for other categories and Total, the difference is due to more efficient work of the Supreme court and due to aforementioned reason.  
Please note, the procedure of manifested inadmissibility cases are included in figures above.

**Q099 (2017):** Administrative cases: the higher number of pending administrative law cases older than two years is partially a result of higher workload of the court. Partially this is the consequence of the fact that some older cases are waiting on the decision of the Constitutional court regarding laws in question (mainly taxes and public access to information issues).

**Q099 (2015):** Differences in pending, incoming and resolved cases Non litigious and administrative cases are mainly due to the small absolute number of cases and the nature of the cases (most complicated cases).

**Q099 (2014):** 2014: Variations: The numbers in that almost all categories for 2014 deviates more than +/- 20% from the 2012 data. This is due to a small (absolute) number of cases but also because the number of judges is smaller when compared to first and second instance and a single absence due to prolonged illness has a significant impact on the solving of some types of cases. We also believe that changes in economy (financial crisis), as well as in legislation, had impact on the overall statistics, but since cases at the Supreme Court level are "filtered" through courts of first and second instance, a direct connection cannot be established.

**Q099 (2012):** 2012: The decrease of the number of pending cases at the Supreme Court of the Republic of Slovenia can be attributed to different factors. On one hand procedural legislation has changed. Following the changes to the Administrative Dispute Act (2007) and the Civil Procedure Act (2008) the Supreme Court has now the right to decide in these types of cases whether to review a case or not. With the reform the admissibility criteria have changed and revision is now a remedy that depends mainly on the discretion of the Supreme Court. Now revision is admissible only, if the case raises a question of law of fundamental significance or if the development of law or the preservation of uniformity of case law requires a decision by the Supreme Court. The number of all incoming cases for the whole Supreme Court has dropped considerably from more than 5 000 in 2008 to less than 4000 in 2012). On the other hand this is the consequence of changes in human resources management. Firstly, the number of judicial advisers has risen and secondly, several judicial advisers were transferred from less burdened departments to those with more pending cases and consequently the productivity has risen and the number of pending cases decreased.

**Q100 (General Comment):** For explanation on severe criminal cases and minor offences please see comment to Q94.

Figures for severe criminal law cases at the highest instance include:

- Kp – appeals in criminal cases,
- Ips – requests for protection of legality in criminal cases, against a decision ordering or prolonging a detention, extraordinary mitigation of punishment,
- I Kr – other criminal cases – delegations, jurisdiction disputes, prolongation of detention, other.

Figures for minor offences cases at the highest instance include:

- IV Ips – requests for protection of legality in minor offences cases.

**Q100 (2022):** Total of criminal law cases/ 1. Severe criminal cases - Pending cases on 1 Jan/ Pending cases on 31 Dec – decrease by approx. 30-40%: In last 5 years, number of incoming and resolved cases was relatively stable. Clearance rate has been above 100% since 2020. In 2021, the number of resolved cases increased (by 15%; clearance rate 111%), hence the decrease in pending cases.

2. Misdemeanour and / or minor criminal cases (all discrepancies): Please note the small (absolute) number of cases.

**Q100 (2021):** Discrepancies: Please note the small (absolute) number of cases at the Supreme Court instance.

**Q100 (2020):** The discrepancies are due to a small absolute number of cases.

**Q100 (2018):** Discrepancies are due to small (absolute) of cases which fluctuate between years.

For distinction see general comment.

**Q100 (2016):** The observed decreases can be attributed to the decrease in the number of cases, processed by the police and the state prosecution (see Q107).

**Q100 (2014):** According to 2012 and 2014 data, figures for “severe criminal law cases” at the highest instance include: appeals in criminal cases (Kp); requests for protection of legality in criminal cases (I Ips); requests for protection of legality against a decision ordering or prolonging a detention (XI Ips); extraordinary mitigation of punishment (IX Ips); other criminal cases – delegations, jurisdiction disputes (I Kr); other criminal cases – prolongation of detention (II Kr); other criminal cases (III Kr). Figures for “minor offences cases” at the highest instance include requests for protection of legality in minor offences cases (IV Ips).

**Q100 (2012):** The decrease of the number of “misdemeanour and/or minor criminal cases” before courts in 2012 is the result of the reform in law on minor offenses which transferred some of the jurisdiction in cases previously tried by courts to other authorities.

According to 2012 and 2014 data, figures for “severe criminal law cases” at the highest instance include: appeals in criminal cases (Kp); requests for protection of legality in criminal cases (I Ips); requests for protection of legality against a decision ordering or prolonging a detention (XI Ips); extraordinary mitigation of punishment (IX Ips); other criminal cases – delegations, jurisdiction disputes (I Kr); other criminal cases – prolongation of detention (II Kr); other criminal cases (III Kr). Figures for “minor offences cases” at the highest instance include requests for protection of legality in minor offences cases (IV Ips).

## Spain

**Q091 (General Comment):** When an error is detected in the statistics of a Court, the latter is allowed doing regularization, what means that the Court communicates the correct figure and rectifies the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the specific control of cases that the Court makes when a judge leaves the Court (called “alarde”), but in general, in any case in which the Judicial Counsellor detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

These regularizations and the cumulated cases and the re-opened cases are the causes for the horizontal inconsistencies.

**Q091 (2022):** There are increases of incoming and resolved cases compared to the number of cases in 2020. It should be taken into account that information from 2020 represents the year of the pandemic. The recovery of normal work increased the number of cases, incoming and resolved.

**Q091 (2021):** The recovery of activity, after the most severe restrictions of the pandemic, may have contributed to the improvement in efficiency and increased number of resolved cases.

**Q091 (2020):** Regarding registry cases, Spain Land Registry and Commercial Registry do not depend on Courts. But, if one disagrees with a decision of the Register (Land or Commercial) or of the Directorate General for Registers and Notaries, he/she can appeal the decision against Courts.

**Q091 (2018):** The Court of Justice of the European Union (CJEU) of December 21, 2016 and other previous Judgments have meant a massive interposition of lawsuits based on that doctrine, for the civil challenge of general conditions included in financing contracts with real estate guarantees in which the borrower is a natural person. Measures, referred to in previous CEPEJ questionnaires, of specialization of certain judicial bodies have been adopted.

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**Q091 (2016):** Concerning the Administrative Law cases, between 2014 and 2016, the decrease of 'Pending cases' is probably because the number of resolved cases, both in 2015 and 2016 has been higher than the number of incoming cases (reinforcement measures have been applied).

**Q091 (2015):** The horizontal consistency can not be respected because of reopened, cumulated and regularised cases. Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

**Q091 (2014):** The number of “civil and commercial litigious cases” decreased for 2 reasons. Since the payment order procedures do not need a decision made by a judge but are of the competence of the judicial counsellor, they have been subsumed in the category of non-litigious civil and commercial cases. Since paying court fees for natural persons has been compulsory until March this year, there has been a decrease in the incoming cases. In respect of the category “administrative law cases”, it should be recalled that in 2012, there was a decrease in the number of files related to the Public Administration owing to two parameters: plaintiffs have been sentenced to pay the court fees; since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

**Q091 (2012):** Inspection services are entitled to correct the number each time they find it inaccurate. The data encompasses restarted procedures. Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims. The number of “incoming administrative law cases” increased in 2010, due to the reduction of the salaries of civil servants. In 2012, this number decreased with the decrease in the number of files related to the Public Administration for 2 main reasons: plaintiffs are sentenced to pay the court fees; since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

**Q092 (2014):** For the 2014 exercise, the category “civil and commercial non-litigious cases” encompasses payment order procedures and requests for undisputed matters such as settlement proceedings and divorce with mutual consent.

**Q092 (2012):** For the 2010 and 2012 exercises, the category “civil and commercial non-litigious cases” includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

**Q094 (General Comment):** When an error is detected in the statistics of a Court, the latter is allowed doing regularization, what means that the Court communicates the correct figure and rectifies the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the specific control of cases that the Court makes when a judge leaves the Court (called “alarde”), but in general, in any case in which the Judicial Counsellor detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

These regularizations and the cumulated cases and the re-opened cases are the causes for the horizontal inconsistencies.

**Q094 (2022):** There are increases of incoming and resolved cases compared to the number of cases in 2020. It should be taken into account that information from 2020 represents the year of the pandemic. The recovery of normal work increased the number of cases, incoming and resolved.

**Q094 (2021):** The number of incoming severe criminal cases increased in comparison with 2020, because that was the year in which the pandemic forced mobility restrictions. The recovery of activity, after the most severe restrictions of the pandemic, may have contributed to the improvement in efficiency and increased number of resolved cases.

**Q094 (2020):** Possibly the pandemic, and the restrictions it entailed, have had an impact on the decrease of the number of resolved cases.

**Q094 (2016):** The Organic Law 1/2015 eliminated 'faltas' (misdemeanour) of the Criminal Code, qualifying some of them as minor offenses, and others as administrative infractions. Accordingly, we can observe decreases in the numbers of misdemeanour cases which also affects the total of criminal law cases.

**Q094 (2014):** The Law 41/2015 has amended the Criminal Procedural Law in the sense that those files opened by the police concerning crimes committed by an unknown person will not be submitted to courts but will remain at the police offices at the disposal of the judge and prosecutor, with the exception of those crimes affecting life, sexual integrity, freedom or corruption, in which case the police report will necessarily be referred to the criminal court. As a result, it is expected that the number of incoming cases before the criminal courts will decrease. In addition, the law 1/2015 amended the Penal Code by suppressing the misdemeanors which now will be judged as administrative or civil matters according to their nature or as minor crimes.

**Q094 (2012):** Restarted procedures were not counted because they are not really incoming cases. Besides, there was a readjustment of the statistical data in the period between 2010 and 2012. The final data on pending cases is the real data at December 2012.

**Q097 (General Comment):** When an error is detected in the statistics of a Court, the latter is allowed doing regularization, what means that the Court communicates the correct figure and rectifies the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the specific control of cases that the Court makes when a judge leaves the Court (called “alarde”), but in general, in any case in which the Lawyer of the Administration of Justice detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

These regularizations and the cumulated cases and the re-opened cases are the causes for the horizontal inconsistencies. It is noteworthy that the small (probably insignificant) number of Registry cases that arrive to the Second Instance is not distinguished of the Litigious cases. This is why, the total number of cases can be provided.

Regarding "other non-litigious cases", the most correct answer is NA (because we can appeal against certain decisions of 'voluntary jurisdiction' not included in the CEPEJ categories).

**Q097 (2022):** 2020 was a year marked by the pandemic, the reduction of work in judicial bodies, despite digitalization, and by mobility restriction measures. The increase in the pace of work in 2022 is logical and it explains the increase in the number of incoming civil (and commercial) litigious cases. The reduced clearance rate has been due to the increase in appeals against judgements in ordinary trials related to floor clauses (cláusulas suelo); clause that a specific financial institution can include in a variable interest mortgage loan contract and that establishes the minimum interest rate that customers will pay.

**Q097 (2021):** For civil and commercial litigious cases the number of incoming cases increased in comparison with 2020, because that was the year in which the pandemic forced mobility restrictions. This also affected the increases of the number of pending cases at the end of the year.

**Q097 (2020):** There is an increase in the number of incoming administrative appeal cases in the Autonomous Regions High Courts. It is possible that certain modifications in the Contentious Administrative Jurisdiction, as well as the Judgement of the Constitutional Court in 2015 that eliminated the fees to appeal, have had an impact on the number of incoming cases.

**Q097 (2019):** "Civil and commercial litigious cases": the increased number of pending cases at the beginning of the year is partly due to the low clearance rate in 2018. In general there is an increase in incoming issues. In civil law many appeals are related to cases of general conditions included in financing contracts with real estate guarantees in which the borrower is a natural person (object of massive cases in Spain since the doctrine of the CJEU).

"Administrative cases": The increase of administrative appeals may probably be due to Aliens (immigration) cases, which had a strong increase in resolution in 2018.

**Q097 (2018):** The Court of Justice of the European Union (CJEU) of December 21, 2016 and other previous Judgments have meant a massive interposition of lawsuits based on that doctrine, for the civil challenge of general conditions included in financing contracts with real estate guarantees whose Borrower is a natural person. Measures, referred to in previous assessments, of spatialization of certain judicial bodies have been adopted. In 2018, the appeals to the judgments in matters of individual suitcases against general conditions included in financing contracts with real estate guarantees whose borrower is a natural person have reached the Provincial Courts (second Instance). The small (probably insignificant) number of Registry cases that arrive to the Second Instance is not distinguished of the Litigious cases. This is why the total number of cases can be provided

**Q097 (2016):** In respect of the increase in the number of incoming civil and commercial litigious cases as well as the increase of the total of incoming cases between 2014 and 2016, it should be mentioned that since March 2015 the fees to bring a case to the court were abolished in case of natural persons. Besides, in July 2016, the Constitutional Court declared the nullity of the fees to appeal.

**Q097 (2015):** Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

**Q097 (2014):** For the 2014 exercise, the decrease of the number of pending administrative law cases in the beginning and in the end of the year is the result of the decreases observed and explained in first instance.

**Q097 (2012):** In the frame of the 2012 exercise, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate. Moreover, the horizontal inconsistency is also a result of the inclusion within the table of data related to restarted procedures, while there is not a specific item dedicated to this category of cases.

**Q098 (General Comment):** When an error is detected in the statistics of a Court, the latter is allowed doing regularization, what means that the Court communicates the correct figure and rectifies the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the specific control of cases that the Court makes when a judge leaves the Court (called "alarde"), but in general, in any case in which the Lawyer of the Administration of Justice detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

These regularizations and the cumulated cases and the re-opened cases are the causes for the horizontal inconsistencies.

**Q098 (2022):** 2020 was a year marked by the pandemic, the reduction of work in judicial bodies, despite digitalization, and by mobility restriction measures. The increase in the pace of work in 2022 is logical and it explains the increase of incoming and resolved cases compared to 2020.

**Q098 (2021):** The number of incoming and pending cases for both severe and minor criminal case categories increased in comparison with 2020, because that was the year in which the pandemic forced mobility restrictions. The recovery of activity, after the most severe restrictions of the pandemic, may have contributed to the improvement in efficiency and increased number of resolved minor criminal cases.

**Q098 (2020):** The reduction in criminal appeals during 2020 may be an effect of the pandemic.

**Q098 (2016):** The number of pending severe criminal cases decreased due to the decrease in the number of incoming cases. The decreases observed in respect of the numbers of Misdemeanour cases can be due to the elimination of "Faltas" (Misdemeanour cases) by the Organic Law 1/2015. Some of them were transformed in minor offences, but other disappeared or were transformed in administrative infractions.

**Q098 (2012):** The lack of horizontal consistency in 2012 was due to the number of restarted procedures that were not counted in the boxes of the questions because they are not really incoming cases. Besides, there was a readjustment of the statistical data in the period between 2010 and 2012. The final data provided in the questionnaire, and shown in the box of pending cases is the real data at December 2012.

**Q099 (2022):** 2020 was a year marked by the pandemic, the reduction of work in judicial bodies, despite digitalization, and by mobility restriction measures. The increase in the pace of work in 2022 is logical and it explains the increase of incoming and resolved cases compared to 2020.

**Q099 (2021):** The recovery of activity, after the most severe restrictions of the pandemic, may have contributed to the entry of more cases, as well as to greater efficiency and increased number of resolved cases. The comparison is with 2020, the year in which the pandemic forced mobility restrictions.

**Q099 (2020):** In administrative law cases, judgements based on the unified doctrine related Tax on the Retail Sales of Certain Hydrocarbons facilitated the resolution of cases in previous years and partly caused the good clearance rate of the Supreme Court Administrative Room in 2019. However, there were fewer of these cases in 2020, so the number of resolved cases decreased.

**Q099 (2019):** In respect of administrative law cases, the very positive clearance rate in 2018, added to the trend that continues being positive in 2019, explains the decrease in pending cases.

**Q099 (2018):** The Administrative Procedural Law allows the inadmissibility of the cassation appeal by resolution of a lower level than Civil Procedural Law. This explains partially the different clearance rate between this two rooms. In relation to the good resolution rate in Administrative is due in part to this cause: In previous years, a Judgement of the Court of Justice of the European Union declared Spanish law contrary to Community law authorizing the tax on retail sales of certain hydrocarbons. This fact meant the massive presentation of claims for the patrimonial responsibility of the State for the undue payment of the so-called "sanitary cent". Once the Supreme Court established jurisprudence, many of these cases were resolved more quickly.

**Q099 (2017):** The cause of the raise of administrative cases (pending at the beginning of 2017 and resolved) in the Supreme Court is the reform of the cassation appeal by the Final Disposition Third of the Organic Law 7/2015, and, on the other hand, a new organisation of the Third Courtroom.

**Q099 (2016):** As concerns the variations observed between 2014 and 2016 regarding the categories "total of other than criminal law cases"; "civil and commercial litigious cases"; "administrative law cases", it should be noted that:

- the increase in the number of cases in civil matters is due to the increase in conflicts of competence entered and resolved as well as the increase in the number of resolutions of appeals for unification of doctrine.
- the high increase in administrative matters is due to the massive presentation of claims for the State's patrimonial responsibility for the undue payment of the called "sanitary cent", because of the Judgement of the Court of Justice of the European Union that declared contrary to the Community law the Spanish law that authorized the Tax on Retail Sales of Certain Hydrocarbons.

**Q099 (2015):** Regarding administrative cases in 2015, there was a significant flow of incoming cases related with tax on retail sales of certain hydrocarbons. But before that, since 2011, the incoming administrative cases dropped due to the Law of courts' fees.

**Q099 (2014):** For the 2014 exercise, the decreases observed in respect of the number of pending administrative law cases in the beginning of the year and the number of resolved administrative law cases, are the result of the decreases observed and explained in fist instance.

The increase in the number of pending civil and commercial litigious cases on 31 December between 2012 and 2014 is due to the economic crisis which resulted in the increase of the number of cases in the civil jurisdiction.

**Q099 (2012):** For the 2012 evaluation cycle, the category of civil and commercial litigious cases includes data on labour matters, special matters and military matters.

**Q100 (General Comment):** The Criminal Procedure Law was amended by Law 41/2015, and thus the scope of the cassation appeal that reach the Supreme Court in Criminal Matters was broadened. The objective of the Law was to try to homogenize the doctrine in criminal matters, since previously, in cases that had not criteria of Supreme Court, the criteria of the Provincial Courts could be different.

**Q100 (2021):** In 2021, the recovery of greater activity (after the restrictions of the pandemic) has been able to contribute to greater efficiency and increased number of resolved cases.

**Q100 (2020):** Considering the broadening the scope of the cassation appeal that reach the Supreme Court, the number of cases has been increasing. Already in 2018, the final pending cases were higher than the initial. In 2019, those incoming also increased. All this resulted in significant increase in the number of pending cases at the end of 2020.

**Q100 (2014):** The number of total criminal pending cases on 31 December has decreased of 30% between 2012 and 2014. It has to be noted that both in 2013 and 2014, the Supreme Court has resolved more cases than the number of incoming cases.

# Indicator 3: The performance of courts at all stages of the proceedings

Comments provided by the national correspondents organised by question no.

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

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

*Question 093. Please indicate the case categories included in the category “other cases”:*

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

*Question 097. Second instance courts (appeal): Number of “other than criminal law” cases.*

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

*Question 099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:*

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

## Question 091

### Austria

**(2022):** Starting from 2022, “non-litigious family matters” are taken into consideration in the category “general civil non-litigious cases”, while before they were communicated in “other”.

**(2021):** “Non litigious business registry cases”: Sec. 3a para. 2 of the COVID-19 act concerning corporate law (“Gesellschaftsrechtliches COVID-19-Gesetz”) allows corporations to file their annual accounts and other documents, that have to be published by law, not only within 9 but within 12 months from the account date (mostly: December 31st of a year). Usually, the duty to file these reports within 9 months leads to a high number of incoming files in September. 2020 and 2021 the special rules lead to such high incoming file numbers in December and thereby to an increase in pending cases at the end of the year.

**(2020):** "Non litigious business registry cases": Sec. 3a para. 2 of the COVID-19 act concerning corporate law ("Gesellschaftsrechtliches COVID-19-Gesetz") allows corporations to file their annual accounts and other documents, that have to be published by law, not only within 9 but within 12 months from the account date (mostly: December 31st of a year). Usually, the duty to file these reports within 9 months leads to a high number of incoming files in September. 2020 the special rules lead to such high incoming file numbers in December and thereby to an increase in pending cases at the end of the year.

"4. Other cases": The number of incoming and resolved cases surged due to an increase of "general civil proceedings, that are not allocated to other categories of cases" because the district administrative authorities (Bezirksverwaltungsbehörden) had to notify the district courts of every single person against which a quarantine measure (SARS-CoV-2) had been taken. In concerns of statistical data every such notification resulted in an incoming (and resolved) case.

Generally, no courts were closed during the lockdowns. During the first lockdown (middle of March until the end of April 2020) the number of incoming cases dropped significantly. Nearly all court hearings had to be postponed during the first lockdown. In total (all case types) in April 2020 there were 89.25 % less court hearings than in April 2019. In general litigious civil matters of first instance there were even 94.59 % less hearings. A comparison of the total number of court hearings held in the period of March 2019 to February 2020 on the one hand and of March 2020 to February 2021 on the other hand shows that there were 22.22 % less hearings since the first lockdown. The significant drop in incoming cases and held court hearings in April 2020 resulted in the opportunity to concentrate on finishing pending cases in which all hearings had already been held. The statistical data shows that the number of judgments pending more than 2 months since the final hearing declined considerably (1st of July 2020: -75 % compared to 1st of April 2020). Judges did always (even before the Covid-19 pandemic) have the opportunity to work from home. Many have made use of this option during the lockdowns. The Federal Ministry of Justice does not keep statistics on this matter (number of judges working from home) since judges are not obliged to record their working times or places.

**(2019):** There is a lack of horizontal consistency concerning the category "general civil and commercial non-litigious cases". Figures provided by the statistical system were double checked in this respect and are correct.

**(2017):** Due to the absolute low numbers of pending cases on 1 Jan./31 Dec. high deviations in percentage are normal. Note to 2.1.1.: Because of an inaccuracy by analysing pending non-litigious business registry cases the count had to be corrected on 1st December 2017. Therefore the pending cases on 31.12.2016 do not comply with those of 01.01.2017.

**(2016):** Due to the low absolute numbers of pending cases on 1 Jan./31 Dec. high deviations in percentage are normal.

**(2015):** In the category litigious are counted all proceedings (in civil matters, labour and social security cases at first instance courts) which are marked as being litigious in the court register (f.e. from the second court hearing on).

Civil and commercial non-litigious cases include commencement of bankruptcy proceedings, Bankruptcy proceedings, composition proceedings, non-litigious proceedings about rent, non profit cooperative association for housing, home ownership, proceedings about Lease of farm land, wardship cases in connection with administration of assets, custody and maintenance, uncontested payment orders, enforcement cases.

Category "other" includes Probate Proceedings, cases concerning the Administration of justice, Cancellation proceedings and proceedings in connection with [official] declaration of death authentication of signatures, proceedings to render legal assistance in civil matters for other courts (also international ones), General civil proceedings, that are not allocated to other categories of cases, Some Non litigious family matters.

**(2012):** In 2012, a legislative reform entailed more obligations for companies to register.

## Belgium

**(2022):** In relation to administrative matters, the total number of cases includes figures for the Council of State, the Council for Alien Law Litigation and the Flemish administrative courts Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege and Raad voor Verkiezingsbetwistingen. However, the figure of 1392 (in the last column 'Cases pending for more than 2 years from the date on which a case is brought before first instance courts') only concerns the Council of State. Thus: - For the Council of State: 4.425; 2.214; 1.996; 4.523 and 1.392 - For The Council for Alien Law Litigation: 9.273 ; 16 ,456 (a judgment may close different cases hence lack complete horizontal logic); 16 ,139 ; 9 ,584 and NA.

**(2021):** Administrative law cases are those of the Council of State, the Aliens Litigation Council and the Flemish administrative courts Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege and Raad voor Verkiezingsbetwistingen. However, the figure 1 428 (in the last column "Pending cases older than 2 years from the date the case came to the first instance court") concerns the sole Council of State. Thus, with regard to the Council of State, the figures are the following: 4 936; 2 191; 2 208; 4 420 and 1 428; with regard to the Aliens Litigation Council: 14 415; 14 124 (one judgment can close several cases which may result in a lack of horizontal consistency); 19 256; 9 273 and NA. Juvenile cases are not counted in the category "other cases". In fact, this case type includes both civil and criminal litigation.

**(2020):**

"The health crisis has impacted the numbers.

\*Justice of the Peace: no pending cases (start + end). The way justice of the peace cases are counted has been adapted and unlike previous cycles, all dockets have also been taken into account for 2020. \*Civil courts of first instance: no pending cases (start + end). The same counting method was applied as last year. Omissions as well as so-called "dormant cases" are counted in the closed cases. \*Corporate courts: same counting method as last year. Only cases registered in the corporate court computer application, called TCKH, are counted in these figures. There are also corporate court cases that are only recorded in the RegSol computer application (since mid-2017) in bankruptcy proceedings, for example, between the receiver and the bankruptcy judge. Cases only registered in RegSol are not counted in these figures, which induces an underestimation. Commercial investigations (chambers of distressed companies) are not taken into account as the figures are unreliable due to the very disparate registration methods in the different company courts. No pending cases.

\*As far as administrative cases are concerned, the total number of cases includes the figures for the Council of State, the Aliens Litigation Council and the Flemish administrative courts Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege and Raad voor Verkiezingsbetwistingen. However, the figure of 1489 (in the last column ""Cases pending for more than 2 years from the date on which the case is brought before the courts of first instance" ) concerns only the Council of State. Thus, - for the Council of State, the figures are: 4,564; 2,119; 2,019; 4,936 and 1,489; for the Conseil du Contentieux des Etrangers: 16,009; 14,238 (a judgment can close different cases hence the absence of complete horizontal logic); 15,769; 14,451 and NA.

"

**(2019):** Regarding the category "4. other cases" which refers to "protection cases", the statistical service does not have figures for 2019, following discussions on the counting rules between the courts. However, we kept the total for "other than criminal" cases since protection cases represent more or less 10,000 cases, or 1% of the total. Their actual number will not change the total figure significantly.

"Administrative cases pending at the end of the year": the lack of horizontal consistency is due to the fact that the number of judgments does not necessarily correspond to the number of closed cases. For example, a judgement that closes two cases is recorded as one stop

**(2018):** Civil and commercial cases include cases of justices of the peace, courts of first instance, civil, family and youth sections, labour courts and company courts (known as "commercial courts")

Civil and family courts: no data for pending cases. New rules for counting and recording cases mean that the statistics are not comparable to previous years. In particular, cases where there is a permanent referral are now counted as a case.

Concerning juvenile courts: no data for completed or pending cases due to the lack of uniform practice and low registration of completed cases.

Concerning registry cases: these are immediate acts, which is why the number of incoming cases is equal to the number of resolved cases. Administrative affairs: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen.

**(2017):** The difference with the 2016 data is due to the lack of data on justices of the peace cases. In respect of justices of the peace, from July 2017 to June 2018, a deployment of new codes was carried out at the national level. The support service of the College of Courts and Tribunals is currently in the process of defining accounting rules for justices of the peace. For this reason, no figures were issued in 2018 pertaining to 2017 data.

Civil data are not included or only partially included for 5 courts; Youth courts: no data from Brussels (Dutch-speaking); no data for resolved cases and pending cases; No data for civil cases from police courts; Commercial courts: no data for pending cases + new counting rules for resolved cases. For this reason, comparison with previous data is made difficult; not all activities carried out in commercial courts are reflected in the statistics provided. Indeed, the following services are not covered: commercial investigation service, business continuity law, bankruptcy and dissolutions/liquidations.

**(2016):** Administrative cases: Council of State, Aliens Litigation Council, Raad voor Vergunningsbetwistingen, het Milieuhandhavingcollege en de Raad voor Verkiezingsbetwistingen.

The sharp decrease in administrative cases is due to immigration cases. There are 5 administrative courts, two of which are at federal (national) level: the State Council and the Aliens Litigation Council. It is within the latter that there has been a decrease in the number of cases. Immigration and asylum cases are handled by the Conseil du Contentieux des Etrangers. The Aliens Litigation Council is an independent administrative court, which deals with cases "in the first instance", i.e. full substantive litigation or "in cassation", i.e. a decision "in annulment" or "suspension". The Council may be seized with appeals against decisions of the "Commissariat général aux Réfugiés et aux Apatrides", against decisions of the "Office des Etrangers" and against all other individual decisions taken pursuant to the Act of 15 December 1980 on access to the territory, residence, establishment and removal of aliens (Aliens Act).

Please also note that figures for juvenile courts as well as figures for civil cases treated by the police courts are not included in this cycle. These figures present very small number from the total number of cases.

**(2015):** The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included. Included in pending cases are: labor courts, police courts, courts of appeal.

**(2014):** With regard to non-litigious business registry cases, the central register of notices of seizure, delegation, transfer, collective debt settlement and loan is managed by the National Chamber of Bailiffs. Administrative cases are handled by the State Council (except for cassation rulings), the Alien Litigation Council and the Flemish regional administrative colleges, "Raad voor verkiezingsbetwistingen, Raad voor milieuhandhaving by Raad voor vergunningbetwistingen".

**(2012):** The category 1 "civil (and commercial) litigious cases" refers to cases tried by first instance courts, commercial courts and justices of peace, and civil cases dealt with by the police courts. Civil cases concerning youth are not included, as well as cases tried in second instance by courts of first instance. For 2010, there are no available data on the labour courts because the project to build a data warehouse 'Statistics labour courts' is not yet finalised. Cases from categories 1 and 2 cannot be distinguished and are all grouped in category 1.

## **Bulgaria**

**(General Comment):** The division by types of cases in the statistical forms published by the Supreme Judicial Council of Bulgaria is quite different from the CEPEJ categorisation and for that reason breakdown cannot be made. Only administrative cases are possible to differentiate due to existence of administrative courts. Furthermore, in Bulgaria registry cases are not resolved by courts. They are under the competence of the Registry agency where is the property register, the commercial register, the BULSTAD register and the Register of the Property Relations between spouses.

**(2020):** As it is impossible to distinguish between litigious and non-litigious cases for the present, for 2020 the following data is available as to the sum of all civil and commercial litigious and non-litigious cases: pending at the beginning 85 460; incoming 282 768, resolved 285 461 and pending at the end of the year 82 767. It is noteworthy that since 2020, the Unified Court Information System (UIS) has been gradually introduced in all courts, developed within the project "Creating a Model for Optimizing the Court Card of Bulgarian Courts and Prosecutor's Offices and Developing a Unified Court Information System" with the financial support of Operational Program "Good Governance" 2014-2020. Depending on the functionalities of the system, it is possible to collect information on the next cycle according to the indicators in question 91.

**(2018):** The observed increase in the number of incoming administrative law cases and accordingly in the number of pending administrative law cases at the end of 2018, is a consequence of an increase characterizing the period 2016-2017. As explained in the comment accompanying 2017 data, there is no specific reason for the increase in the number of incoming administrative law cases between 2016 and 2017. During this period there was an increase in the number of cases before the administrative courts (mainly claims under the Administrative Procedure Code, Management of Resources from the European Structural and Investment Funds Act, Tax and Social Insurance Procedure Code, Competition Protection Act, etc.).

**(2017):** 02/11/2018 7:17:04 AM There is no specific reason for the increase in the number of incoming administrative law cases between 2016 and 2017. During this period there was an increase in the number of cases before the administrative courts (mainly claims under the Administrative Procedure Code, Management of Resources from the European Structural and Investment Funds Act, Tax and Social Insurance Procedure Code, Competition Protection Act, etc.).

**(2014):** The number of all civil cases (litigious and non-litigious) considered as an overall category could be obtained by extracting from the total the number of administrative cases (67 513 pending cases on 1 January 2014; 294 657 incoming cases; 300 799 resolved cases; 61 371 pending cases on 31 December 2014).

**(2012):** The number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 and 2012. Administrative courts resolved about 72% on average of the cases during the year.

## **Croatia**

**(2022):** In 2022, the number of incoming Civil (and commercial) litigious cases dropped because of the unique situation from the previous cycle of a significant number of incoming collective labour cases from the public sector workers (more than 60.000 incoming cases). Since they were resolved in 2022, this has led also to a significant increase in the number of resolved cases.

Regarding General civil (and commercial) non-litigious cases, as this includes enforcement cases which have had legislative changes during 2021, a new type of case has been recorded in courts by the end of 2021, which now seems to be a permanent increase in both incoming cases and resolved cases (up from an average of 40.000 cases received and resolved every year prior to 2021 to about 60.000 cases in 2021 and 90.000 cases in 2022. These are all cases of small value that are very quick to resolve.

For non-litigious registry cases, there is a slightly bigger horizontal inconsistency due to additional corrections from the sides of courts after the official published data.

**(2021):** Between 2020 and 2021, there was an increase of incoming civil and commercial cases caused by the receipt of a large number of civil cases, namely lawsuits in labor disputes due to payment based on rights arising from the collective agreement, which occurred in the first quarter of 2021 and continued, to a somewhat lesser extent, throughout the rest of the year. Also there was an increase of the number of incoming enforcement cases that courts received during the last quarter of 2021, which was caused by a change of legislative framework in September 2021.

**(2020):** Regarding your comment about decreased number of incoming cases (except business registry cases) shown in this table: Due to the pandemic caused by COVID-19, in 2020., court proceedings for limited period in 2020 were submitted under specific conditions and measures, which contributed to decreased number of incoming cases, as well as court hearings especially in litigious cases.

Regarding the number of incoming non-litigious business registry cases - New article added by the Act on Amendments to the Court Register Act (Official Gazette No. 40/19) which came into force at the end of 2019., stipulated the obligation of companies to submit a request for entry of at least one e-mail address to the courts managing business registry. This was the reason for temporarily increased number of requests (cases), which were all resolved by the end of January 31, 2021.

**(2019):** In 2019 new amendments to the Personal Bankruptcy Law came into force. That caused significant increase of other than criminal cases to the municipal courts. There was an increase in the number of land registry incoming cases too. The increased number of incoming land registry cases is caused by intensified economic activities and activities on the real property market. With the same number of employees working on these cases, pending cases increased at the end of the year. Additionally, a large number of citizens started civil lawsuits against banks regarding loans in Swiss currency. These factors combined led to the increase of pending cases at the end of the year as well. The decrease in the number of civil and commercial non litigious cases is due to enforcement cases: courts solved a significant amount of these cases during 2018, while the number of incoming cases decreased as well. For that reason, at the end of 2018 /beginning of 2019 there are fewer cases than at the end of 2017/ beginning of 2018.

As regards "administrative cases", administrative courts resolved more cases during 2018. That decreased the pending stock of the cases at the end of 2018/beginning of 2019.

**(2018):** Decrease of the number of incoming cases (34%) in category 2.1. in comparison to previous cycle is due to the significant decrease of enforcement cases which are calculated in this category. Majority of enforcement cases are aimed at debtor's monetary assets based on trustworthy documents – i.e. documents that make the existence of debt highly plausible (such as regular utility bills, telecom operators' invoices, credit card invoices, unpaid installments of bank loans, etc.). Those cases were removed from jurisdiction of courts to public notaries already in 2012., and since then there is year after year decrease of enforcement cases in municipal courts - enforcement based on other types of enforcement titles (other than trustworthy document), as well as enforcement against real property.

**(2017):** The cases relative to the Personal Bankruptcy Act which came into force on 1st January 2016 are handled by the 1st instance Municipal Courts. The data about these cases was not available in the moment of completing the questionnaire for the Evaluation (CEPEJ study for EU Scoreboard) (data 2016) but the data is now available within the ICMS system for the year 2017 and they are incorporated in the category 1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3). There were 268 pending Personal Bankruptcy cases on January 1st 2017, 377 incoming cases in 2017, 281 cases resolved in 2017 and 365 pending cases on 31st December 2017. "Registry cases": In this category there is more than 20% increase of pending cases at the beginning of reference year in comparison to the beginning 2016. The reason are land registry cases. As stated in the previous cycle, the reason for the increased number of pending land registry cases is the significant increase of these cases during 2016 and the difficulty for courts to cope with this increase in same amount as in 2015. This all reflects on data for 2017.

The reason for the decrease in the number of pending administrative cases at the end of the 2017 is lying in the fact that administrative courts received almost 18% less cases than in 2016. Although judges resolved less cases than in previous year, in relation to the increase, it was enough to decrease the number of pending cases at the end of 2017 for more than 20%.

**(2016):** More land registry cases has been received in 2016 than in 2014 so the total number of registry cases has increased as well.

During the two-year period (through 2014 and 2015), administrative courts accumulated unresolved cases - they solved significantly less than they received, which led to 15024 pending cases at the beginning of 2016. By the end of 2015, a total of 5 judges were transferred to administrative courts from other legal branches, which resulted in better results in 2016 (more resolved cases).

**(2015):** In 2015 the reorganization of the judicial system in the Republic of Croatia, which is partly related to the reorganization of the second instance proceedings, has been carried out. Consequently, in the county courts there has been a harmonization of case registers and case codes (litigious, non-litigious and other) in a way that in 2015 courts carried out the alignment and correction of the indication of certain types of second-instance civil cases. For this reason, in 2015 the correction of the category of cases according to the new methodology of monitoring has been carried out.

The total of all categories is aligned with the continuity of previous cycle (horizontal consistency), whereas the individual categories in the column "Pending cases on Jan. 1 2015" are presented under the new revised indication of the types of cases. For example, some cases that have been categorized in previous cycles under category 'Other', the courts have categorized according to the certain types of dispute which was possible after new case registers were open (e.g. Enforcement – Security by lien on the basis of an agreement of the parties).

**(2014):** In 2014, a new methodology of monitoring unresolved land registry cases was introduced, in a way that regular land registry cases (i.e. registration, note, caution) are not being monitored anymore and are not presented in the total. Other land registry cases (i.e. objections, appeals, specific corrections, etc.) are still being monitored. The overall number of enforcement cases is subsumed in the category "general civil and commercial non-litigious cases". The Municipal Civil Court undertook the harmonization of data due to data migration. After the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which may be resolved (priority is given to urgent and old cases).

**(2013):** The implementation of the ICMS system resulted in unification of data into one reporting system. The category "general civil and commercial non-litigious cases" includes inheritance cases but excludes company registry cases. The increase of the incoming "civil and commercial litigious cases" was mostly due to the continuity of the negative economic situation, while the efforts of judges, as well as broadening the scope of powers of court advisors resulted in the increase of resolved cases. The implementation of the enforcement on pecuniary means carried out by the Financial Agency (FINA) led to decreases in respect of "non-litigious enforcement cases". Since 2013, court advisors deliver a decision in land registry cases, while the judge supervises its content. The competence of other persons for issuing land registry was also established, electronic delivery of submissions and e-notice board were introduced.

**(2012):** Till December 2011, "administrative law cases" were adjudicated at the Administrative Court. Provided that the latter was overburdened, a two-instance administrative adjudication was introduced in January 2012. 4 regional administrative courts were established as first instance courts, while the former Administrative Court became second-instance High Administrative Court. Since 2012, there is a mandatory oral court hearing of the parties before the first-instance courts.

## Cyprus

**(General Comment):** The reason for not having data for the subcategories of cases is that there was no electronic filing system that would enable us to have statistical data on different types of cases.

**(2022):** The total number of resolved cases has increased as there was an increase in the number of judges. Administrative law cases include the cases filed at the Administrative court of international protection.

**(2021):** In the administrative cases, the applications for international protection are included and there was an increase in these applications in 2021, as a result of more asylum seekers coming into Cyprus. From 1 January 2021, the Review authority for refugees was abolished.

**(2020):** In the previous cycle a big number of cases were tried together. This is the reason why number of resolved cases in 2020 might appear lower than in 2019.

Reducing delays in the disposition time is part of the reform process. The difference in the pending cases in administrative cases compared with previous year is that in this figure we included the cases filed before the Administrative court of international protection which was set up.

**(2019):** In the previous campaigns the number of cases filled and resolved was increased as a result of a big number of cases filed together (in one bundle) and tried together.

**(2018):** The increase in the number of resolved cases is a consequence of the cases tried together. For number of administrative cases, it should be taken into account that cases were consolidated and that 2724 consolidated cases were withdrawn.

**(2017):** The variation concerning incoming (total) and resolved (total and administrative) cases (decrease) is due to the fact that, in 2016, cases were filed and tried in a bundle but each was considered separately for statistical purposes. Put differently, cases were joined together and therefore there was an increase in the number of resolved cases. Accordingly, we can observe a decrease in the number of resolved cases between 2016 and 2017.

**(2015): Variations:** The increase in the number of pending cases between 2010 and 2015 is a result of the bail in Cyprus a lot of administrative cases had been filed against that decision. The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

**(2014):** The increase in the number of pending cases is a result of the bail in Cyprus; a lot of administrative cases had been filed against that decision. The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

## **Czech Republic**

**(General Comment):** For years 2010, 2012 and 2013, business register cases, administrative cases and insolvency registry cases which are decided by the regional courts (second instance courts) acting as first instance courts, were included in the table concerning the case-load of second instance courts (question 97). On the contrary, since 2014, administrative cases, business registry cases and insolvency cases (and also some litigious cases) which are still decided by the second instance courts acting as first instance courts, are subsumed within the table of question 91 (which was already the case for the 2008 exercise). Methodology has been changed in year 2015 – more case types have been included, which led to the big increment in the number of cases. There are no further changes expected.

**(2022): Pending cases on 31 Dec. ref. year:** In general, the number pending cases in Czech republic is decreasing, which can be seen in the table.

Administrative law cases: There is a significant and steady decrease in law administrative cases in last years. Thanks to the decreasing number of incoming cases and thanks to the increasing of the number of judges, the pending cases are rapidly decreasing.

**(2021): Business registry cases** are very quickly resolved and there is quite a variance between years. The number of cases is probably affected by many factors – new laws, economic situation and much more. This is also reflected in the number of pending cases.

2.3 Other non-litigious cases - It is relatively minor and “not very important” case type. The number of cases is quite small. It follows that there is big variance in the data between years.

**(2020):** The registry cases are very quickly resolved and the numbers can vary between years significantly. In 2019, courts managed to resolve more cases than was the number of incoming cases, which led to decrease in pending cases. The same explanation applies to “other non-litigious cases”. The number of cases is quite small. It follows that there is big variance in the data between years. Furthermore, during 2019 courts managed to resolve significantly more cases than in 2018, no special reasons were reported other than a fact that number of cases is relatively small and the cases are not complex. This also resulted in further reduction of the number of cases at the end of 2019. In 2020, the courts again managed to resolve more cases than was the number of incoming cases for both registry cases and other non-litigious cases.

Business registry cases are very quickly resolved and there is quite a variance between years. The number of cases is probably affected by many factors – new laws, economic situation and much more.

Other cases: The number of incoming cases has grown, probably due to changes in insolvency legislation.

**(2019):** The registry cases are very quickly resolved and the numbers can vary between years significantly. Last year, courts managed to resolve more cases than was the number of incoming cases, which led to decrease in pending cases at 1 January of the reference year. For Other non-litigious cases the same reasons apply for the number of cases at the beginning of the year. Furthermore, during 2019 courts managed to resolve significantly more cases than last year, no special reasons were reported other than a fact that number of cases is relatively small and the cases are not hard. This also resulted in further reduction of the number of cases at the end of the reference year. For incoming Other cases, there was a legislative change in insolvency law that is probably a reason for the significant grow in the number of incoming cases.

**(2018):** Methodology has been changed in 2.1 and 2. (civil and commercial non-litigious cases) in year 2015 – more case types have been included, which led to the big increment in the number of cases.

**(2017):** Methodology has been changed in 2.1 and 2. (civil and commercial non-litigious cases) in year 2015 – more case types have been included, which led to the big increment in the number of cases. Generally the number of incoming cases is decreasing, more use of ADR.

In the previous year the number of resolved cases greatly exceeded the number of incoming cases for other non-litigious cases, which led to huge drop in pending cases and discrepancy appeared.

Non-litigious business registry cases are very easy to resolve and the variance between years in the number of cases (incoming, resolved and pending) is quite big in general. Thus the annual change could easily be (and is) greater than 25 %. Courts have problems with resolving administrative cases. It follows that number of incoming cases was last year much bigger than number of incoming cases. Thus number of pending cases increased greatly cases and discrepancy appeared.

As to Other cases, insolvency cases are reported. This is relatively new and very specific agenda, which usually takes 5 years to resolve. There was an increase in case filings five years ago, which resulted in growth in the number of resolved cases nowadays. On the other hand, for various reasons (including legislative changes) the number of incoming cases is decreasing.

**(2016):** Methodology has been changed in 2.1 and 2. (civil and commercial non-litigious cases) in year 2015 – more case types have been included, which led to the big increment in the number of cases. Generally the number of incoming cases is decreasing, more use of ADR.

**(2015):** Methodology has been changed in 2.1 in year 2015 – more case types have been included, which led to the big increment in the number of cases.

Civil and commercial non-litigious cases include: 2.1 - uncontested payment orders, cases of the upbringing and maintenance of a minor, declaration of admissibility of taking or keeping of a person in a medical (health care) institution, declaration of the death of a person, inheritance proceedings, judicial deposit cases

Category "other" includes: insolvency cases and incidence disputes

**(2014):** For 2014, business register cases, administrative cases, insolvency registry cases and also some litigious cases which are decided by the regional courts (second instance courts ) acting as first instance courts are subsumed within the table of question 91.

For 2014 the category "other" encompasses insolvency cases.

In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

**(2013):** For 2013, business register cases, administrative cases and insolvency registry cases which are decided by the regional courts (second instance courts ) acting as first instance courts, were included in the table concerning the case-load of second instance courts. In 2014, these cases (and also some litigious cases) are subsumed within the table of question 91.

For 2012, the category of enforcement cases concerns exclusively enforcement carried out by the court itself, while for 2013, this category encompasses also enforcement ensured by private executors (in this procedure, the court authorizes the private executor to proceed to the enforcement and decides about remedial measures against executor's decision). For 2012, the category "other" includes electronic payment orders and probate proceedings, while for 2013 it encompasses only electronic payment proceedings. Moreover, in respect of the electronic payment orders, there was a switchover to another register and 174.067 cases were transferred to a new register. The discribes evolutions affect the total.

**(2012):** For 2012, business register cases, administrative cases and insolvency registry cases which are decided by the regional courts (second instance courts ) acting as first instance courts, were included in the table concerning the case-load of second instance courts. In 2014, these cases (and also some litigious cases) are subsumed within the table of question 91.

Variations between 2010 and 2012 concerning the number of pending cases on 1st January, the number of incoming cases and the number of pending cases on 31 December stem from the high number of incoming electronic payment orders in 2011. Besides, more enforcement cases are handled by private executors.

## Denmark

**Q091 (2022):** The number of administrative litigious cases that go to courts in 2022 are estimated at 2600 which is 5,5% of the total number of incoming civil and commercial litigious cases in Denmark. They can not be easily separated from the other civil and commercial cases.

In 2022 there was still an aftermath of the unusual situation of the Covid-19 related to the periods with closing down the society, including the courts. It has created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it. Land registration is the major source of incoming cases with very large figures. It fluctuates a lot depending on interest rates, loan rescheduling etc.

2.1. General civil (and commercial) non-litigious cases: The courts have successfully reduced the number of pending cases. As concerns "2.2.2. Non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases.

**Q091 (2020):** 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it. Land registration is the major source of incoming cases. It fluctuates a lot depending on interest rates, loan rescheduling etc.

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**(2022):** In 2022 there was still an aftermath of the unusual situation of the Covid-19 related to the periods with closing down the society, including the courts. It has created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it. Land registration is the major source of incoming cases with very large figures. It fluctuates a lot depending on interest rates, loan rescheduling etc.

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**(2020):** 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it. Land registration is the major source of incoming cases. It fluctuates a lot depending on interest rates, loan rescheduling etc. 2.1. General civil (and commercial) non-litigious cases: The courts have successfully reduced the number of pending cases. As concerns "2.2.2. Non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases. The courts received many extra backlogged cases from the Danish Commerce and Companies Agency reinforced closure of companies that were still backlogged in the early 2020. The courts were closed for 3 weeks except for vital cases and government assistant to companies helped them and reduced bankruptcies and closures of companies that would normally have happened.

**(2019):** Variation in land registration (loans etc) as market and interest rates always vary from year to year. For non-litigious business registry cases: Received markedly fewer enforced cases re enforced closure in 2019 than in 2018; Solved many extra insolvency cases in the beginning of year 2019 received in late autumn / winter 2018; pending cases on 31 December - It is important to understand the figure, that we succeeded to include pending cases from the Maritime and Commercial court.

**(2018):** As concerns "non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases. Besides from that it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. Furthermore, the reason for the discrepancy is that we do not have pending figures from the Maritime and Commercial High Court. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases". With regard to "non litigious land registry cases", it should be pointed out that due to the high amount of incoming and resolved cases, the residual figure of pending cases prior and after the period may vary.

**(2017):** The figures provided in respect of this question are not fully consistent. The Maritime and Commercial Court only measures incoming and resolved insolvency cases but not pending cases. Accordingly, when the data on processed/resolved cases from this court are included, there will always be a small inconsistency. Therefore, vertical and horizontal figures are not totally consistent. Concerning the category "land registry cases", the number of pending cases on 1 January 2017 is a residual figure from received, finalized and pending cases ultimo the year; it may deviate from pending cases ultimo 2016, but it is a residual figure. The number of pending cases on 31 December 2017 is an actual figure. Concerning the category "registry cases", it is specified that the Maritime and Commercial Court does not publish pending cases which results in a discrepancy.

**(2016):** As concerns "non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases. Besides from that it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases". With regard to "non litigious land registry cases", it should be pointed out that due to the high amount of incoming and resolved cases, the residual figure of pending cases prior and after the period may vary.

**(2014):** Due to an improved business situation, courts at all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases; pending cases are also reduced thereby. Non-litigious business registry cases follow the overall tendency.

**(2013):** The successive decrease observed in the number of civil and commercial litigious cases stems from the possibility to reopen cases and the missing data on pending cases before the Maritime and Commercial Court. As for the land registry cases, following the digitalizing in 2009 of land registry, the number of pending cases decreased markedly.

## **Estonia**

**(2022):** No comment could be provided on the variations in the caseflow between 2020 and 2022.

**(2021):** The increased number of administrative law cases pending at the end of 2021 is due to COVID-19 related cases that have taken more time to be solved.

Concerning general civil and commercial non litigious cases, it should be mentioned that during the second Covid-19 year, courts processed cases that they were not able to process during the first Covid-19 year.

### **(2020): MoJ**

In 2020, there have been difficulties with filling the vacancies of judge positions in the biggest county court (judges going on maternity leave or retirement), which may have resulted in an increase in pending cases older than 2 years in general.

**(2019):** Some horizontal inconsistencies and inconsistencies with previous year are due to the fact that data are always taken from the live database.

**(2018):** The variations in total and in the non litigious cases are due to the number of entrepreneurs that has grown every year, so the number of incoming case is also increasing. Furthermore, the number of real estate transactions has increased and the market is active. The number pending cases end of 2017 is different because the numbers are taken later and the data has been corrected.

**(2017):** There are not any particular reasons to explain variations in the number of non-litigious business registry cases, causing variations in respect of the category "registry cases" and "non-litigious cases". As regards item 2.1 "general civil and commercial non-litigious cases", there is an important discrepancy between the number of pending cases on 31 December 2016 and the number of pending cases on 1 January 2017. The reason is related to the time the numbers have been taken out of the system (see general comment). The fifth column "pending cases older than 2 years", includes cases that are suspended (part 9 of our Code of Civil Procedure, <https://www.riigiteataja.ee/en/eli/506022018001/consolide> ). The proceedings may be suspended for example if the one of the parties dies or falls seriously ill; or if in order to solve the dispute the court needs a resolution of an another case.

**(2016):** The decrease in the number of incoming administrative court cases is due to the decrease in the number of inmate complaints. The variations in total and in the non litigious cases are due to increase of incoming business and land registry cases.

**(2014):** The increase in the number of incoming administrative law cases is due to a rise of complaints of prisoners. As to the decrease in the total of pending other than criminal law cases on 1 January 2014, the performance indicators of courts have justified supplementary budget resources. Agreements between the Ministry of Justice and courts are expected concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings. For 2014, non-litigious enforcement cases are included in the category "general civil (and commercial) non-litigious cases".

**(2013):** As to non-litigious business registry cases and the observed decreases, in 2012 it was impossible to separate supervisory proceedings from general proceedings and therefore 2012 data included supervisory proceedings as well. The number of pending "civil and commercial litigious cases" decreased on account of the enhanced efficiency of the first instance courts, while the decrease in the number of incoming cases is due to the reestablishment of the normal case-flow after the economic crises.

**(2012):** The land register (together with the marital property register) and the commercial register (together with the non-profit associations and foundations register, commercial pledge register and ship register) are part of the county courts. "Land registry cases" and "business registry cases" refer to the registration procedure, including supervisory proceedings over undertakings. Disputes arising from the registration procedure are subsumed in "general civil (and commercial) non-litigious cases". The dynamics of the "civil and commercial non litigious cases" is considerably influenced by the payment order proceedings that form the largest part of this category and are dealt with by only one courthouse. The 2012 data includes enforcement, land and business registry cases.

## **Finland**

**(General Comment):** The pending cases older than two years are not collected in Finland. The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on January 2023 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

**(2021):** Comments The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2022 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. The number mentioned in category 3 includes cases dealt by the administrative courts, the Market Court and the Insurance Court.

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**(2019):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 22.1.2020 and reflects the situation on that day. The data available is:

1) Incoming cases 2) Resolved cases

3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts) and HAIPA (for administrative and special courts). The number mentioned in category 3 includes cases dealt by the administrative courts, the Market Court and the Insurance Court.

The number of administrative cases increased dramatically in 2016 due to the asylum crisis. Accordingly, more judges were hired to deal with cases and make the procedure more effective. The limits in which cases have to be handled have also been shortened in order to reduce the number of pending cases. To tackle this crisis, a legislative reform decentralized the asylum cases from one administrative court (Helsinki) to three other administrative courts as well.

As to "civil and commercial litigious cases", we can notice a very high Clearance Rate for 2016 due to the fact that in 2016 the number

of incoming civil cases decreased and courts were able to deal with pending cases. Accordingly, the number of pending cases decreased between 2016 and 2019.

"General civil and commercial non-litigious cases": the number of pending cases at the end of 2019 increased slightly between 2018 and 2019. In this respect, it should be noticed that the partial switch to the new case management system AIPA (as for example divorce cases are already processed in this system) can be the explanation as some initial challenges in the reporting tool has been noted recently.

**(2018):** The number mentioned in category 3 includes cases dealt by the administrative courts, the Market Court and the Insurance Court.

The number of administrative cases increased dramatically in 2016 due to the asylum crisis. Accordingly, more judges were hired to deal with cases and make the procedure more effective. The limits in which cases have to be handled have also been shortened in order to reduce the number of pending cases. To tackle this crisis, a legislative reform decentralized the asylum cases from one administrative court (Helsinki) to three other administrative courts as well.

As to "civil and commercial litigious cases", we can notice a very high Clearance Rate for 2016 due to the fact that in 2016 the number of incoming civil cases decreased and courts were able to deal with pending cases. Accordingly, the number of pending cases decreased between 2016 and 2018.

**(2017):** 1. Civil (and commercial) litigious cases: in 2016 the number of incoming civil cases decreased and courts were able to deal with pending cases; accordingly, the number of pending civil litigious cases at the beginning of 2017 has decreased.

2.2.1 From the beginning of the year 2010 Land register cases were transferred to National Land Survey of Finland.

3. Administrative law cases: On appeal, the administrative court reviews the legality of the decision of the authority. The number mentioned in category 3 includes cases dealt with by Administrative Courts, Market Court and Insurance Court. It is worth mentioning that in 2016 the number of administrative cases increased dramatically due to the asylum crisis. As a result, the number of pending administrative cases at the beginning of 2017 increased considerably. Against this background, Finland had adopted different measures to face the asylum crisis (e.g. decentralisation of the competence in respect of asylum cases from one administrative court (Helsinki) to three other administrative courts). Accordingly, the number of incoming administrative cases for 2017 decreased (28%).

**(2016):** In 2016 the number of incoming civil cases decreased and courts were able to deal with pending cases. The number of administrative cases increased dramatically due to the asylum crisis. Accordingly, more judges were hired to deal with cases and make the procedure more effective. The limits in which cases have to be handled have also been shortened in order to reduce the number of pending cases. To tackle this crisis, a legislative reform decentralized the asylum cases from one administrative court (Helsinki) to three other administrative courts as well. For that reason, statistics show variations as concerns the number of pending administrative law cases in 2016. The number of pending administrative law cases on 1.1.2016 was 20 4775, but due to the decentralization around 5000 cases were transferred from Helsinki to these other courts. In the statistics, these cases do not appear as pending anymore. It is not possible to say how many of them have been resolved, but they are included in the number of resolved administrative law cases.

**(2014):** Non-litigious enforcement cases are subsumed in the category “general civil (and commercial) non-litigious cases”. The enforcement is of the competence of the enforcement authorities, not of this of courts. Cases mentioned here are appeals in execution proceedings before district courts.

**(2012):** The increase in the number of pending civil and commercial litigious cases is the result of an exceptionally high number of incoming litigious civil cases in 2011.

## France

**(2022):** Source: Ministry of Justice/SG/SEM/SDSE, General Civil Registry; Council of State. Following a change in methodology, the "contentious civil (and commercial) cases" now include: general litigation cases before the judicial tribunal, local court and rural leases paritarian tribunal, family matters, sales-related cases, agricultural work accidents cases, proceedings related to distressed businesses (safeguarding, reorganization and judicial liquidation) before the judicial tribunal and commercial court , judge's orders matters, liberty and detention judge matters (detention of foreigners and involuntary hospitalization), as well as social division proceedings before the judicial tribunal; ordinary procedures before the labor relations council; contentious business at the commercial court; protection of adults' affairs as well as political electoral disputes.

Following the 2021 divorce reform in order to avoid any disruption in series continuity an estimate is used for 2022 (contentious civil cases and non-contentious civil cases).

Due to lack of data reporting on political electoral disputes are not included in beginning or end-of-year stocks for "contentious civil and commercial cases". These represent 0.6% of completed case load in 2022. Similarly due to absence of data reporting attempts at conciliation are not included in beginning or end-of-year stocks for "non-contentious civil cases". These represent 0.6%of completed case load in 2022.Due also to lack of data reporting suits(excluding consumer code) at the local court and salary garnishments are not included in beginning or end of year stock for other cases.These represent 8.% of completed caseloads in 20 .(respectively1.%and6%).

The above explained lacks of data do not allow for complete horizontal coherence in the table.

**(2021):** Source SDSE  
Source Council of State

**(2020):** Comments on volumes.

Completed cases are down more than new cases, both civil/2019 and felonies/2018 (contravention are surprisingly up / 2018). The health crisis and containment may have played on TAs (completed cases) (reducing the ability of courts to process cases) but also on NAs (new cases) (fewer misdemeanors committed, fewer cases brought to court). Prior to this, a major lawyers' strike and a transport strike had mainly affected the TAs.

Commentary provided by the highest administrative Court concerning the administrative order: the measures derogating from the ordinary law of contentious administrative procedure adopted to respond to the situation arising from the health crisis caused by the Covid-19 epidemic were provided for by order no. 2020-305 of March 25, 2020, then by order no. 2020-1402 of November 18, 2020, and decree no. 2020-1406 of the same day. I - Concerning the rules relating to the organization or holding of hearings 1°) Use of audiovisual or any other means of electronic communication

The two orders of March 25 and November 18, 2020 provided for the possibility of using an audiovisual means of telecommunication for the holding of hearings or any other means of electronic communication.

When this device was used, it was used, in almost all the jurisdictions that had recourse to it, for less than 10% of the cases judged in collegiality during the same period.

The most common configuration used was that in which one or more members of the panel were at a distance and the president, the other members of the panel, and the parties and their counsel were in the courtroom (approximately 75% of the courts that used videoconferencing chose this configuration and 53% of them used it for less than 10% of the cases tried by the panel). Very few courts have used video-conferencing with remote parties. The reasons for which the courts have used video-conferencing are linked to the constraints linked to the health crisis, in particular the difficulties encountered by lawyers to travel, especially in overseas territories, and the isolation imposed on certain people (judges or lawyers) declared to be in contact or recognized as fragile.

As regards single judges, the courts have made a very measured application of the provisions allowing the use of an audiovisual means of telecommunication, since only 6 administrative courts out of 35 have indicated that they have used it. The administrative courts indicated that they had used videoconferencing, as a single judge, for the processing of emergency proceedings in matters concerning foreigners, particularly in cases where the foreigner was in administrative detention. Finally, 15 administrative courts indicated that they held summary proceedings by videoconference. For almost all of these courts, the summary proceedings judge was in the courtroom and the parties were at a distance, and less than 10% of summary proceedings cases were judged in this configuration. Travel difficulties were the main reasons why the courts of first instance held summary proceedings by videoconference. The texts applicable during the state of health emergency allowed the use of any means of electronic communication, other than videoconferencing, in case of impossibility to use it. Only a few TAs used this procedure and for less than 10% of the cases in the courts that used it.

Generally speaking, the courts have made a very measured application of the provisions of the orders allowing hearings to be held by videoconference and this use was justified by the constraints and difficulties linked to the health crisis. 2°) The provisions allowing to limit the number of persons attending the hearing were applied by a large number of courts and in a frequent manner. On the other hand, the provisions allowing the president of the court to decide that the hearing will be held without the presence of the public have been used very little. 3°) The dissemination of the public reports and conclusions has

**(2019):** Administrative law cases pending for more than 2 years: in contrast with previous cycle, 2019 data are expressed in net figures, excluding serial cases presenting the same legal issue for trial.

**(2018):** With regard to the reduction of the number of non-contentious cases, this corresponds both to the impossibility of including data relating to adults under protection in 2018, due to a technical problem, and to the abolition of the approval of over-indebtedness plans by the judge of the Court of First Instance, the proceedings before which are processed by the Over-indebtedness Commission, as from 1 January 2018. Act No. 2016-1547 of 18 November 2016 on the modernization of 21st century justice, known as the "Justice 21 Act" and the Act of 9 December 2016, abolished judicial approval of the measures recommended by the over-indebtedness commission. As a reminder, divorces by mutual consent no longer fall within the competence of the family court.

**(2016):** The important increase in the number of pending non-litigious cases is due to the increased number of requests for ending unions - 60% (especially in 2016) and the increased number of pending cases before execution judges within the TGI in respect of a third party (without significant increase in the number of incoming cases, but a regular increase, namely for the last two years in the number of cases under consideration).

**(2014):** In civil litigation, cases relating to the activity of the liberty and custody judge amount to 98 300 cases in 2014 and have increased by 6.8% compared to 2013. These cases have significantly increased in 2012 (+ 65.5%), due to the law No. 2011-803 of July 2011 on the rights and protection of persons under psychiatric care. The reform systematised the control of psychiatric hospitalisations without the consent of the liberty and custody judge.

## Germany

**(General Comment):** General information on the statistics used as sources for answering the questions in this section: Once per year, the Federal Statistical Office compiles and publishes the statistics of the civil, criminal, administrative, finance, social, family and labour courts. Nationwide uniform ordinances define the scope and rules of data collection for these statistics. The courts collect the data and submit it to the statistical offices of the Länder, who check and edit the data and send it to the Federal Statistical Office. In simplified terms, the ordinances provide two different kinds of data collection sheets: The "procedural surveys" that collect data on the specifics of the proceedings happening at a court and the "monthly surveys" that track the caseload of a court. With regard to the caseload count, the monthly surveys distinguish between "caseload of proceedings covered by the procedural surveys" and "other caseload". For the cases from the first category (proceedings covered by the procedural surveys), the monthly surveys collect the number of cases pending at the beginning and at the end of a month as well as the number of received and resolved cases. For the "other caseload", the monthly surveys only count the number of received cases.

2.1 General civil (and commercial) non-litigious cases: The figure represents the number of non-litigious enforcement cases. In the monthly survey for the statistics of the civil courts, these cases fall into the category of "other caseload". This is the reason why only the number of incoming cases is available.

2.2.1. Non litigious land registry cases: The figure represents the number of incoming requests with regard to entries, change of entries or deletion of entries in the land registry. This data is not part of the statistics of the civil courts but was taken from the statistics on the workload of the Local Courts in matters of non-contentious jurisdiction (according to the Act on Proceedings in Family Matters and in Matters of Non-contentious Jurisdiction - FamFG). The number of pending and resolved land registry cases is not collected within the framework of this statistic.

Pending cases older than 2 years from the date the case came to the first instance court:

With regard to the statistics of the civil, criminal, administrative, finance, social, family and labour courts, a statistical record of the day a case came to the court only exists for the cases covered by the procedural surveys. Courts submit the data from the procedural surveys to the statistical offices after the case has been concluded for the respective court and at the respective instance. This means that the duration of a proceeding is unknown for pending cases. The monthly surveys count the number of pending cases at the beginning and at the end of a month, but do not collect any information on the date the pending cases came to the court. The statistics compiled by the Federal Statistical Office include information on the percentage of cases that were resolved within certain time frames but no numbers on how many proceedings took longer than two years. The statistic on the workload of the Local Courts in matters of non-contentious jurisdiction does not collect any data regarding the date a case first came to court.

Horizontal inconsistencies in the table:

The inconsistencies with regard to the pending cases at the end of the year also occur in the statistics published by the Federal Statistical Office. The reason for this is, that courts submit count corrections for the monthly surveys at the end of the year.

**(2022):** "Non-litigious civil cases" represent non-litigious enforcement cases.

"Non-litigious business registry cases" represent - the number of registrations in the business registry (Handelsregister) at the end of the previous year

- the number of new registrations during the reference year
- the number of deleted registrations during the reference year
- the number of registrations at the end of the reference year

"Administrative law cases" include cases at the administrative, social and finance courts

"Other cases" include family cases at the local courts and cases at the labour courts (family matters are not assigned to the category civil cases, because they are subject to a different procedural law). Discrepancies in comparison with the 2020 cycle: There has been a general decrease in incoming and resolved litigious civil cases as well as non-litigious civil cases (enforcement cases). No specific reason could be identified for this development.

**(2021):** 2.2.2: data represents - the number of registrations in the business registry (Handelsregister) at the end of the previous year

- the number of new registrations during the reference year
- the number of deleted registrations during the reference year
- the number of registrations at the end of the reference year

"other cases" include: family and labour law cases

**(2020):** There is no special reason explaining the slight decrease in the number of incoming administrative law cases.

**(2019):** The horizontal consistency in the table is not ensured because the data are continuously checked.

**(2018):** The high number of administrative pending cases on January 1st and December 31st is a result from the numerous unresolved cases in 2017 due to the rise of asylum seekers since 2015. Cases of guardianship law in 2018 are not included in the "other cases " category, because changeover of data collections by the Länder.

**(2017): Source:** Federal Statistical Office (DESTATIS)  
No. 4 - Other cases: Cases of guardianship law in 2017 are not included, because changeover of data collections by the Länder.

**(2016): Source:** Federal Statistical Office (DESTATIS)

**(2015):** For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2015. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category remains incomplete. The category "other" refers to: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

**(2014):** For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2014. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category is incomplete and is not comparable. The category "other" includes: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

**(2013):** Two Länder did not provide data with regard to the number of other than criminal law cases, while one Land did not provide information about the number of non-litigious land registry cases. The information is incomplete and the following legal cases were not taken into account: Incoming cases - payment order procedure (civil courts: 4 751 355 cases; labour courts: 56 053 cases), insolvency cases (143 662), cases concerning the civil registry office, wills, estates, accommodations, agriculture, escrow, and public notice proceedings (1 469 273); Pending legal cases on 31 December 2013 - guardianship and curator cases (12 795); insolvency cases (303 654).

**(2012):** The data was not available for 1 Land and remained incomplete for 4 Länder.

## Greece

**(2022):** The data has been provided by the office for the collection and processing of judicial statistics. It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data, such as the training of staff and the creation of an instructional manual guide with definitions and instructions. These measures were intended to help collecting more reliable data from both small and large courts and prosecution services and eliminate the standard errors in judicial statistics. As our methodology is developing, discrepancies in data can be observed. Besides, as regards "Other cases", it should be mentioned that some types of cases that were previously included in this category, are now distributed in the other case-categories in the table.

**(2021):** The data has been collected from the 63/63 First Instance courts of Greece.

**(2020):** The courts from March 2020 due to Covid 2019 operated under special conditions and dealt with priority mainly criminal cases, this is the reason for the differentiation of pending cases of civil and administrative nature. Civil cases are answered NA, because not all courts could provide the data.

**(2019):** The Council of State did not provide the Ministry of Justice with data regarding the Administrative law cases

**(2018):** -

**(2017):** The divergence between 31.12.2016 and 1.1.2017 regarding the Civil and Commercial cases (First column of this year's data) is mainly due to the recent operation of the NEW system (integrated Civil and Criminal Court case management system -OSDDY PP) in the Court of First Instance of Piraeus (1587 more cases on 1.1.2017 than those on 31.12.2016). In 2017, the number of "incoming" and "resolved" civil and commercial litigious cases at first instance courts increased due to the fact that in 2017 the function of the courts was not affected by the strike of lawyers, which took place in 2016. The horizontal consistency of the table is not ensured with regard to civil and commercial litigious cases because in 2017 some of the courts which do not yet have an automated system had to make minor adjustments in the statistical data provided to the MoJ. Concerning administrative law cases, any deviations from the 2016 figures, regarding the number of cases on 31.12.2016 and of 1.1.2017 (240650) are due to a number of factors that the General Commission of the State is trying to track down and gradually eliminate. A slight deviation has been noticed for the 2017 data of the administrative first instance courts of Athens and Piraeus, which is due to the data migration to a new information technology (IT) system called "Integrated Court Management System for the Administrative Justice (OSDDY-DD)". This deviation that has already been taken into account by the Central Organizational Committee for the due implementation of OSDDY-DD, is expected to lapse gradually within the next years. Furthermore, deviations have also emerged from the new way of collecting statistical data that the central Organizational Committee is trying to establish in order to ensure the uniform input of data by each court and from recent verifications of relevant numerical data that were subsequently sent by the courts. Finally, discrepancies are also due to errors of the information system itself, for which an effort is being made to identify and inform about, the contractor of the system. The deviation regarding the Number of resolved cases of 2017 from 2016 is due to the fact that in 2017 the function of the courts was not affected by the strike of the lawyers, which took place in 2016. Regarding the new integrated court management system, for administrative cases it has been implemented at all court levels since autumn 2016 and for civil and commercial cases and more especially in the Court of First Instance of Piraeus, the integrated court management system was gradually implemented from March 2016 resulting to an accurate calculation of pending cases of 1/1/2017.

**(2016):** Any deviations from the 2015 figures are due to a new way of collecting statistics. In fact, in 2016, a working group was set up to update and simplify the content of the statistical data requested by the judicial services of the country. The working group created tables followed by detailed instructions and training in relation to the requested information. According to the instructions given to the courts, some procedures they handle, in those which there is no participation of a judge, are not included in the data collected. In addition, in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction in the number of cases (especially civil and commercial litigious cases).

The number 79.872 of resolved administrative law cases does not include joint cases, i.e. decisions that refer to more than one case. Furthermore, for the 2016 data of the administrative First Instance Courts of Athens and Piraeus a slight deviation has been noted which is due to the data migration to a new information technology (IT) system called "Integrated Court Management System for Administrative Justice (OSDDY-DD)". This deviation that has already been taken into account by the Central Organizational Committee for the due implementation of OSDDY – DD is expected to lapse gradually within the next years.

As concerns the category "civil and commercial litigious cases" - incoming and resolved - in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction of numbers regarding the cases.

**(2014):** The significant increase in the number of pending cases on 1 January for the total of "other than criminal law cases" is due to lawyers' abstention in the years 2013 and 2014.

**(2012):** The system of collecting data does not comply with the CEPEJ methodology. Besides, recent law changes have altered the jurisdiction of courts, so the figures communicated for 2012 could not be compared with these provided for the previous evaluation cycles.

## **Hungary**

**(2021):** The number of incoming cases decreased in general and the situation was the same for administrative cases. As the number of incoming cases decreased and the courts were able to finish more cases than the number of the "new" cases, the backlog was reduced.

**(2020):** The pandemic situation had a huge effect on the case flow of the courts on every level of the court system. Special regulations were adopted by the legislator to promote videoconferencing and the courts were "closed between the 16th of March and the 31th of March (during this period no procedural events could be performed at the courts). Although the courts carried out their main activities, many cases were prolonged e.g. because the parties were not able to attend the hearings. Regarding administrative cases the re-organization of administrative jurisdiction also could have an effect on the case-flow.

**(2018):** One of the reasons of the decreasing number of incoming cases is the new civil procedural code coming into force on the 1st of January 2018. This resulted that many of those parties (especially those who were represented by lawyer) who had the chance to do so, filed their petition before the end of 2017 under the scope of the old and well-known procedural code. Regarding the discrepancy between 2017 and 2018 in the number of registry cases, it is due to the fact that for the first time in 2018, the number of non-litigious business registry cases is available.

**(2017):** Regarding the categories "2.1 general civil (and commercial) non-litigious cases", and "4. other cases" the number of pending cases on 1st of January differ from the closing number of the previous year because of data collection problems at certain regional courts.

In the category "registry cases" the higher number of incoming and resolved cases in 2016 was the result of a large number of involuntary dissolution cases. As the courts finished these cases and backlog cases from previous years the number of resolved cases in 2016 was higher than incoming cases in contrast with 2017.

**(2016):** In category "4. other cases" there is a difference between the number of pending cases on 31 December 2015 and the number of pending cases on 1 January 2016. The cause of this difference is the change of the IT system and the cleansing of the database.

2.1 General civil and commercial non-litigious cases: there was a change in the statistical methodology at the largest regional court that caused a difference in the figures pertaining to pending cases on 1 January 2016.

2.2.3. "other registry cases" include registration of civil societies.

The increase in the number of general civil (commercial) non litigious cases pending on 1 January 2016 is due to the change in the statistical methodology at the largest regional court that caused a difference in the figures.

The number of incoming "other registry cases" increased between 2014 and 2016 because of the increasing number of registry cases of civil societies. Accordingly, the number of resolved "other registry cases" increased also for the same period. With regard to the category "other non-litigious cases", the increased numbers characterizing the period 2014-2016 are the consequence of the increasing number of court mediation cases and non-litigious labour cases.

**(2015):** There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

The category "civil and commercial non-litigious cases" includes all cases that are not concluded through the rules of the civil procedure, but through a more or less simplified procedure. Thus, there is a very wide range of related categories set forth by the Civil Procedure Code or other acts. For example, a reference was made to: exclusion of a judge; preliminary verification; issuance of a restraining order and review of that; declaration of dead; declaration of missing; revision of the medical care of mentally disordered patients, deposit at the court; company registration procedures; registration of associations, foundations etc.

The category "other registry cases" include registration of civil societies.

The category "other non-litigious cases" include court mediation and non-litigious labour cases.

The category "other" include Insolvency cases and labour cases.

**(2014):** In 2014, in contrast with the 2013 evaluation, some registration cases as well as non-litigious enforcement cases were also included within the category "civil and commercial non-litigious cases". The item "other registry cases" includes registration of civil societies. The item "other non-litigious cases" includes court mediation and non-litigious labour cases. Before 2013, non-litigious administrative law cases were counted as "non-litigious civil and commercial cases". Since 2013, non-litigious and litigious administrative law cases are provided together. The increased number of investigations conducted by administrative authorities (e.g. tax authorities) resulted in an increased number of reviews against these decisions.

**(2013):** Till 2013, the data-provider for non-litigious enforcement cases was the Ministry of Justice. Since 2013, the data-collecting system of courts covers also this group of cases (general non-litigious cases). Before 2013, non-litigious administrative law cases were counted as "non-litigious civil and commercial cases". Since 2013, non-litigious and litigious administrative law cases are provided together. As for the subcategory "civil (and commercial) litigious cases", it encompasses different categories of cases for 2012 and 2013.

## Ireland

**(General Comment):** Historically, the number of pending civil cases has not been recorded in caseload data, as many cases initiated before the Irish courts either settle out of court or are not proceeded with by the plaintiff/applicant without there being any procedural requirement that the parties inform the court of either a settlement or an intention not to proceed with the case. Civil (and commercial) non-litigious cases include proceedings not resolved inter partes, such as undefended pecuniary claims, deed poll applications, probate (grants of representation), wardship proceedings, registrations of enduring powers of attorney, appointment of care representatives, unopposed personal and corporate insolvency proceedings, liquor licencing applications and marriage notice exemption applications.

Administrative law cases are included in the number of Civil (and commercial) litigious cases.

Category "other" includes: Taxation of bills of costs, Appointment by Chief Justice of Commissioner for Oaths and Notaries Public, Persons called to the Bar; Declarations by newly appointed Judges; Extensions of service granted to District Court Judges/County Registrars; Certificates of Authentication issued.

**(2022):** The COVID pandemic had an effect on the courts' ability to deal with incoming business in 2020 especially, which explains the discrepancies with number of court cases in 2022.

**(2021):** As the Courts Service is not in a position to confirm to increase or decrease, we can note the following: There was a decrease in over 2,500 in personal injuries cases, recovery of debt cases overall decreased by about 1,500 cases and small claims decreased by 40 percent to 2,134, licensing was down 18 percent to 10,764. We can say it is very likely that ongoing covid restrictions contributed to this in licensing.

**(2020):** Reduction in non-litigious cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. This included domestic violence and criminal proceedings. All written judgments were delivered electronically and published on the Courts Service website, courts.ie.

Attendance at Court offices was by appointment only to ensure that footfall could be safely managed.

**(2017):** We are not in a position to offer further comment on the figure for resolved Civil (and commercial) litigious cases. We are not in a position to offer further comment on variations in the number of incoming and resolved "other" cases.

**(2016):** The decrease in the number of incoming and resolved "other cases" observed for the period 2014 - 2016 is due to a sharp reduction on taxations of legal costs since 2014.

**(2015):** Category "other" includes: Taxation of bills of costs.

**(2014):** A substantial number of cases which have been completed (through settlement or non-pursuit of the case by the plaintiff without notice to the court) are not recorded and counted as completed. Consequently, the clearance rate appearing from the case flow data provided is considered to understate significantly the actual case clearance rate.

**(2013):** The number of enforcement cases has been reported for the first time. The Courts Service has sought to create a category of cases under the Irish system that would be equivalent to non-litigious enforcement cases under other justice systems. The figure consists of the following steps leading to enforcement measures by court judgments and orders: Execution orders, Registered Judgments, Judgment Mortgage Certificates.

## Italy

**(2022):** In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

**(2020):** In 2020 the case flow was highly affected by the COVID-19 pandemic and the consequent temporary shutdown of courts. This had an impact on both incoming and resolved cases, which fell quite considerably compared to 2019. However, the fall in the number of resolved cases was less drastic than that of incoming cases, resulting in a clearance rate (CR) higher than 100% and, hence, in a reduction in the number of the unresolved cases (i.e. the pending cases at the end of the period). The COVID-19 pandemic also had a strong impact on the disposition time (DT). The number of pending older than 2 years is not available because figures include the activity of both tribunals and justice of peace offices and for the latter this information is not available.

**(2019):** Number of "pending cases older than 2 years" is not available because it refers to first instance causes which also include the activity of Justice of peace offices, for which this information is no available.

**(2018):** Administrative cases. – It should be noted that fast-track simplified proceedings are available for dispute resolution in important areas of administrative law, such as public procurement ("rito appalti"). In 2018, the disposition time for such disputes was 237 days in the first instance and 274 days before the Consiglio di Stato (CDS). Furthermore, requests of interim measures are frequent in administrative law cases (about one third of the cases in first instance and half of the cases before the CDS). They provide fast legal protection of the claimant's rights, often anticipating the final judgment on the merits.

**(2015):** Figures at Q.91 (points 1 and 2) have been extracted from a new IT system called "Civil Data warehouse". This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases.

As far as figures at Q.91 (point 3), please consider that Administrative Justice doesn't fall under the umbrella of the Ministry of Justice as it is administered by the Council of State (Consiglio di Stato). However, figures at Q.91 (point 3) were not provided by the Council of State, they were rather taken from a public document available online at [https://www.giustizia-amministrativa.it/cdsintra/cdsintra/Notiziasingola/index.html?p=NSIGA\\_3826149](https://www.giustizia-amministrativa.it/cdsintra/cdsintra/Notiziasingola/index.html?p=NSIGA_3826149)

Since the administrative cases (Q.91 point 3) refers to a different administration, it wouldn't be reasonable to compare these numbers against the number of judges provided at Q.46.

Civil and commercial non-litigious cases include: Uncontested payment orders, uncontested divorces, technical appraisals, judicial interdiction and incapacitation, hereditament, etc.

**(2014):** In 2014, figures for the category "administrative law cases" have been submitted for the first time. The administrative justice doesn't fall under the umbrella of the Ministry of Justice as it is a completely different administration.

**(2013):** In 2013 and 2014, the Italian judicial system has gone through a historical geographic reorganization with the closing of almost 1000 courts. Thus, the statistics regarding flows of cases at the end of 2013 may show some anomalies that will be adjusted with the following data gathering. A constant reduction in the incoming civil and commercial litigious and non-litigious cases is observed from the end of 2009. The number of ADR cases is constantly increasing with a filter effect on the litigious incoming files.

## Latvia

**(General Comment):** Data from the first and appeal instance courts are compiled by the Court Administration, and the Court Information System is a living database that allows data to be corrected, so changes between previous periods are possible. In 2022 the increase in the balance of pending cases is related to changes in data collection, more specifically, from 2023 it is possible to determine the number of unfinished cases in non-litigious land registry cases.

In the spring of 2023, the Court Administration made improvements to the statistical data recording system, which prevented the collection of incomplete data related to the reorganization of the courts in previous periods. For these reasons, previously published data may differ and not be comparable.

Within the Court Information System, submissions received in the previous year but registered the next year are considered as incoming cases for the new year. "Non-litigious business registry cases" are not defined in the Civil Code and are not within the competence of courts in the first instance. "Non-litigious land registry cases" is one of the cases which are one of the functions of district (city) courts in accordance with the Land Register Law. Examination of the Land Register matters shall be under the jurisdiction of district (city) courts.

The category "civil and commercial non-litigious cases" encompasses: applications for securing claim prior to initiation of the matter in a court; applications for securing of evidence prior to initiation of the matter in a court; applications for execution of obligations through the court; undisputed compulsory execution of obligations; execution of obligations in accordance with warning procedures; voluntary sale of immovable property at auction through the court; submitting the subject-matter of an obligation for safekeeping in the court; applications for Commercial Court adjudication execution procedures; applications for arbitrary court decision compulsory execution; applications for property protection if there is no inheritance case; applications concerning execution of court adjudications.

**(2022):** In 2022 the increase in the balance of pending cases is related to changes in data collection, more specifically, from 2023 it is possible to determine the number of unfinished cases in non-litigious land registry cases.

The number of pending cases on Jan. and on 31.Dec. is higher than 2020 year due high number of pending non-litigious cases. Every year from 2019, significant increase in the number of non-litigious civil cases has been observed. Compared to the 2020, the number of incoming cases and resolved cases increased significantly. The increase of incoming cases and resolved cases of non-litigious civil cases affected increase of pending cases. In the end of 2021, amendments to the Civil Procedure Law entered into force, which made it easier to submit applications for enforcement of obligations according to warning procedures, these changes contributed to the increase in the number of non-litigious cases received. Civil Procedure Law determines that the judge shall, within seven days take a decision The short case review period contributes to that the number of received and completed cases is similar.

The number of pending cases (pending for more than 2 years) has decreased. The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending civil and administrative cases.

**(2021):** The number of pending cases on January differs from pending cases on December, 2020 registered data due the living Court information system database. The number of pending cases on Jan. is higher than previous year due high number of pending non-litigious cases. See comments from previous campaigns. Every year from 2019, a significant increase in the number of non-litigious civil cases has been observed. Compared to the previous period, the number of cases increases by 25%. According to the Civil Procedure Law, judge should examine application within seven days. The consideration time determined by the law also affects the amount of resolved cases, and accordingly indicates a direct connection with the amount of incoming cases.

Administrative cases: At the end of 2021, the number of cases received, (which were directed against the Covid-19 restrictive measure - mandatory vaccination), increased significantly, and it was not possible to resolve these cases until the end of the year

The number of pending cases (pending for more than 2 years) has decreased. The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending civil and administrative cases.

**(2020):** The number of resolved and incoming cases of general civil (commercial) non litigious cases are higher because there was significant increase on applications for the undisputed enforcements. Usually, cases on the undisputed enforcement are submitted electronically and solved in written procedure. The increment of such cases are probably closely connected with activities of creditors` intensity.

We cannot find the main reason why pending cases older than 2 years are resolved more than in previous years.

Representatives of courts point out the effect of Covid19 restrictions because many old cases were re-classified from oral to written procedure if it was possible and if parties of case agreed to that.

**(2019):** In 2018 there were several stages of court system reform. Several District courts were merged, and The Land Register offices appended to the District courts. Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – unresolved. The reform of the judiciary could also have affected the backlog of cases pending for more than 2 years, as it is undoubtedly that when transferring a backlog from one court to another, another judge needs extra time to go into the case file. However, the methodology for processing statistical data must also be taken into account, i.e. the functionality of the database, that the period of suspension of proceedings is taken into account during the proceedings and other external economic factors could have affected the number of long-standing civil cases. Taking into account also the peculiarities of litigation in our country, for example, that commercial cases are not separated from civil cases and that one civil case may contain several claims which are considered in one procedure, this generally means that the case takes longer to process.

**(2018):** In 2018 there were several stages of court system reform. Several District courts were merged, and The Land Register offices appended to the District courts. Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – unresolved.

**(2017):** Data updated after court reorganisation in 2018.

**(2016):** Data updated after court reorganisation in 2018.

**(2014):** Variations concerning administrative law cases over the period 2012-2014 are due to a change in the legislation. Namely, from July 2012, appealed administrative decisions of institutions are handed to District courts.

**(2013):** Amendments to the Civil Procedure Law introduce new long-pending forms for insolvency cases such as judicial protection proceedings, insolvency proceedings for individuals, etc., whose proportion increased. The insolvency process begins with a court ruling but the case cannot be closed until the end of the insolvency process. Besides, quick pending cases have been transferred from courts to the Land Registry offices from January 2012. The micro-enterprise development opportunities have increased the number of long-pending insolvency cases in the court. From July 2012, appealed administrative decisions of institutions are handed to District courts.

**(2012):** Decreases in the values are due to external (socio-economic) and internal (court system) factors: the gradual exit from the economic crisis; transfer of the majority of the non-litigious civil cases (land registry, business registry and non-litigious enforcement cases) from first instance courts to the competent Land Registry Department; transfer of the appealed decisions against administrative authorities from the Administrative court to the Regional courts of general jurisdiction (thus, only cases of the special jurisdiction of the administrative courts are counted).

## Lithuania

**(2022):** 2.1. The duration of court hearings is influenced by the number of new cases received at the court and the number of working judges who hear these cases (judge workload), the type or type of the case and its complexity, the cases specified in the law when the hearing must be postponed (e.g. by a party to the proceedings disease etc.). It should be noted that in 2022, 705 judges worked in Lithuanian courts (of which 2 judges were appointed for 2 years), 786 judge positions, that is, 81 positions were not filled, which could lead to a larger balance of unexamined cases at the end of the year. It is noteworthy that in 2022 compared to 2021, the number of civil cases examined in district and district courts (first instance) increased by 1.7%. 3. A significant change in received and examined administrative cases compared to 2021 was due to an increase in the number of administrative cases due to the issuance of a court order, when waste system administrators, due to the increased number of debtors, go to court with requests for the local fee for the collection and management of municipal waste, debt recovery, as well as there has been a significant increase in asylum cases due to the illegal migration crisis in the country. For registry cases, the answer should be NA, the NAP was chosen for the calculation purposes: it is not possible to identify those cases among all other general civil cases.

Other cases: In 2022, compared to 2021, the number of cases of administrative offenses examined in district courts decreased significantly - by 65% compared to 2020. – decreased by as much as 76%. These changes were caused by changes to the Code of Administrative Offenses, which entered into force in 2021-07-01 and in which certain cases of administrative offenses were transferred from district courts to be examined by non-judicial institutions.

**(2021):** in 2021 July 1 the amendments to the Code of Administrative Misdemeanors entered into force, by which the cases of administrative offenses were transferred to be examined (except for the cases referred to in Article 614, paragraph 1, point 3) from district courts out of court to pre-trial institutions.

in 2021 in the district courts, there was a noticeable decrease in the number of civil cases examined by the first instance due to the bankruptcy of legal entities - 1,212 cases (1,624 in 2020, 2,787 in 2019). Compared to 2019, such cases decreased by more than half. It can be assumed that such a decrease in cases in this category could have been caused by the 2020 initiative adopted by the Council of Judges. The impact of the consequences of the novel coronavirus (COVID-19) on Lithuania entered into force Law no. XIII-2861, which was temporarily (until December 2020 31) the initiation of the insolvency process was suspended. It is noteworthy that out of 1212 civil cases on bankruptcy of legal entities, which examined in 2021, the majority - 860 cases - were received by 2020.

**(2020):** "Pending non-litigious cases": general decrease of number of cases and application of administrative means. The number of resolved civil and commercial litigious cases might have been affected by the pandemic as not all the categories of cases could have been adjudicated remotely. The number of administrative cases, as well as for civil and commercial litigious cases could have decreased because of the need for some period to adapt IT and video conference equipment in the situation emerged. The increase of number of pending administrative cases older than 2 years is related to decisions of courts in environmental law cases to stay proceedings pending a decision in a related case, which will be a preliminary ruling in another case: legal entities are challenging a decision requiring them to pay a tax on the pollution of packaging waste from which they were exempted because they had concluded a contract for the organization of waste management. As the documents proving the waste management issued by the licensed recycler were canceled, the documents certifying the waste management of other entities were canceled, which obliged the entities (which had a contract with the waste manager to organize packaging waste management) to pay this fee. The cases are suspended and pending a decision in a case challenging a decision declaring waste management documents issued to applicants invalid because it will have a preliminary ruling in these cases.

**(2019):** In 2019 there is a downward trend in the backlog of incoming and resolved cases. At the end of the year, the backlog of pending cases at the district, county (I instance) and county administrative courts amounted to 29 898 cases, at the end of 2018 – 33 233 cases; at the end 2017 - 36 419 cases (10 percent less than in 2018 and 18 percent less than in 2017). In 2019 the number of court order cases has decreased. This decrease may have been caused by the general decrease of debtors' natural persons in 2017–2019. According to the information provided by the credit bureau Creditinfo data, on 1st January 2020 there were 163 929 debtors (natural persons), on 1st January 2019 -177 055, on 1st January 2018 - 207 000 debtors (natural persons). In 2018, the number of administrative cases received increased by 27.35% compared to 2017 (e.g. the number of cases concerning conditions and detention of prisoners, cases concerning the legal status of aliens have significantly increased) and this led to the growth in the number of pending cases at the end of 2018 (and to the beginning of the reference year 2019). In 2019, compared to 2018, the number of administrative cases heard in regional administrative courts increased by 14 percent. The change in the increase was due to a 34 percent increase compared to 2018 in the number of applications for a local fee for the collection and treatment of municipal waste. In 2019 a further upward trend in tax cases, enforcement cases and arrest cases, but there has been a significant reduction in civil liability for damage caused by illegal actions by public authorities. In 2019, as compared to 2018, the number of administrative misconduct cases investigated in district courts increased by 16 percent. The change was due to a 64 percent increase in the number of cases of administrative offenses related to transport and road transport (370-463 Articles of the Code of Administrative Offenses). In 2019 significantly increased the number of cases of driving under the influence of drugs, psychotropic or other psychoactive substances without driving license. The number of cases related to trade, the financial system and statistics has also increased.

**(2018):** The decrease in general civil (and commercial) non-litigious cases (2.1.) may have been due to the overall decrease in debtors' natural persons in 2017 and 2018. The latter suggestion is based in data from the credit bureau Creditinfo (1 January, 2019 number of debtors natural persons was 177,055; 1 January - 207,000; 1 January, 2017 - 252 479). Credit Bureau "Creditinfo" stores information about credit risk for businesses and private entities, forms the credit history and establishes credit ratings.

The decrease in "other non-litigious cases" (2.3.): civil cases in process of enforcement (execution) in all district courts was due to changes in the law that came into effect in 2017 July 1, on the basis of which the bailiff, rather than the court of first instance, is responsible for dealing with the succession in enforcement proceedings.

The decrease in "other cases" (4): administrative offence cases (including cases in process of enforcement (execution) in 2017-2018 period was due to the entry into force of the Code of Administrative Offenses on 1 January, 2017 which left the handling of a large proportion of administrative misconduct and the imposition of penalties to various public administration entities (out of court). This could also be due to the expanded list of circumstances in which the person is not prosecuted under the Code of Administrative Offenses. The decrease in these cases was also influenced by the Amendments to the Criminal Code (on 1 January, 2017) that criminalized persons who drove a road vehicle or taught practical driving while under the influence of alcohol with more than 1.5 ounces of alcohol. In 2018, compared to 2017, the number of cases of administrative offences investigated in district courts decreased by 15.66%, compared to 2016, a decrease of 75.83%. Concerning administrative cases (3): in 2018, the number of cases received increased by 27.35% compared to 2017 (e.g. the number of cases concerning conditions and detention of prisoners, cases concerning the legal status of aliens have significantly increased) and this led to the growth in the number of pending cases at the end of the reference year.

**(2017): Other non-litigious cases:** civil cases in process of enforcement (execution).

Concerning the category "non-litigious cases" the number of pending cases on 1 January 2017 increased considerably compared to their number on 1 January 2016. The same increase characterises the categories "general civil and commercial non litigious cases" and "other non- litigious cases" (pending cases at the beginning of 2017). However, we can observe that at the end of 2017 the number of pending cases decreased concerning the category "non-litigious cases" and the sub-category "other non-litigious cases". Only with regard to "civil and commercial non-litigious cases" the number of pending cases at the end of 2017 increased. We can see that these variations are the result of variations in the number of incoming cases for the period 2015-2017. Besides, as the numbers are small, variations appear important. The main reason for increased pending cases is the increased number of incoming other non-litigious civil cases, i.e. enforcement cases, in 2017. More precisely, in 2017, the number of civil cases in enforcement procedure – requests to change the recoverer, increased. There is no particular reason, besides the fact that some companies were buying the recoverers' rights from other natural persons or legal entities.

As regards the category "other cases", it refers to cases of administrative offences and cases of administrative offences in process of enforcement (execution). Following the entry into force of a new Code of Administrative Offence (1 January 2017), the number of incoming cases of administrative offences decreased. The decrease in the number of incoming administrative law cases in 2017 is explained by the increased number of incoming administrative cases in previous years (due to the decisions of the Constitutional Court).

Registry cases cannot be identified among the overall number of general civil cases.

Administrative law cases: courts received less administrative cases; they are fighting backlogs from previous years.

**(2016): Administrative law cases - courts are fighting backlogs.** This led to the growth in the number of resolved cases and consequently to the decrease in the number of pending cases 31 December 2016.

Other non-litigious cases: civil cases in process of enforcement (execution). The increased number of these incoming cases also results in the increase of number of incoming non-litigious cases. The number of increased incoming other non-litigious cases (enforcement) may be due to the number of the resolved civil cases in 2015 (the number of pending cases on 1 January 2016 decreased). As regards registry cases: the answer should be NA, the NAP was chosen for the calculation purposes: it is not possible to identify those cases among all other general civil cases.

**(2015): Civil and commercial non-litigious cases include court orders**

Category "other" includes: Cases of administrative offences and cases of administrative offences in process of enforcement (execution).

**(2014):** The number of incoming administrative cases increased which affected the total. They were mostly cases on remuneration of public servants due to the decision of the Constitutional Court declaring the laws on the reduction of the remuneration of State servants and judges unconstitutional. For the same reason, the number of cases of administrative offence (in execution process) increased, which affected the category "other". As to the significant decrease in the number of general civil (and commercial) non-litigious cases (pending 31 Dec) in 2014, civil cases on deliver of judicial orders are resolved quickly and such residues are normal.

## **Luxembourg**

**(2022):** The decrease in the number of non-contentious cases brought before the courts can be attributed to a legislative change in 2021, which raised the jurisdictional threshold from €10,000 to €15,000 in favour of the justices of the peace (<https://legilux.public.lu/eli/etat/leg/loi/2021/07/15/a541/jo>). This change has resulted in a reduction in both new cases filed and cases concluded by the courts, as certain matters that would have traditionally been brought before the courts are now within the purview of justices of the peace since 2021.

**(2021):** The comment provided for 2020 data remains relevant in respect of cases pending at the end of 2020. It should be recalled that since the law of 27 July 2018 establishing the Judge for family law litigation (JAF), which came into force on 1.11. 2018, cases under the jurisdiction of the JAF are included in the category "civil litigious cases". These are cases previously dealt with by the civil chambers, but also cases dealt with by the youth and guardianship court (e.g., cases relating to parental responsibility with regard to a natural child or a child whose parents are divorced) or at the level of the justice of the peace (maintenance cases). Moreover, it can be observed that the number of incoming cases in these matters has increased since they are within the JAF competence. This is explained by the simplification of the access to justice for the litigant, who, in procedures other than divorce, can refer to the JAF by a simple letter; by the emergence of cases on the basis of new legal provisions (e.g., application by the minor); and by all the litigation generated by the new legal provision establishing the institution of generalized joint parental authority. Moreover, since proceedings before the JAF take much less time than before the reform introducing the JAF, motions to modify decisions taken are filed more quickly and thus increase the volume of cases.

**(2020):** "The law of July 27, 2018 establishing the family court judge (JAF) went into effect on 1.11. 2018. The cases currently under the jurisdiction of the JAF were included for the first time in the category "contentious civil cases" for the year 2020 which explains the observed increases in the number of new, completed and pending cases compared to the previous data. These are cases previously handled by the civil chambers, but also cases handled by the juvenile and guardianship court (e.g., parental responsibility cases involving a natural child or a child whose parents are divorced) or at the justice of the peace level (alimony cases). In addition, there has been an increase in the number of new cases in these areas since they were handled by the Family Court. This fact can be explained by the simplification of access to justice for the litigant, who, in procedures other than divorce, can refer to the JAF by a simple letter, by the emergence of cases based on new legal provisions (e.g. request emanating from the minor) and by all the litigation generated by the new legal provision of the institution of a generalized joint parental authority? Moreover, since proceedings before the JAF take much less time than proceedings before the introduction of the JAF law, motions to modify decisions are filed more quickly and thus increase the volume of cases. Including JAF cases, for 2019, new cases would be 7,626 (up from 5,038) while completed cases were 6,714 (up from 5,098). Including JAF cases, for 2018, 91.1 new cases would be 5,248 (up from 4,807) while completed cases were 4,905 (up from 4,857).

Regarding pending cases in 2018, at the end of the years JAF cases constituted a plus of 453, which corresponds to 1,649 pending cases at the end of the 2018 period in item 91.1. instead of the 1,256 cases informed. Taking into account horizontal consistency, the changes in new and completed cases discussed above, imply that at the end of the 2019 period, pending cases (91.1) totaled 2,561 (instead of 1,196).

The figures for previous years remain unchanged.

""Other non-contentious cases"" pending at year-end: Due to containment during the COVID-19 pandemic the number of public hearings was reduced to a minimum, allowing courts to prioritize work on cases not requiring such hearings. In addition, special crisis legislation allowed cases to be taken under advisement without a public hearing, with the agreement of the parties.

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**(2018):** The pending cases at the date of 31/12/2017 had to be adapted, since there were 27 cases of vacation court, which were no longer pending at the end of the year. These 27 cases were withdrawn from the 1,341 pending cases indicated in the Scoreboard 2017 to reach 1,314 other pending non-litigious cases on 01/01/2018.

**(2016):** For question 91.1 the new data collection system revealed a higher number of pending cases, previously not considered by those in charge of counting.

For question 91.2.2, the new data collection system provides now information on other non-litigious cases, previously unavailable.

**(2015):** The figures given (with the exception of those for the administrative court) are those of the two district courts (Luxembourg and Diekirch).

The three justices of the peace totalized 78.273 national as well as 285 European payment orders.

**(2014):** The data (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts are not yet available. The three justices of peace ruled 75 411 national payment orders, 260 european payment orders and resolved a total of 6386 cases for a total of 65840 new cases. The implementation of statistics counters for civil and commercial cases resulted in variations. The applied criteria have been refined and give a more accurate image.

**(2013):** Data concerns (except for the Administrative Court) district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 580 decisions and registered 664 new cases. The three justices of peace ruled 69 859 payment orders and resolved a total of 5 682 cases for a total of 6 508 new cases. The increase in the number of civil (and commercial) non-litigious cases between 2010 and 2013 is partly explained by the establishment in 2011 of the judiciary statistics office. The increase in the number of administrative law cases mainly stems from the increase in the asylum-related disputes.

**(2012):** The data provided (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 591 decisions and registered 688 new cases. The three justices of peace ruled 63 651 payment orders and resolved a total of 8041 cases for a total of 9310 new cases. The 2012 data encompasses civil and commercial cases of both district tribunals (Luxembourg and Diekirch).

## Malta

**(2022):** In 2022, there was an overall increase in the caseload of the civil courts when compared to the previous evaluation, primarily because this data reflects the normal caseload following the Covid-19 pandemic. Having said this, during this year there was also one specific 1st instance court that has registered an exponential increase in the incoming caseload as a result of legislative issues. This increase in the incoming caseload was reflected in a modest increase in the resolved caseload, but had a more pronounced effect on the pending caseload.

The data provided for 'pending over 2 years' for the civil and commercial civil cases is missing the aged caseload of the Court of Notarial Acts.

**(2021):** As from 2021, the civil litigious category includes the data of the Civil Court (Asset Recovery Section) that was established in 2021. A spike in the incoming caseload of civil litigious cases has resulted in the courts not managing to resolve enough cases in order to retain the previous levels of efficiency, despite a marginal increase in the number of resolved cases.

**(2020):** The lack of horizontal consistency results from recounts that happen throughout the year, and that ensure that the data is always as up to date as possible. However when taken as a global figure, horizontal consistency might then be lost.

**(2019):** Non litigious cases - incoming cases: The data was provided by the case management system of the Court Services Agency and shows an increase in the incoming caseload of these cases over that of the previous year.

Non litigious cases - pending cases at the end of the reference year: The relative high number of pending cases at the end of the year compared by the previous year is the result of the increase of incoming cases but a retention in the number of resolved cases. As a result, efficiency, as expressed as a higher number of pending cases, has suffered.

**(2018):** This evaluation cycle contains for the first time the efficiency data of the First Hall, Commercial Section which is a new court established in April 2018. Furthermore there was a registered increase in the incoming caseload particularly of the Court of Voluntary Jurisdiction and in cases of dissolution of marriage.

The lack of horizontal consistency results from recounts that happen throughout the year, and that ensure that the data is always as up to date as possible. However when taken as a global figure, horizontal consistency might then be lost.

**(2017):** Apart from the provision of the new non-litigious data captured by sub-section 2.1 above, this year we also introduced the data for another civil, litigious court, namely, the Court of Voluntary Jurisdiction, established by the Civil Courts (Establishment of Sections) Order 2003, in terms of Art 2 of the Code of Organisation and Civil Procedure (Chp 12 of the Laws of Malta). The Court has jurisdiction to deal with, amongst other matters, applications related to adoptions, interdictions and incapacitations, matters related to wills and to trusts, and to specific cases falling under the Foster Care Act (Chp 491 of the laws of Malta).

As concerns pending cases at the beginning of the year, information is not available for the newly provided data, namely data from the Court of Voluntary Jurisdiction and the non-litigious data. These data will be available for the next cycle. Increases observed between 2016 and 2017 in the total of incoming and resolved cases result from the fact that new data has been added (data on non-litigious cases and data from the Court of Voluntary Jurisdiction).

**(2016):** Horizontal consistency: This is a problem encountered also in previous evaluations. Unfortunately this inconsistency results from the way that the data is logged, and it is practically impossible to resolve it at present. Concerning the variations between cycles: In reality, in 2015 the Administrative Review Tribunal worked real hard to reduce the pending caseload and also resolved one set of interrelated cases that translated in the conclusion of about 150 separate cases. So 2015 was a very good year in which the efficiency parameters of the Tribunal spiked. In 2016, the rhythm by which cases were being resolved went back to 2014 figures, hence the apparent decrease in the number of resolved cases between 2015 and 2016. The reduction in the pending caseload is also the result of the additional 150 odd cases that were resolved in 2015 and that dramatically reduced the pending caseload for good, even if the resolved caseload of 2016 was less than that of 2015. Concerning Administrative cases: These figures reflect the pending balance at the beginning of 2016. Throughout 2015, the Tribunal resolved one batch of related cases that resulted in a drop in the number of pending cases and a spike in the number of resolved cases.

**(2014):** The category “civil litigious cases” covers family mediation cases and cases before the Court of revision of notarial acts and the Small Claims Tribunal. In 2014, another magistrate started presiding over the Administrative Review Tribunal thereby increasing the judicial complement by 2 members. This change resulted in an increase in the number of resolved cases. Following an internal exercise carried out by the Court Administration, cases that have been prescribed, have been cleaned from the system.

**(2013):** In 2013, the number of administrative law cases continued increasing. The Administrative Court was created in 2010. Over the time, the number of areas of competence of the Administrative Court has increased, which resulted in an increased caseload.

**(2012):** The Administrative Court was set up in late 2010, as a result of which, figure given in the previous report reflected the operation of the Court over a couple of months only. For 2012, the communicated figures reflect the operation of the Court over a twelve month period.

## **Netherlands**

**(General Comment):** In the Netherlands, some registers are kept by the judiciary. Those do not include a land- or business registry, see [www.rechtspraak.nl/registers](http://www.rechtspraak.nl/registers). Most registers are related to debt, bankruptcy and help or surveillance of people who are unable to handle their financial situations. Also, there is a register with ‘nevenfuncties’ (jobs and positions held by judges next to their judgeship). Mutations in these registers are not counted as court cases. The Dutch system does not count mutations in the registers as court cases, so ‘other registry cases’ is NAP.

Regarding the unavailability of the number of pending cases at the beginning of the year, since the Netherlands do not officially measure it, it is not provided.

**(2022):** In previous years, we were able to produce the number of incoming and pending cases for categories 1, 2, and 2.1, but not this year. The Judiciary has decided on a different norm for one of the components needed for this number, so these numbers are no longer available as of 2022.

**(2021):** In previous years, we were able to produce the number of incoming and pending cases for categories 1, 2 and 2.1, but not this year. The Judiciary has decided on a different norm for one of the components needed for this number, so these numbers are no longer available.

**(2020):** Administrative law cases include tax cases and immigration / asylum cases.

First instance cases at Council of State, Court of Appeal, including trade tribunal, are excluded.

In the Netherlands, there are some registers that are kept by the judiciary. Those do not include a land- or business registry, see [www.rechtspraak.nl/registers](http://www.rechtspraak.nl/registers). Most registers are related to debt, bankruptcy and help or surveillance of people who are unable to handle their financial situation. There is also a register with so-called 'nevenfuncties' (a list of jobs and positions held by judges next to their judgeship). Mutations in these registers are not counted as court cases. For the category 'other registry cases' the answer is NAP, as the Dutch system does not count mutations in the registers as court cases.

**(2019):** In The Netherlands, there are some registers which are kept by the judiciary. These do not include a land- or business registry (see [www.rechtspraak.nl/registers](http://www.rechtspraak.nl/registers)). Most registers are related to debt, bankruptcy and help or surveillance of people who are unable to handle their financial situation. There is also a register with so-called 'nevenfuncties' (a list of jobs and positions held by judges next to their judgeship). Mutations in these registers are not counted as court cases. For the category 'other registry cases', the answer is NAP, as the Dutch system does not count mutations in the registers as court cases.

**(2018):** In the Netherlands, there are some registers that are kept by the judiciary. Those do not include a land- of business registry. See: <https://www.rechtspraak.nl/Registers>

Most registers are related to debt, bankruptcy and help or surveillance of people that are unable to handle their financial situation. There is also a register of 'nevenfuncties', which lists all the jobs/positions that judges fulfill next to being a judge. Mutations in these registers are not counted as court cases. For the category "other registry cases", since the Dutch system does not count mutations in the registers as court cases, the answer is NAP.

**(2017):** None

**(2016):** Number of administrative law cases litigious plus non-litigious.

In 2016, there has been a strong decrease in numbers of cases compared to 2014. This decrease pertains to the group of misdemeanours, in particular the group of traffic offences ("Mulder Law"). The cases of "vorderingen dwangsom" (coercive detention) are no longer treated by the Public Prosecution. This following complaints at the Ombudsman. These coercive detention cases increased at first strongly in 2013 and 2014. But after that decision of the Public Prosecution The "Mulder Law" cases decreased from 200.000 in 2014, via 100.000 in 2015 to 40.000 in 2016.

## Poland

**(2022):** \* Administrative law cases - In 2022, the number of incoming administrative cases decreased compared to the previous year. The number of incoming complaints about the inaction of public administration bodies and the protracted conduct of proceedings by these bodies also decreased. The decrease in the receipt of such complaints in 2022 was 30.2% compared to 2021. This may be indicative of the catching up of public administration activities caused by the COVID-19 pandemic. Data for the next years will show whether the downward trend will continue.

**(2021):** \* administrative law cases - It is difficult to identify, apart from the COVID-19 pandemic, any particular reason for the increase in the number of cases brought before provincial administrative courts. A particularly large increase in the number of cases submitted to administrative courts concerned complaints about the inaction of public administration bodies and the protracted conduct of proceedings by these bodies. The increase in the receipt of such complaints in 2021 was 73.2 % compared to 2020. This may also be indicative of some backlog in public administration due to the numerous pandemic restrictions in 2020.

**(2020): Comments:** The discrepancies in Table 91. First instance courts: number of other than criminal law cases - compared to the previous periods (2018 and 2019) are mainly due to combinations of two reasons. First - the COVID19 pandemic, which significantly reduced case inflow to the courts (in some type of cases even by several dozen of percent), reduced the number of resolved cases and pending cases as well. The second factor, which in contrary - caused increase in the volume of cases registered in court system was the inflow of cases related with conversion of the right of perpetual use of built-up land for residential purposes into land ownership (2.2.1 - Non litigious land registry cases). In 2020, there were more than a million incoming cases of this type (in 2019 – more than 2,5 million), which also resulted in an increase in the number of resolved cases in this area, as well as pending cases for the next reporting period.

Administrative law cases: the main reason for the slight slowdown in casework was the pandemic.

**(2019):** The discrepancies in section 4.2.2. Case flow management - first instance - compared to the previous period mainly concern the data shown in point 2.2.1 Non-litigious land registry cases.

In explaining the above, it should be emphasized that the general state of cases in courts of first instance in 2019 was related to cases brought to the land registry departments with regard to the conversion of the right of perpetual use of built-up land for residential purposes into land ownership. In 2019, more than 2 million incoming cases of this type, which also resulted in an increase in the number of resolved cases in this area, as well as pending cases for the next reporting period.

It should be noted that after excluding from the analysis all cases considered in Land Registry Departments, the impact of cases and settlements in 2019 were almost at the same level as in the previous year.

**(2018):** The discrepancy between 2016 and 2018 was realised in 2017 due to the increasing number of mostly non-litigious cases. More details in 2017 data.

Number of pending cases in the category 2.1. General civil (and commercial) non-litigious cases has dropped slightly. That situation is caused by high effectiveness of courts. Number of resolved cases is higher than number of incoming cases. That situation has maintained since 2017.

Higher number of pending cases in Non-litigious business registry cases is temporary and it is a result of higher number of initiated compulsory proceedings. If it is ascertained that the application for entry in the Register or compulsory documents have not been submitted despite expiry of the deadline, the registry court shall call on the obliged parties to submit them. We observed that the effectiveness of courts has increased and therefore number of pending cases in mentioned category has dropped at the end of the year.

In regard to non litigious land registry cases we observe in Divisions of Land and Mortgage higher staff turnover. It contributes to problems with solving cases, therefore number of pending cases has increased.

In regard to “other” cases we have observed significant increasing of incoming cases without specified category. In this category we include following cases: exemption from costs, reconstruction of files, affidavit of assets, excluding judge etc. Higher number of pending cases on 31 Dec. is a consequence of high number of incoming cases during the year. It was probably temporary situation.

**(2017):** As to a general explanation for discrepancies in 2016 to 2017 data, it has to be stated that in 2016, there was a substantial number of incoming non-litigious cases, mostly general civil cases, but also registry cases (around 700k cases total).

This important number of cases was not resolved and the backlog remained important at the end of the year. This could explain the large difference of pending cases between 1 Jan 2016 and 1 Jan 2017.

2.1. In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases on 1 Jan. ref. year has increased. In 2017 we did not notice any problems with mentioned system, so the number of resolved cases has increased significantly. At the same reason the number of pending cases on 31 Dec. 2017 has dropped.

We indicate that fluctuation of the number of cases can be also caused by implemented organizational changes in courts (changes in staff, changes in the organization of work). 2.2. Registry cases (2.2.1+2.2.2+2.2.3) discrepancies are justified in points 2.2.1 and 2.2.2.

2.2.1. Non litigious land registry cases. Higher number of pending cases (on 1 Jan. ref. year and on 31 Dec. ref. year) is caused by Higher number of incoming cases than resolved cases. This situation is related to large-scale investments in infrastructure in Poland Building new roads is closely connected with changes in land registry. We need to indicate that courts have to cope with large number of difficult cases. (Mentioned reason is related to resolved / incoming cases)

2.2.2. Within the changes in business registry cases we can observe significant increase in all types of Application for registration

(first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of

removing from registry). We indicate that it could be caused by fluctuation in compulsory proceedings. Mentioned proceedings are carried on in the cases where it is found that an application for an entry in the National Court Register or the documents whose submission is obligatory were not submitted despite the lapse of the time limit. The registry court shall summon the obliged persons to submit them, and shall set an additional 7-day time limit. We emphasize, that the registry court shall discontinue the compulsory proceedings, if it can be concluded from the circumstances of the case that the proceedings will not lead to the fulfilment of the mentioned obligation. (Mentioned reason is related to resolved / incoming and pending cases)

2.2.3. and 2.3. - Categories do not exist in our judicial system.

**(2016):** Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry).

In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

## Portugal

**(General Comment):** The question 91\_1 "Civil (and commercial) litigious cases", includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases.

**(2022):** The question 91\_1 “Civil (and commercial) litigious cases”, includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases.

On 1 September 2013, the new Code of civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly – those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries

From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since is not yet possible to provide figures that reflect the amount of work take non by the courts as referred above, the data does not include civil and labour enforcement cases. The number of enforcement cases for the year 2022 are: Pending cases on 1 Jan. 2022: 394367; Incoming cases: 108036; Resolved cases: 140946; Pending cases on 31 Dec. 2022: 361457. This numbers correspond to the total number of existing procedures in Portugal in 2022, following the existing model prior to the entry into force of the said legal diploma.

For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative Reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators.

The question 91\_3 “Administrative law cases”, includes administrative and tax cases. The number of Pending cases on 1 Jan. that correspond only to tax cases is 38089. The number Incoming cases that correspond only to tax cases is 11619. The number of Resolved cases that correspond only to tax cases is 14888. The number of Pending cases on 31 Dec. That correspond only to tax cases is 34820. In what concerns this type of cases, in 2022 there were 24,212 new cases and 27,051 completed cases. However, of these totals, only 23,483 new cases and 26,322 completed cases corresponded to real movements of the beginning and end of cases. The remaining 729 cases refer to cases that were internally transferred between units.

**(2021):** The increase in the number of cases resolved on 1 January 2021 should be contextualised, in our view, within the framework of the effects of the Covid 19 pandemic and the consequent confinement, with a reflection on the functioning of the courts in 2020, considering that in certain periods face-to-face services were interrupted or conditioned.

**(2020):** The decrease in the number of Civil (and commercial) litigious cases reflects the effects of the Covid 19 pandemic and the consequent lockdown, that had an impact on the functioning of the courts, considering that in certain periods face-to-face services have been interrupted or conditioned.

On 1 September 2013, the new Code of civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly – those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since it is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above, the data does not include civil and labour enforcement cases. The number of enforcement cases for the year 2020 are: Pending cases on 1 Jan. 2020: 521224; Incoming cases: 96047; Resolved cases: 159616; Pending cases on 31 Dec. 2020: 457655. These numbers correspond to the total number of existing procedures in Portugal in 2020, following the existing model prior to the entry into force of the said legal diploma.

For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative Reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators.

In the scope of Working Group within the Ministry of Justice that monitors the development of the procedural processing system of the 1st instance judicial courts (Citius System), work is underway to implement the mechanism in question, in order to allow for autonomous accounting of cases that are awaiting the performance of an act that falls within the competence of the registry or the judge. At the moment, it is not yet possible to estimate a date for the conclusion of the work. The question 91\_3 “Administrative law cases”, includes administrative and tax cases. The number of Pending cases on 1 Jan. that correspond only to tax cases is 44542. The number Incoming cases that correspond only to tax cases is 44329. The number of Resolved cases that correspond only to tax cases is 48704. The number of Pending cases on 31 Dec. that correspond only to tax cases is 40167. In what concerns this type of cases, in 2020 there were 68,467 new cases and 73,880 completed cases. However, of these totals, only 20,731 new cases and 26,144 completed cases corresponded to real movements of the beginning and end of cases. The remaining 47,736 cases refer to cases that were internally transferred between units, namely due to the establishment of specialised courts in September 2020 (which are not independent legal entities), or that were subject to changes in the subject matter. Considering that in 2020 the number of cases transferred between organizational units was very high in the 1st instance administrative and tax courts, for this cycle we indicated in the table only the numbers of cases opened and closed, without including transferred cases. In previous editions, the figures included transferred cases, which could impair the comparative reading.

**(2019): 91.1** The decrease of the number of pending cases older than 2 years follows the general trend of decrease of pending cases for this category. There were no legislative changes that can explain this decrease.

**(2018):** The question 91\_1 "Civil (and commercial) litigious cases", includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases.

On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above, the data does not include civil and labour. The number of enforcement cases for the year 2018 are: Pending cases on 1 Jan. 2018 700.638; Incoming cases:127.646; Resolved cases:222.480; Pending cases on 31 Dec. 2018: 605.804 This numbers correspond to the total number of existing procedures in Portugal in 2018, following the existing model prior to the entry into force of the said legal diploma.

For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators.

The question 91\_3 "Administrative law cases", includes administrative and tax cases.

The number of Pending cases on 1Jan. that correspond only to tax cases is 47931

The number Incoming cases that correspond only to tax cases is 14895

The number of Resolved cases that correspond only to tax cases is 16828

The number of pending cases on 31 Dec. that correspond only to tax cases is 45998

91.1 Due to increased efficiency of first instance courts, we can notice for the last several cycles a down-ward trend in respect of the number of pending cases, namely civil and commercial litigious cases

**(2017): Q 91.1** - the decrease of pending cases older than 2 years can be explained by the global decrease of these cases.

There were no legislative changes that could explain this decrease.

The question 91\_1 "Civil (and commercial) litigious cases", includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases.

On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above (the technical work is still on going), the data does not include civil and labour enforcement cases. The number of enforcement cases for the year 2017 are: Pending cases on 1 Jan. 2017: 804.423; Incoming cases: 148.713; Resolved cases: 249.837; Pending cases on 31 Dec. 2017: 703.299. This numbers correspond to the total number of existing procedures in Portugal in 2017, following the existing model prior to the entry into force of the said legal diploma.

For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators.

The question 91\_3 "Administrative law cases", includes administrative and tax cases.

The number of Pending cases on 1Jan. that correspond only to tax cases is 49.943

The number Incoming cases that correspond only to tax cases is 14.707

The number of Resolved cases that correspond only to tax cases is 16.811

The number of pending cases on 31 Dec. that correspond only to tax cases is 47.839

**(2016):** " Item 91-1 "Civil (and commercial) litigious cases", includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still on-going aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above, the data does not include civil and labour enforcement cases. The data on enforcement cases for the year 2016 is: pending cases on 1 Jan. 2016: 934.860; incoming cases: 158.164; resolved cases: 289.402; pending cases on 31 Dec. 2016: 803.622. These numbers correspond to the total number of existing procedures in Portugal in 2016, following the existing model prior to the entry into force of the said legal diploma. For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators. Item 91\_3 "Administrative law cases", includes administrative and tax cases. The separate data on tax cases is as follows: pending cases on 1Jan. - 53.597; incoming cases - 16.445; resolved cases - 20.222; pending cases on 31 Dec. - 49.820. Regarding the decrease in the number of incoming administrative law cases, it results from the decrease in the number of incoming tax law cases, in particular in what concerns misdemeanour appeals".

**(2015):** The category "civil (and commercial) litigious cases" includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. It is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred in that table. Just for information, the data on the total number of existing enforcement procedures in Portugal in 2015, following the existing model prior to the entry into force of the said legal diploma is the following: pending cases on 1 Jan. 2015: 1.000.446; incoming cases: 199.359; resolved cases: 272.191; pending cases on 31 Dec. 2015: 927.614.

The category "administrative law cases" includes administrative and tax cases. The separate data on tax cases is the following: pending cases on 1Jan - 47.866; incoming cases - 24.808; resolved cases - 19.164; pending cases on 31 Dec. - 53.510.

**(2014):** For 2014, data are not available due to technical constraints.

**(2013):** Portugal took important measures in order to improve the courts clearance rate and backlogs which resulted in an increased number of resolved non-criminal and enforcement cases. Some measures were focused primarily on enforcement cases, since they represent 70% of the total of pending cases. For example, the government adopted measures with the purpose to eliminate cases where there are no assets to execute or no procedural momentum, as well as measures with the aim to limit the number of incoming cases, establishing initial court fees. Courts with excessive number of pending cases were subject to particular assistance of specialized teams.

**(2012):** As for the number of incoming non-criminal and enforcement cases, the 2012 data reflect the effects of the entry into force of Decree 113-A/2011, which proceeded to a major judiciary reorganization. The figures reflect the corresponding movement of cases between organizational units. As a result, in 2012, a higher number of cases that have not entered ex novo in the Portuguese courts were taken into account. These cases have ended in the unit/court where they left and entered into the new courts where they were transferred.

## Romania

**(General Comment):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

**(2022):** There are no explanations for the discrepancies, as for volumes of cases in the order of hundreds no conclusions can be drawn regarding statistical trends.

**(2021):** As presented in the comments to the data communicated in the previous CEPEJ cycle, the measures taken in the pandemic period led to an increase in the stock of cases, that explain the number of pending cases on Jan 1st and also some of the values of the pending cases in courts for 2 years. At the same time, as shown in some of the data on resolved cases, although the stock at the beginning of 2021 was considerable by the enhanced activity the number of resolved cases increased

**(2020):** The decrease in the number of resolved cases in 2020 was caused by the context of the Covid-19 pandemic. The activity of al the courts was partially suspended between the 15-th of March until the end of May 2020 because a state of emergency was declared. During that period only few urgent cases were adjudicated. Some courts instituted preventive mesures even before the 15-th of March 2020 which included postponing non-urgent cases. After the state of emergency ended there were still in place measures that affected the normal activity of the courts like: the introduction of specific timeframes for each case, hearings through video conference, a strict limitation of human interaction at the auxiliary compartments of the courts that dealt directly with public like the Archive and the Registry office, so that requests and documents had to be submitted by post, fax or e-mail. These measures affected not only the court staff but all court users that had to adapt to the new circumstances and led to the postponement of many cases. There were also gaps in activity caused by cases of Covid-19 among the personnel of the courts. The same explanation is valid for the increased Disposition time which led to an increased numer of pending cases older than 3 years.

**(2019):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2. Referring to the non-litigious business registry cases,the differences in the statistical data are given by the dynamics in the business environment and the interactions at economic level and do not relate to any manifestation at the level of public authority. By referring to total requests that are the object of registration in the trade register, the influence is insignificant. Referring to the administartive cases, the decrease in the number of pending cases in administrative matters can be determined by aspects such as: certain types of cases that have been exhausted before courts (e.g cases on salary rights of public servants initiated in 2010) or cases such as those on pollution taxes that were mostly exhausted before courts and for which administrative procedures have been expressly regulated as to discharge the huge workload in courts that they have generated. In terms of incoming administrative cases, when referring to a decrease in their number, similar reasons that justify the decrease in the number of pending administrative cases should be taken into consideration, namely, for example, those referring to the administrative procedures that have been expressly regulated as to discharge the huge workload in courts (e.g. regarding to the cases on pollution taxes). There is no particular explanation on the increased number of general civil and commercial non-litigious cases in 2019, resulting in a slight decrease of the CR for this category. However, it should be noticed that the operativity and volume of solved cases has increased.

**(2018):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2. Referring to the non-litigious business registry cases,the differences in the statistical data are given by the dynamics in the business environment and the interactions at economic level and do not relate to any manifestation at the level of public authority. By referring to total requests that are the object of registration in the trade register, the influence is insignificant. Referring to the administartive cases, the decrease in the number of pending cases in administrative matters can be determined by aspects such as: certain types of cases that have been exhausted before courts (e.g cases on salary rights of public servants initiated in 2010) or cases such as those on pollution taxes that were mostly exhausted before courts and for which administrative procedures have been expressly regulated as to discharge the huge workload in courts that they have generated. In terms of incoming administrative cases, when referring to a decrease in their number, similar reasons that justify the decrease in the number of pending administrative cases should be taken into consideration, namely, for example, those referring to the administrative procedures that have been expressly regulated as to discharge the huge workload in courts (e.g. regarding to the cases on pollution taxes).

**(2017):** In the national Stasis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

"Administrative law cases": indeed, the data are correct, namely there is a significant increase in the number of incoming cases in 2017 that could be explained by the changes brought in 2013 to the Law no. 554/2004 of administrative litigations; the amendments resulted in a high number of second appeals in this matter (by number of second appeals we understand all second appeals under the competence of both the Supreme Court (High Court of Cassation and Justice) and of the courts of appeal, because in this matter some of the cases shall be judged in first instance by tribunals and others by the courts of appeals).

**(2016):** In the national Stasis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The high clearance rate of administrative cases in previous cycles has led to lower significantly the number pending cases. The increase of the number of incoming cases is a consequence of a higher number of requests filed in administrative domain that also triggers an increase in the number of resolved cases. The decrease in the number of non-litigious pending cases as well as "other" pending cases is mostly due to lower number of incoming cases.

**(2014):** By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field "stocks" to the field "closed" only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The initial total number of pending cases has increased as a result of reporting the data into Ecris database. The number of incoming cases and this of resolved cases are comparable from one year to another for the period 2010-2013. The stocks at the end of the period is in relation to the adjustment of the stocks at the beginning of the period, but comparable with 2012. Concerning the number of administrative law cases the workload has constantly decreased starting with 2012. The increase of stocks initially communicated for 2013 comes from the high number of incoming cases in 2012. The final stock of 2014 is lower also because of the lower number of the new cases in 2013. It may also be noticed that the new cases closed in 2013 was higher than in 2012. The high decrease in the number of incoming, resolved and pending administrative law cases on 31 December between 2013 and 2014 is progressive and is caused by the social climate.

**(2013):** With regard to the category "civil and commercial litigious cases", because of the delays between hearings that are often very long (usually the first hearing is determined by an electronic system after a long period of time, in relation with the actual workload of judges), the new entered files are not usually finalised within a year.

With regard to the category "civil and commercial non-litigious cases", all the indicators kept a growing trend in 2012 and 2013. As for the stock of files (pending on 31.12), the increase between 2012 and 2013 is due to the fact that during the same period the number of resolved files has also decreased.

As to the trends observed in 2013 in respect of the "non-litigious enforcement cases" and "non-litigious land registry cases", data are correct.

As to the category "administrative law cases", the big differences have always been a reason for concern and continuous analysis. In the report on the status of Judiciary on 2012, it was noted that "in the administrative contentious and fiscal matters, the most of the cases were related to the restitution of the tax for pollution, but also to the obligation of the authorities to register the vehicles, without the payment of the tax for pollution (obligation to perform)". It should be mentioned that the actions of the legislative have led to the growth of the number of administrative cases in the past 5 years, at tribunals with more than 400% and at the courts of appeal with around 200%.

**(2012):** With regard to the category "civil and commercial non-litigious cases", all the indicators kept a growing trend in 2012.

As to the category "administrative law cases", the big differences have always been a reason for concern and continuous analysis. In the report on the status of Judiciary on 2012, it was noted that "in the administrative contentious and fiscal matters, the most of the cases were related to the restitution of the tax for pollution, but also to the obligation of the authorities to register vehicles, without the payment of the tax for pollution (obligation to perform)". It should be mentioned that the actions of the legislative have led to the growth of the number of administrative cases to be solved in the past 5 years, at tribunals with more than 400% and at the courts of appeal with around 200%.

## Slovak Republic

**(General Comment):** For 2016 data, new methodology was implemented based on the working group's conclusions and CEPEJ mission's recommendation (06/2016). Former reporting structure was not consistent with the methodology of CEPEJ, which could lead to inappropriate comparison of Slovak Republic (SR) with other countries. Also, the Ministry of Justice (MoJ) realized that evaluation of courts' performance by disposed and unresolved (decided and undecided) cases is discriminating SR in comparison with other countries in European Union (EU) as this methodology is not counting a decision of first instance court as disposed until the case becomes valid. This results into reporting such case as unresolved despite respective court has already made a decision and it is no longer in its disposition how - and more importantly when - the case will be resolved (disposed) by the second instance court. This is the nature of reporting of many "unresolved" cases on courts despite court already decided, in fact. Newly proposed way of reporting extracts the numbers of decided cases in respective court instances from "unresolved" and allocates these numbers to those court instances that made an actual decision in respective time. This means that decision validity state is not being awaited for as it could potentially contain an appeal and thus also a time that a case spends on second instance court. Upon decision's validity the case would become „disposed/resolved“ at the first instance court but most probably it would not be disposed in the same period when it was decided by the (first instance) court. This past methodology (applied by 2016) resulted (visually) in accumulation of unresolved cases while some of them were already decided by first instance court.

**(2022):** Discrepancy between the pending cases on 31 Dec. 2021 and the pending cases on 1 Jan. ref. year in the line 1. and Total is due to an administrative error caused by the court. In the rest lines, there is no discrepancy between the pending cases on 31 Dec. 2021 and the pending cases on 1 Jan. ref. year (compared with the previous year).

A significant increase in the Business registry cases category in 2022 (comparing incoming and resolved to 2020) is related to legislative changes to Act no. 530/2003 Coll. on the Commercial Register. The amendment to the law - included the birth-number among the recorded data with the aim of unambiguously identifying natural persons registered in the business register. In the case that it was not possible to add this data automatically from other reference sources into the the business register, it had to be added based on a court proposal submitted by September 30, 2022 (increase in incoming cases). Other discrepancies are reflection either of the submission activity of the public (incoming cases) or productivity of the judicial system itself - in resolved cases.

**(2021):** An erroneous reporting of decided cases at the courts in 2020 had to be corrected in Pending cases at 1st January 2021 by 1128 cases (line 2. and Total of other than criminal law cases).

2.2.2 Non-litigious business registry cases - the increase in cases coming to the courts in 2019 due to the new legislation gradually stabilized over the course of the year 2020, 2021.

The category "other" encompasses bankruptcy and debt restructuring cases, including the debt elimination procedure (bankruptcy of the natural persons), inheritance proceedings and other. In covid years especially the number of cases inheritance proceedings rose.

3. Administrative law cases - new reform of Administrative courts was expected and the clearance rate of the regional courts dropped to 80 %.

**(2020):** Explanation of the discrepancies:

In the category 2.2.3. Other registry cases was added register "RPVS" - Register of public sector partners. The Register of public sector partners has the character of a register of legal and natural persons, which receives from the state, local-government and other public sector entities public financing or property above the limit specified by law. The persons who conclude a contract, framework agreement or concession contract pursuant to public procurement regulations, healthcare providers and so on. The classification of the registry in category 2.2.3. was consulted with CEPEJ organization.

In the category 2.2.2 and consequently in the category 2.2. - at the end of year 2019, the incoming cases into the business register was enormously increased due to new applied legislation, which caused high level of the pending cases at the beginning of the year 2020.

Administrative law cases - keeps the high level of pending cases.

Non-litigious business registry cases - the cause of the increase is explained below:

The Commercial Code (Act No. 513/1991 Coll) was amended by the Act No. 390/2019 Coll, which became effective from the 1st of October 2020. This amendment brought following changes (also changes to the Commercial register):

1. From October 1, 2020, it is possible to submit an application for registration of data in the Commercial Register only in electronic form (including objections to the refusal of registration)
2. Obligation of the company's founders to submit the consent of the real-estate owner to setting up a registered seat of the company with verified signature of the owner.
3. The list of the information is being expanded in order to identify these persons more precisely. In the case of natural persons, a date of birth and a birth number must be given, if it was assigned. In the case of legal persons, their registration number must be given. The existing companies are required to complete this information by September 30, 2021.
4. The amendment also covers one of the reasons why the court is entitled to dissolve a company without liquidation. It is a breach of the obligation filing the financial statement into the collection of deeds within the specified period of 9 months from its preparation. This means, that if a company doesn't deposit this financial statement in the collection of documents within 15 months from its preparation, the registry court will decide on its dissolution without a proposal.

The other discrepancies are mainly caused by the situation in 2020 due to Covid-19 pandemic situation.

The emergency situation due to COVID 19 has been ongoing since March 2020. Since then, hearings have been held to the necessary extent, which is determined by a decree of the Ministry of Justice. The decree was amended 4 times according to the development of the epidemic situation.

Thus, the courts were not closed in 2020, but operated in a restricted regime, and that restricted regime depended on the development of the epidemic situation. There were situations where hearings were organised to the absolute minimum, for example in April 2020, almost no hearings were held. Since May 2020, it has been up to the courts to ensure hearings to the extent necessary and in accordance with other regulations related to the pandemic situation.

In several measures in 2020, the Ministry of Justice recommended that courts organize work so that court staff and judges work from home. As for an access to the file for lawyers, it was provided.

**(2019):** The changes in the total number of Pending cases on 1 Jan. ref. year - the courts, which did not comply with the established methodology for reporting bankruptcy and restructuring, corrected the data in 2019 and thus the initial state of 2019, which causes differences compared to 2018 pending cases. Similar situation is in the other non-litigious cases, where the methodology for the cases (acceptance of things into custody of court) was changed due the legislation changes in the court register during the year 2019.

Line 2; 2.1;2.2;2.2.2: According to the act. no. 390/2019 Coll. on the end user of benefits for entrepreneurs, the entrepreneurs became obliged to make the corresponding entry in the Business Register by 31 December 2019. The increase in new-coming cases was mainly in the last three months of 2019 by 117 thousand cases in business register courts.

The deadline for processing proposals for the registration of end-user benefit data by the court has been postponed to 30 June 2020, due to the large expected new-coming cases of business records at the end of the year.

**(2018):** 1. Differences in the initial states of things as of 1 January 2018 different from the final states as of 31 December 2017 are due to the introduction of electronic data collection through the Data Collection Application (hereinafter referred to as AZU). When introducing electronic data collection in 2018, the courts were allowed to record the actual state of pending cases as of 1 January 2018 with the aim of not transmitting any inaccuracies from paper collection of previous periods. These differences should not occur in the next year due to the introduction of automatic transfer of the number of undecided cases from the end of the previous period in the electronic data collection.

2. Another reason for the differences in the opening cases as of 1 January 2018 from the closing stocks as of 31 December 2017 is the change in the classification of some court registers between rows in the table in question 91. The change of classification was carried out on the basis of the recommendation of the national correspondent for the SR and after its thorough consultation with the members of the working group GT CEPEJ - EVAL

**(2017):** The data in the table are not horizontally consistent. This is caused by the fact, that the data on pending cases on 1. January 2017 (the same as data on 31. December 2016 given for the previous cycle) were collected in a one-shot collection for the Justice Scoreboard 2017 and were not bound by control patterns of horizontal consistency as it is in the new electronic data collection active since January 2018. The improper initial number of unresolved cases taken from a "paper" collection of data in 2016 caused such differences. Likewise, the transition from 2015 final numbers to 2016 initial numbers were counted up manually from paper collections. We cannot therefore consider the initial numbers as of 1 January as reliable. The transition between the old system of collecting the statistical data to new one is more complicated than was expected, with the setting up of Analytical centre of the MoJ, application of CEPEJ methodology and its tools is one of the targets in the ongoing project between CEPEJ and Ministry of justice of the Slovak republic.

There are still two different IT tools used to collect the statistical data from the courts to Analytical centre. Some inconsistencies in data between the old and new system persist.

The Analytical centre makes every effort to complete the transition between two systems as soon as possible to get reliable data as soon as possible.

As to administrative cases, until the 30. June 2016 the case-jurisdiction in administrative matters in the first instance stipulated by law was divided between Regional courts and the district courts. The general rule was, that the general jurisdiction in first instance lies at the Regional courts. However, there was a small number of proceedings (enumerated in law) where the District courts had the jurisdiction to act as a court of first instance. In reality, more than 90% of all administrative cases were tried by the Regional court as the courts of first instance.

Since 1. July 2016 the new Code of the administrative procedure came into force. According to this new law the Regional courts have the exclusive jurisdiction to try administrative cases as the courts of first instance.

As for the appeal procedure, there is the general rule that the appellate court is the court one level above in the structure of the court system. It means that the appeals against the decisions of the District courts are processed at the Regional courts and the appeals against the decisions of Regional court are processed at the Supreme court as the court of appeal.

In our data for administrative cases in the year 2017 there were some appeal procedures pending at Regional courts as the courts of appeal as the result of application of the previous procedural rules described in point 1. Those appeal proceedings were indicated in table to Q 97

All appeals against the decisions of Regional court (as the courts of first instance) were always tried by the Supreme court and we are presenting this data for all evaluation cycles in the table to Q 99

**(2016):** The new structure of data presented by the Ministry of Justice is the reason for the discrepancies and incompatibility of the data with the previous cycles. As regards the category "general civil non-litigious cases" we notice a decrease of incoming cases as of the year 2013.

In this cycle the succession cases were classified as "Other non litigious cases" while in previous years they were classified as "general civil (and commercial) non litigious cases."

**(2014):** The increase in the number of incoming and pending other than criminal law cases at all levels of the judiciary is due to the increase in the number of litigious cases. The Slovak judicial system for a several years faces significant increases of claims filed with the courts by debt-collecting companies and non-bank loan companies against consumers, as well as class actions of one private company against the State for alleged damages etc. The higher number of resolved administrative cases was achieved by the intensive effort to reduce the existing backlogs in administrative matters.

**(2013):** The Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

**(2012):** The number of pending enforcement and business registry cases was gradually and considerably decreasing over the period 2011-2012. As concerns the variation noticed in respect of the number of incoming and resolved administrative law cases, it was due to the fact that in 2010 a meaningful number of specific collective claims were filed and resolved.

## Slovenia

**(General Comment):** Category 1. Category 1. 'Civil (and commercial) litigious cases' at first instance includes: civil litigious cases at local and district courts, various civil cases at local and district courts, commercial litigious cases at district courts, labour law cases at labour courts,

social law cases at social court, various labour and social law at labour and social courts, insolvency cases including compulsory composition, bankruptcy of legal person, bankruptcy of physical person, bankruptcy of inheritance, compulsory dissolution, simplified compulsory composition and preventive restructuring at district courts.

The number includes the labour law and social law cases (before specialised labour and social law courts) due to their similarity to litigious cases in material and procedural aspects.

Q91 - Category 2.1. 'General civil (and commercial) non-litigious cases': see Q92.

Q91 - Category 2.2.1. 'Non litigious land registry cases' at first instance includes (at local courts): land registry cases, decisions on appeals at first instance and various land registry cases.

Q91 - Category 2.2.2 'Non-litigious business registry cases ' at first instance includes (at district courts): business registry cases and various business registry cases.

Q91 - Category 2.2.3. 'Other registry cases': No cases were included in this category.

Q91 - Category 2.3. 'Other non-litigious cases': No cases were included in this category.

Q91 -Category 3. 'Administrative law cases' at first instance include (at the Administrative court): - administrative cases and various administrative cases.

Q91 - Category 4. 'Other cases': see Q93.

The above listed cases are classified into CEPEJ categories slightly differently over the years.

Q 91, 97, 99, 101 - Inconsistencies:

Inconsistencies within the tables are possible due to the peculiarity of the Supreme Court's Data Warehouse (used in the Slovenian judiciary as the official source of data since January 1st 2012, at every court, and for providing data to the Ministry of Justice and at the Judicial Council).

It is a "live" system (dynamic reporting), meaning that the reported figures for a specific date or period of time inevitably vary for different reasons (e.g. the data was not promptly entered into the CMS; in some instances, the decision, in which category some specific new cases should be included, may be subsequently changed and when data are unified some figures change; there is also the possibility that a mistake was done when entering the data and was later detected in the quality check and corrected.)

In Data warehouse reports, every category (column in the table) is calculated (counted) separately, therefore the „Pending on 31 Dec“ may not equal to the formula (Pending 1 Jan + Incoming – Resolved) due to fore mentioned influences."

**(2022):** 2.2. Registry cases and 2.2.2. Land Registry cases - Pending cases on 31 Dec – increase by 123%/143%: In 2020, the number of incoming cases decreased due to Covid-19 pandemics and its effect on the sales of real estate. Consequently, the number of pending cases at the end of 2020 decreased. In 2022, it returned to usual level. 2.2.2. Business Registry cases – Pending cases older than 2 years – increase by 300%: Please note the small number of cases (4 cases in 2022), compared to incoming/resolved cases (approx 43.000 per year).

3. Administrative cases – Pending cases older than 2 years – increase by 149%:

In previous years, the Administrative court was faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (e.g. 24,5 % of incoming cases in 2017), as well as some new competences. This caused an increase in the number of pending and resolved cases. In the aforementioned cases, the court was also faced with new legal and factual issues, as well as administrative difficulties. In recent years, the Administrative court is also dealing with a considerable number of priority or urgent cases (e.g. asylum seekers), which means a longer waiting line for "regular" cases. Though administrative and managerial actions have been taken, the number of (older) pending cases has increased due to the aforementioned difficulties and the overburdening of the court.

4. Other cases – Pending cases on 31 Dec – decrease by 46%:

Due to the limitation of operation of courts due to Covid-19 pandemics in 2020, the number of pending cases was unusually high. In 2022 it returned to usual level. 4. Other cases – Pending cases older than 2 years - increase by 86%:

The majority of cases in this category are enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction). This is automated and fast procedure (average duration is between 1 and 2 months), however some of those cases could not be completed due to legal reasons (e.g. waiting for inheritance cases regarding parties to finish). Please note the small number of cases (approx. 100 cases), compared to incoming/resolved cases (approx 120.000 per year).

**(2021):** 2.2 Registry cases and 2.2.1 Non litigious land registry cases - Pending cases on 1 Jan.: decrease by approx. 50% In 2020, the number of incoming cases decreased due to Covid-19 pandemics and its effect on the sales of real estate. Consequently, the number of pending cases at the beginning of 2021 decreased. 2.2 Registry cases and 2.2.1 Non litigious land registry cases - Incoming cases/Resolved cases: increase by approx. 25% In 2021, the number of incoming (and consequently resolved) cases increased, most likely due to the loosening of Covid-19 restrictions and its effect on the real estate market.

2.2 Registry cases and 2.2.1 Non litigious land registry cases - Pending cases on 31 Dec.:

In 2021, the number of incoming and resolved cases increased (see above). However, the increase in resolved cases was slightly lower, hence the increase in pending cases at the end of the year (Disposition time in register cases is low – approx. 0,2 months; ratio of Resolved vs. Pending cases is approx. 65:1).

2.2.2. Non litigious business registry cases – Pending cases older than 2 years from the date the case came to the first instance court: decrease by 200%:

Please note the small (absolute) number of cases (less than 5 cases).

4. Other cases - Pending cases on 31 Dec.: decrease 38%

The majority of cases in this category are enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court in Ljubljana – exclusive jurisdiction), where the trend of decrease of pending cases is observable in 2021 and 2022. More factors could have contributed to the decrease, but no specific major reason can be identified.

4. Other cases - Pending cases older than 2 years: increase by 58%

The majority of cases in this category are enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction). Some of those cases are waiting for inheritance cases regarding parties to finish. Please note the small number of cases (less than 100 cases), compared to incoming cases (more than 100.000 per year).

**(2020):** The decrease in the number of resolved cases at 1. Civil (and commercial) litigious cases and 4. Other cases is due to the limitation of operation of courts due to Covid-19 pandemics.

The decrease in the number of pending cases at the end of the year at 2.2.1 Non litigious land registry cases (and consequently at 2.2 Registry cases) is not unusual due to the high number of incoming and resolved cases in a year compared to pending cases at the end of the year (around 1-2%).

Regarding the increase in Administrative law cases - Pending cases older than 2 years: In previous years, the Administrative court was faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (e.g. 24,5 % of incoming cases in 2017), as well as some new competences. This caused an increase in the number of pending and resolved cases. In the aforementioned cases, the court was also faced with new legal and factual issues, as well as administrative difficulties. In recent years, the Administrative court is also dealing with a considerable number of priority or urgent cases (e.g. asylum seekers), which means a longer waiting line for “regular” cases. Though administrative and managerial actions have been taken, the number of (older) pending cases has increased due to the aforementioned difficulties and the overburdening of the court.

**(2019):** In general, the trend of decrease in the number of incoming cases can be observed in all types of civil cases, causing also a decrease in the number of resolved and pending cases. In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and partly to a successful introduction of new business models in the

Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Accordingly, in the last years, the clearance rate is at or slightly above 100%.

In 2019, a new Family Code and new Non-Contentious Civil Procedure Act stepped into force. The main change for district courts was establishing family law cases as non-litigious cases (before 2019 classified as litigious cases). Additionally, local courts became competent to decide in tutelage cases (before 2019 in competence of the executive branch).

This reflected in a decreased number of reported 1. Civil litigious cases, while the number of 2.1 General civil non-litigious cases did not change (an increase in new cases is similar to the decrease in the number of incoming cases that is generally observed).

Administrative cases: In previous years, the Administrative court was faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (e.g. 24,5 % of incoming cases in 2017), as well as some new competences. This caused an increase in the pending and resolved cases. In the aforementioned cases, the court is faced with new legal and factual issues, as well as administrative difficulties. Though administrative and managerial actions have been taken, an increase in the number of pending cases is expected due to the aforementioned difficulties and the overburdening of the court.

**(2018):** In general, the trend of decreasing number of incoming cases can be observed in all types of civil cases, causing also a decrease in number of resolved and pending cases. In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and partly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Accordingly, in last years, clearance rate is at or slightly above 100%.

Administrative cases: The Administrative court is faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (24,5 % of incoming cases in 2017). This caused an increase in the pending and resolved cases. In these cases, the court is faced with new legal and factual issues, as well as administrative difficulties - the actions are often incomplete or the information is insufficient, filled in foreign languages, the foreign parties have yet to nominate a proxy etc. The court has established a special office to perform a preliminary examination of the actions and assist in the exchange of documents between parties, however longer times for resolving cases are expected due to the aforementioned difficulties and the overburdening of the court.

**(2017):** In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases. For discrepancies, see general comments.

The Administrative court is faced with the influx of new cases, due to the implementation of the ECHR judgement 60642/08 (24,5 % of incoming cases in 2017). In these cases, the court is faced with new legal and factual issues, as well as administrative difficulties - the actions are often incomplete or the information is insufficient, filled in foreign languages, the foreign parties have yet to nominate a proxy etc. The court has established a special office to perform a preliminary examination of the actions and assist in the exchange of documents between parties, however longer times for resolving cases are expected due to the aforementioned difficulties and the overburdening of the court. At the end of 2017, the first case was ready to be processed on the merits of the case.

**(2016):** In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases. For discrepancies, see general comments.

**(2015):** In recent years, the number of incoming non-litigious cases is generally decreasing partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary. Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases have a considerable effect on the number of pending cases.

**(2014):** In previous cycles, insolvency cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'. For 2014, they are encompassed within the item "other". The 2014 data includes labour law and social law cases decided before specialised labour and social law courts, due to their similarity to litigious cases in material (employment contract derives from civil law contract) and procedural (the court procedure in labour and social cases is based on general civil law procedure) aspects.

**(2013):** "Civil and commercial litigious cases" include labour law and social law cases that are proceeded by specialised labour and social law courts. Cases that do not fit exactly to the determined types of civil, commercial, non-litigious, land and business registry, enforcement and administrative law cases, were previously included in other cases. For 2014, 'Other cases' include only cases outside of the above mentioned legal fields, while the various cases are distributed among the other items. With regard to the category 'non-litigious business registry cases', the increase of the number of pending cases on 31 December 2013 can be explained with the fact that there were 8.000 more incoming cases in 2013 than in 2012, but courts were not able to handle the case-load.

**(2012):** "Civil and commercial litigious cases" encompass bankruptcy proceedings, which were in the previous round counted as 'other cases'. The number of incoming non-litigious business registry cases rose, probably due to the postponed effect of the financial and economic crisis. Nevertheless, courts managed to solve almost all incoming cases. The total subsumes for the first time cases processed by the Central Department for Authentic Document (part of the Local Court of Ljubljana) which has jurisdiction over all enforcement cases. The area of land registry cases is in constant improvement since a successful computerisation project in 2003. The decrease in the number of pending cases stems from a better organisation of work and of the totally electronic procedure.

## Spain

**(General Comment):** When an error is detected in the statistics of a Court, the latter is allowed doing regularization, what means that the Court communicates the correct figure and rectifies the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the specific control of cases that the Court makes when a judge leaves the Court (called "alarde"), but in general, in any case in which the Judicial Counsellor detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

These regularizations and the cumulated cases and the re-opened cases are the causes for the horizontal inconsistencies.

**(2022):** There are increases of incoming and resolved cases compared to the number of cases in 2020. It should be taken into account that information from 2020 represents the year of the pandemic. The recovery of normal work increased the number of cases, incoming and resolved.

**(2021):** The recovery of activity, after the most severe restrictions of the pandemic, may have contributed to the improvement in efficiency and increased number of resolved cases.

**(2020):** Regarding registry cases, Spain Land Registry and Commercial Registry do not depend on Courts. But, if one disagrees with a decision of the Register (Land or Commercial) or of the Directorate General for Registers and Notaries, he/she can appeal the decision against Courts.

**(2018):** The Court of Justice of the European Union (CJEU) of December 21, 2016 and other previous Judgments have meant a massive interposition of lawsuits based on that doctrine, for the civil challenge of general conditions included in financing contracts with real estate guarantees in which the borrower is a natural person. Measures, referred to in previous CEPEJ questionnaires, of specialization of certain judicial bodies have been adopted.

Regarding registry cases, Spain Land Registry and Commercial Registry do not depend on Courts. But, if one disagrees with a decision of the Register (Land or Commercial) or of the Directorate General for Registers and Notaries, he/she can appeal the decision against Courts.

**(2016):** Concerning the Administrative Law cases, between 2014 and 2016, the decrease of 'Pending cases' is probably because the number of resolved cases, both in 2015 and 2016 has been higher than the number of incoming cases (reinforcement measures have been applied).

**(2015):** The horizontal consistency can not be respected because of reopened, cumulated and regularised cases.

Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

**(2014):** The number of “civil and commercial litigious cases” decreased for 2 reasons. Since the payment order procedures do not need a decision made by a judge but are of the competence of the judicial counsellor, they have been subsumed in the category of non-litigious civil and commercial cases. Since paying court fees for natural persons has been compulsory until March this year, there has been a decrease in the incoming cases. In respect of the category “administrative law cases”, it should be recalled that in 2012, there was a decrease in the number of files related to the Public Administration owing to two parameters: plaintiffs have been sentenced to pay the court fees; since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

**(2012):** Inspection services are entitled to correct the number each time they find it inaccurate. The data encompasses restarted procedures. Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims. The number of “incoming administrative law cases” increased in 2010, due to the reduction of the salaries of civil servants. In 2012, this number decreased with the decrease in the number of files related to the Public Administration for 2 main reasons: plaintiffs are sentenced to pay the court fees; since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

## Question 092

### Austria

**(2014):** For the year 2014, this category has been extended to the enforcement cases.

### Croatia

**(2014):** For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents’ right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

**(2013):** For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents' right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

**(2012):** For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93.

The non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

### **Czech Republic**

**(2014):** For all of the four exercises (2010, 2012, 2013 and 2014) the category of civil and commercial non-litigious cases encompasses cases of upbringing and maintenance of a minor. In 2014, it subsumes also declarations of admissibility of taking or keeping a person in a medical (health care) institution and declarations of death of persons.

### **Denmark**

**(General Comment):** Paternity, adoption, guardianship and others in the same category; cases under inquisitorial procedures.

### **France**

**(2014):** In 2014, the category civil cases (and commercial) non-litigious are also included in non-litigious cases relating to enforcement.

### **Germany**

**(2012):** In 2012, the value entered was calculated by deducting the contentious judgments from of all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments, settlements, withdrawal of the charge or of the motion, staying of the proceedings or non-pursuance and orders in accordance with section 91a of the Code of Civil Procedure.

## **Ireland**

**(2014):** Starting 2014 the category: "Appointment of care representatives" was added to the "Civil (and commercial) non-litigious cases"

## **Italy**

**(General Comment):** Non-litigious cases include -amongst others- divorce and separation by mutual consent, change of divorce/separation conditions, judicial interdiction and incapacitation, hereditament, some family-related procedures, etc. Under this category also fall the following: order for payment procedures, proceedings for validation of eviction, precautionary proceedings and proprietary measures.

## **Lithuania**

**(2014):** For 2013 and 2014, the category "civil and commercial non-litigious cases" includes court orders.

**(2013):** For 2013 and 2014, the category "civil and commercial non-litigious cases" includes court orders.

## **Luxembourg**

**(2014):** 2014: Category 2 (civil (and commercial) non-litigious cases) refers to european payment orders issued by two district courts. They are handled almost immediately, so that there is no stock at the end of the period. That is why the pending cases as well as incoming cases are classified as NAP.

**(2013):** 2012: Category 2 (civil (and commercial) non-litigious cases) refers to payment orders issued by district courts. They are handled almost immediately, so that there is no stock at the end of the period.

**(2012):** 2012: Category 2 (civil (and commercial) non-litigious cases) refers to payment orders issued by district courts. They are handled almost immediately, so that there is no stock at the end of the period.

## **Portugal**

**(2013):** On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

**(2012):** On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

## **Slovak Republic**

**(General Comment):** The category "civil (and commercial) non-litigious cases" includes all cases arisen from legal relationships regulated by family law (maintenance cases, custody of the child, visiting rights, guardianship, divorce cases with the ruling on rights and obligations towards the minor child etc.), cases related to assessment of the legal capacity of natural persons, reminder procedure (electronic payment orders).

## **Slovenia**

**(General Comment):** Categories used in "Civil and commercial non-litigious cases": all non-litigious civil cases at local and district courts, non-litigious commercial cases at district courts (different kinds of personal and family status, property and other disputes, provided by the Non Contentious Procedure Act or other law, procedures for issuing a payment order at local and district courts in civil matters, procedures for issuing a payment order in commercial matters at district courts, cases pursuant to the Inheritance Act at local courts, cases pursuant to the Mental Health Act at local courts; and civil enforcement cases on the basis of an enforcement title, commercial enforcement cases on the basis of an enforcement title, cases for enforcement on real-estate property, enforcement cases on the basis of authentic document in civil matters after the writ for the execution became final, temporary injunctions in civil matters, temporary injunctions in commercial matters, various enforcement cases. The above listed cases are classified into CEPEJ categories slightly differently over the years.

**(2014):** 2014 Category 2.1 „General civil (and commercial) non-litigious cases“at the first instance includes 1. (former category 2. „General civil (and commercial) non-litigious cases“): N, Ng, PI, Plg, D, Pr; and 2. (former category 3. ' Non litigious enforcement cases'): I, Ig, In, VL, Z, Zg and R-i.

**(2013):** 2013 Civil and commercial non-litigious cases at first instance include: N, Ng, PI, Plg, D, Pr.

**(2012):** 2012 "Civil and commercial non-litigious cases at first instance include: N, Ng, PI, Plg, D and P."

## Spain

**(2014):** For the 2014 exercise, the category "civil and commercial non-litigious cases" encompasses payment order procedures and requests for undisputed matters such as settlement proceedings and divorce with mutual consent.

**(2012):** For the 2010 and 2012 exercises, the category "civil and commercial non-litigious cases" includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

## Question 093

### Bulgaria

**(General Comment):** .

### Croatia

**(2014):** In 2013 and 2014 the reply NAP in respect of the category "other" is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

**(2013):** In 2013 and 2014 the reply NAP in respect of the category "other" is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

**(2012):** For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93. Non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

### Czech Republic

**(General Comment):** For 2010 and 2012 the category “other” subsumes electronic payment orders and probate proceedings, while for 2013, it encompasses only electronic payment orders. By contrast, for 2014, its content covers insolvency cases. Since 2015 category “other cases” includes insolvency cases and incidence disputes.

## Denmark

**(General Comment):** Estate after a deceased person, notary, insolvency cases not included under 2.2.2. above.

## Finland

**(General Comment):** The land courts deal with disputes and appeals arising from surveying operations. The most common case types are the divisions, parcellings and encumbrances referred to in the Surveying Act, as well as the procedures under the Expropriation Act and the Private Roads Act. The procedure is very similar to the civil procedure in a district court. Land court cases are dealt with by the District Courts of South Savo, East Uusimaa, Kanta-Häme, Lapland, Oulu, Ostrobothnia, North Savo, and Southwest Finland. The land court, which acts as a separate department of the district court, has a district judge specialising in these matters as chairperson and a land court engineer and two lay members in the main proceedings. The decisions of a land court can be appealed against to the Supreme Court.

All matters concerning insolvency are classified as matters of petition, which means that they require court involvement. These matters are therefore not categorised as civil cases, i.e. dispositive matters between the parties. But, these matters can of course turn out to be litigious in the sense that there are conflicting opinions about the outcome, and the court must decide upon these after a more or less regular trial proceeding. Not all cases become litigious and the court may rule on insolvency/bankruptcy when the legal merits are met. In Finland we tend to define these as two-or-more-party disputes that may be concluded in agreement of the parties (dispositive) and the court is bound by the agreement. The indispositive cases are characterised by the “official principle” which means that only the court can decide the outcome after proceedings are initiated. The indispositive cases also tend to have different rules regarding the costs of the trial than regular civil cases. As a special court, the task of the labour court is to process and resolve disputes concerning collective agreements, as well as disputes based on the laws on collective agreements and collective agreements, defined in more detail in the law on proceedings in the labour court. Most of the time, the question is about the correct content or interpretation of the said agreements, or violations of agreements or labour and collective agreement laws and the resulting sanctions. In addition, the labour court, as an appellate court, resolves appeals against the decisions of the board for confirmation of the general bindingness of the collective agreement and appeals against the decisions issued by the labour council in certain exemption cases. The Labor Court is the only competent court in the above-mentioned matters. Its judgments cannot be appealed but are final and immediately enforceable. Note: The labour court therefore does not deal with all labor law disputes. Disputes arising from the employment contract between the employer and the employee are dealt with in the relevant district court, the decision of which, under certain conditions, has the right of appeal to the Court of Appeal and the Supreme Court.

## Germany

**(2014):** For the 2013 and 2014 exercises, the category “other” includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

**(2013):** For the 2013 and 2014 exercises, the category “other” includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

**(2012):** In the ambit of the 2012 exercise the category “other” includes: family-court jurisdiction, labour courts (proceedings leading to a judgment or a decision) as well as guardianship and custodianship courts. The figures do not include 1 426 805 new legal matters related to payment proceedings before labour courts, registry office cases, inheritance cases, custody, agriculture, legal aid, deposit cases and public notice proceedings with regard to which resolution or the number of cases pending at the beginning and at the end of the year are not recorded. The figures also do not include 202 106 new legal cases related to insolvency proceedings with regard to which only resolution is recorded (292 821).

## Hungary

**(2013):** In 2010, 2012 and 2014 the category "other" encompasses insolvency registry cases and labour litigious cases. In 2012, additionally it includes misdemeanour cases. In 2013, the category subsumes insolvency cases and non-litigious labour cases.

## Ireland

**(2014):** From 2014, the range of 'Other cases' has been revised to incorporate the category 'certificates of taxation of legal costs issued'. This can explain the fact that different elements have been included in the category 'other' in 2013 and 2014.

## Italy

**(2014):** In the ambit of the 2014 exercise, the category "other" encompasses the number of enforcement cases.

## Lithuania

**(2013):** For 2010, this category encompasses only cases of administrative offence, while since 2012 it subsumes also the administrative offence cases in the process of execution.

## Slovak Republic

**(General Comment):** The category "other" encompasses bankruptcy and debt restructuring cases, including the debt elimination procedure (bankruptcy of the natural persons), issuing of the enforcement permission for the enforcement agents, enforcement of court rulings on the visiting rights to minor child and enforcement of court fees receivables.

## Slovenia

**(General Comment):** Category 4. „Other cases“ at first instance includes: free legal aid at district courts, labour courts and at the Administrative court, enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction), international attestations at district courts, attestations according to the Hague convention at district courts, legal aid between national courts at local and district courts, international legal aid at district courts.

**(2014):** 2014 4. „Other cases“ at first instance includes: Bpp ,COVL, Ov-i, Ov-H and St [(St-01), (St-02), (St-03), (St-04) (St-05)].

In previous cycles, all the mentioned St cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'."

**(2013):** 2013 "Other" civil law cases at first instance include: Bpp, COVL, Ov-i, Ov-H."

**(2012):** 2012 "Other" civil law cases at first instance include: Pom , Pom-i, R, Rg, Ov-i, Ov-H, Bpp, COVL, II Upr, I Upr.

## Question 094

### Austria

**(2021):** The distinction between misdemeanour criminal cases and severe criminal cases is possible only for the criminal courts. However the total number includes administrative criminal law cases as well, where distinction is not possible.

**(2020):** The distinction between misdemeanour criminal cases and severe criminal cases is possible only for the criminal courts. However the total number includes administrative criminal law cases as well, where distinction is not possible.

**(2018):** The distinction between misdemeanour criminal cases and severe criminal cases is possible only for the criminal courts. However the total number includes administrative criminal law cases as well, where distinction is not possible.

**(2016):** Administrative criminal cases are included in misdemeanour and in total

## Belgium

**(2022):** Also to be noted: 9,398 for 'youth court cases' (only the category 'new cases' is available), not accounted for in the table. Point 3: Other criminal cases: the figure of 15,309 corresponds to cases before the Council Chamber (this figure is not included in the total of new criminal cases because data on completed cases is unavailable). The figures for pending and completed cases are not available.

**(2021):** "Severe criminal cases": all cases that are dealt with by first instance criminal courts; "Minor criminal cases": all cases that are dealt with by the Police courts. Protectional cases - youth: 9 227 incoming cases in matters of youth protection. For this case category the number of resolved cases is not available for 2021. These are protectional cases dealt with by the juvenile court (in respect of parents, situations of concern, extremely urgent situations of concern, facts classified as offences).

**(2020):** "The health crisis has had an impact on the numbers.

**(2016):** Severe: all cases that are dealt with at first instance by the criminal courts of first instance; Minors: all cases that are dealt with by the police court  
Three sites could not provide statistics for severe cases.

**(2014):** Offences handled by the police court (although this court can pronounce prison sentences) are considered as minor offences.

## Bulgaria

**(General Comment):** For most of the crimes, the Bulgarian Criminal Code provides for a deprivation of liberty, which makes the distinction hard to be made. The offences could be divided into two categories: common offences and offences subject to private prosecution. For the common offences, the search of responsibility is subordinated to the common regime (there is a public interest concerned or public interest and personal goods). Such are the crimes against individuals (homicide, grievous or intermediate bodily harm, rape, fornication and etc.), crimes against the property (the list is not exhaustive). As to the offences subject to private prosecution, the criminal proceedings are initiated upon a complaint by the affected person (personal interests of the affected person, and usually the affected person and the perpetrator are close relatives). Those offences have a lower degree of public danger and affect less the rights of the concerned person. Such offences are the minor bodily injury, the insult, the slander and etc.

"Total criminal cases" includes all criminal cases - criminal cases of a general nature, criminal cases of a private nature, cases of exemption from criminal liability with the imposition of an administrative penalty in accordance with Art. 78a of the Criminal Code, private criminal cases, interrogation and administrative-criminal cases heard by the first instance courts.

**(2022):** "Total criminal cases" includes all criminal cases - criminal cases of a general nature, criminal cases of a private nature, cases of exemption from criminal liability with the imposition of an administrative penalty in accordance with Art. 78a of the Criminal Code, private criminal cases, interrogation and administrative-criminal cases heard by the first instance courts.

**(2020):** It should be noticed that since 2020, the Unified Court Information System (UIS) has been gradually introduced in all courts, developed within the project "Creating a Model for Optimizing the Court Card of Bulgarian Courts and Prosecutor's Offices and Developing a Unified Court Information System" with the financial support of Operational Program "Good Governance" 2014-2020.

Depending on the functionalities of the system, it may be possible to collect information on the next cycle according to the indicators mentioned in question 94.

## **Croatia**

**(2022):** The data for 2022 in "Other criminal cases" include only the execution of sanctions (imprisonment), investigation actions of a judge and cases connected to procedural matters. In this cycle, the number of other criminal cases decreased because we aligned our methodology with CEPEJ reporting and excluded some of the case types which in previous cycles were included. This is due to the fact that data for misdemeanour cases came from a separate case management system in the previous cycles (prior to 2020), and it was not possible to exclude those cases which do not fit any of the above categories.

**(2021):** In category "Other cases" are included (from last cycle) cases related to criminal matters in first instance: execution of sanctions (imprisonment), investigation actions of a judge, cases connected to procedural matters (e.g. panel of judges decision about detention, about prolongation of detention, about confirmation or dismissal of indictment, etc.)

**(2020):** In category "Other cases" are included (from last cycle) cases related to criminal matters in first instance: execution of sanctions (imprisonment), investigation actions of a judge, cases connected to procedural matters (e.g. panel of judges decision about detention, about prolongation of detention, about confirmation or dismissal of indictment, etc.)

Regarding decreased number of resolved minor criminal cases: Due to the pandemic caused by COVID-19, in 2020., court proceedings for limited period in 2020 were submitted under specific conditions and measures, which contributed to decreased number of court hearings, also in minor criminal cases.

Regarding horizontal inconsistency: For most of the categories, the full horizontal inconsistency can not be ensured, due to some adjustments and changes in the Case Management System used by courts.

**(2018):** In category "Other cases" are included (from this cycle) cases related to criminal matters in first instance: execution of sanctions (imprisonment), investigation actions of a judge, cases connected to procedural matters (e.g. panel of judges decision about detention, about prolongation of detention, about confirmation or dismissal of indictment, etc.)

**(2016):** Starting from 1 June 2013, when the Act on Amendments to the Misdemeanours Act (OG 39/2013) entered into force, the inflow of first-instance misdemeanour cases displayed in this table continuously and significantly had been reduced. The number of resolved cases reduced as well, but due to a significant decrease in inflows, the number of unresolved cases reduced by the end of the period. This reflected also on High Misdemeanours Court, whose data is shown in this table.

**(2014):** The new Criminal Procedure Act entered into force in September 2011, introducing the investigation conducted by the State Attorney Offices (instead of court investigation), as well as new and wider opportunities for negotiating settlements. Besides, the decrease of the total number of misdemeanour cases at all levels was the main goal of adopting the Act on the Amendments of the Misdemeanour Act in 2013. The definition of misdemeanour act was changed, the principle of opportunity as well as the simplification of the procedure were introduced, more active role was given to the plaintiff etc. The Register of Unpaid Fines was established. There is no more suspension of the proceedings because of the statute of limitations.

## **Cyprus**

**(General Comment):** The reason for not having data for the subcategories of cases is that there was no electronic filing system that would enable us to have statistical data on different types of cases.

**(2018):** There were fewer criminal cases in 2018.

**(2014):** As a result of the bail in, the total number of first instance criminal pending cases on 1 January 2014 increased with 27% between 2012 and 2014.

## Czech Republic

**(General Comment):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases".

**(2018):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases"

**(2014):** Severe criminal cases are crimes in respect of which the law provides for a minimum term of imprisonment of 5 years. They are decided by regional courts acting in first instance. Minor criminal cases are tried by district courts in first instance, regional courts being the appellate courts in such matters.

## Denmark

**(General Comment):** Danish Court Administration has not worked out a statistics on pending cases older than 2 years. When we categorize cases as "severe", it does not mean that privation of liberty is the end result, but based on the category chosen by the court to deal with the case could include severe cases. Minor cases are typically fines that will never have as a result of privation of liberty. Probably there are too many cases under the category "severe" then, but that is the figures we have.

**(2022):** In 2022 the courts are still dealing with a high number of pending cases in the aftermath of the situation with covid-19.

**(2021):** 2020 was an unusual year because of the Covid-19 pandemic, related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it.

**(2020):** 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it.

**(2018):** Our statistics on criminal cases does not have data on pending cases older than 2 years. We can not differentiate pending cases according to age. When we categorize cases as "severe", it does not mean that privation of liberty is the end result, but based on the category chosen by the court to deal with the case could include severe cases. Minor cases are typically fines that will never have as a result of privation of liberty. Probably there are too many cases under the category "severe" then, but that is the figures we have.

**(2016):** Our statistics on criminal cases does not have data on pending cases older than 2 years. We can not differentiate pending cases according to age. The reason pending cases per 31 December 2016 has decreased is that the courts have resolved more cases than incoming cases.

**(2014):** For the period 2010-2014, district courts have been able to resolve more cases than the number of incoming cases, especially concerning minor criminal cases (traffic offences etc.) which have been given a higher priority. In 2012, district courts received more minor criminal cases due to a new procedure according to which the police sent cases where citizens haven't paid their fines to courts. This was changed again in the end of 2012 where warnings were sent out first and the number of minor cases dropped therefore markedly in 2013. In 2014 the number of received minor criminal cases has gone up again following a decision of the police to step up on issuing fines for traffic offences. Besides, city courts resolved more cases through the plea guilty procedure.

**(2012):** The Courts of Denmark received an extraordinary appropriation in 2009 specifically to bring down backlogs. This effect can be seen in 2012, among other things in the lower number of pending cases. The increase in the number of misdemeanor and/or minor criminal cases is due to the fact that a high number of cases concerning, especially, traffic fines were handled at court level.

## Estonia

**(2020):** Other criminal cases: for example different enforcement and pretrial cases. The pandemic has affected the courts activity in criminal matters in general. The criminal procedure law was not as flexible when judges had to work online. The complete revision of the criminal procedure law is ongoing and will come into force next year.

**(2018):** Increase of incoming misdemeanor and minor criminal cases.

**(2016):** Misdemeanour cases can be joined and solved together in court. Cases that can lead to deprivation of liberty of less to five years are still included under severe criminal cases.

Because the distinction between severe and minor criminal cases is not the same with the CEPEJ, data for subcategories can be found below : Severe criminal cases : Pending cases on 1 Jan. ref. year : 803

Incoming cases : 7628

Resolved cases : 7463

Pending cases on 31 Dec. ref. year: 824

Pending cases older than 2 years from the date the case came to the first instance court : 23

Misdemeanour and / or minor criminal cases :

Pending cases on 1 Jan. ref. year : 1835

Incoming cases : 10032

Resolved cases : 10628

Pending cases on 31 Dec. ref. year: 891

Pending cases older than 2 years from the date the case came to the first instance court : 3

**(2014):** The variations observed over the years 2010, 2012 and 2014 are most likely due to the fact that the Ministry of Justice and the biggest court in Estonia (Harju County court) had an agreement setting the target for eliminating backlogs.

**(2012):** Horizontal inconsistency within the table stems mainly from the joinder and severance of criminal matters. Following a law amendment of March 2011, claims against enforcement of misdemeanour decisions are brought before bailiffs and not before courts.

## Finland

**(General Comment):** The cases are not statistically categorized in severe criminal cases and misdemeanour and / or minor cases in Finland.

The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on January 2023 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

**(2021):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 20.1.2022 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. This year we have included military court cases and co-er-cive mea-sures which were previously not included in this number.

**(2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on

12.1.2021 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced

number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases

managements systems, AIPA (for general courts) and HAIPA (for administrative and special courts).

**(2018):** There is no particular explanation regarding the decreased clearance rate of criminal cases.

## France

**(2022):** Source: Ministry of Justice/SG/SEM/SDSE, Cassiopeia statistical file.

With regard to the total stock of criminal cases, it is not possible for us to provide this information as the data on the stock of police courts ('Minor Offences') is not available.

Furthermore, the line 'Total number' does not correspond to 1+2+3 but rather to 1+2. Indeed, in accordance with the request from CEPEJ, cases falling under the Investigating Judge have been classified under '3. Other Criminal Cases'. These are provided for indicative purposes only and should not be added to the other two categories so as to avoid duplication (which may fall within either minor or major offences depending on how each case proceeds).

**(2021):** source SDSE

**(2020):**

"Comments on volumes.

Closed cases are down more than incoming cases cases, both civil/2019 and felonies/2018 (contravention are surprisingly up / 2018).

The health crisis and containment may have played on TAs (completed cases) (reducing the ability of courts to process cases) but also on NAs (new cases) (fewer misdemeanors committed, fewer cases brought to court). Prior to this, a major lawyers' strike and transportation strike had mostly affected TAs.

## Germany

**(General Comment):** General information on the statistics used as sources for answering the questions in this section: see General Comment Q 91

The category "severe criminal cases" includes criminal proceedings in accordance with the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" subsumes regulatory fine proceedings before criminal courts.

"Other cases" include:

- proceedings concerning suspension of execution of the remainder of a sentence of life imprisonment or concerning suspension of execution of placement in a psychiatric hospital or in preventive detention - determinate custodial sentences - proceedings under sections 109, 110, 138 of the Prison Act (Strafvollzugsgesetz, StVollzG) - proceedings under Part IV of the Act on International Legal Assistance in Criminal Matters (Gesetz über die internationale Rechtshilfe in Strafsachen, IRG) and section 71 (4) of Part II - supervision of conduct
- complaints about costs/fees - complaints against search/seizure orders - complaints in economic cases and tax cases
- complaints in matters concerning detention - cases in matters falling within the Regulatory Offences Act (Ordnungswidrigkeitengesetz, OWiG) registered in the complaints register - other complaints - subsequent or reserved preventive detention
- proceedings regarding the order of subsequent or reserved preventive detention - proceedings regarding the suspension of execution of a sentence where the court has reserved the order of preventive detention, in the cases covered by section 462a (2), third sentence, of the Code of Criminal Procedure (Strafprozessordnung, StPO)
- proceedings before the judicial service court
- proceedings regarding health professionals, tax consultants, agents in tax matters, patent lawyers or architects
- other disciplinary proceedings - proceedings regarding legal remedies in matters of enforcement of youth custody, youth detention and remand detention

Only the number of incoming cases is available for "other criminal cases", because with regard to data collection through the "monthly surveys" these cases fall into the category "other caseload" (see General Comment Q91)

Pending cases older than 2 years from the date the case came to the first instance court: see General Comment Q 91

Horizontal inconsistencies: See General Comment Q 91

**(2022):** "Severe criminal cases" include criminal proceedings according to the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" includes regulatory fine proceedings before criminal courts.

"Other criminal cases" include: - proceedings at the penal execution chambers (concerning suspension of execution of the remainder of a sentence of life imprisonment or concerning suspension of execution of placement in a psychiatric hospital or in preventive detention, determinate custodial sentences, proceedings under sections 109, 110, 138 of the Prison Act (Strafvollzugsgesetz, StVollzG), proceedings under Part IV of the Act on International Legal Assistance in Criminal Matters (Gesetz über die internationale Rechtshilfe in Strafsachen, IRG) and section 71 (4) of Part II)

- proceedings regarding supervision of conduct
  - complaints about costs/fees - complaints against search/seizure orders - complaints in economic cases and tax cases
  - complaints in matters concerning detention - cases in matters falling within the Regulatory Offences Act (Ordnungswidrigkeitengesetz, OWiG) registered in the complaints register - other complaints - subsequent or reserved preventive detention
  - proceedings regarding the order of subsequent or reserved preventive detention - proceedings regarding the suspension of execution of a sentence where the court has reserved the order of preventive detention, in the cases covered by section 462a (2), third sentence, of the Code of Criminal Procedure (Strafprozessordnung, StPO)
  - proceedings before the judicial service court
  - proceedings regarding health professionals, tax consultants, agents in tax matters, patent lawyers or architects
  - other disciplinary proceedings - proceedings regarding legal remedies in matters of enforcement of youth custody, youth detention and remand detention
- With regard to "other criminal cases", only the number of incoming cases is recorded (exception: proceedings concerning supervision of conduct).

**(2021):** The category “misdemeanour and/or minor criminal cases” subsumes regulatory fine proceedings before criminal courts.

“Other criminal cases” include:

- proceedings at the penal execution chambers (concerning suspension of execution of the remainder of a sentence of life imprisonment or concerning suspension of execution of placement in a psychiatric hospital or in preventive detention, determinate custodial sentences, proceedings under sections 109, 110, 138 of the Prison Act (Strafvollzugsgesetz, StVollzG), proceedings under Part IV of the Act on International Legal Assistance in Criminal Matters (Gesetz über die internationale Rechtshilfe in Strafsachen, IRG) and section 71 (4) of Part II)
  - proceedings regarding supervision of conduct
  - complaints about costs/fees - complaints against search/seizure orders - complaints in economic cases and tax cases
  - complaints in matters concerning detention - cases in matters falling within the Regulatory Offences Act (Ordnungswidrigkeitengesetz, OWiG) registered in the complaints register - other complaints - subsequent or reserved preventive detention
  - proceedings regarding the order of subsequent or reserved preventive detention - proceedings regarding the suspension of execution of a sentence where the court has reserved the order of preventive detention, in the cases covered by section 462a (2), third sentence, of the Code of Criminal Procedure (Strafprozessordnung, StPO)
  - proceedings before the judicial service court
  - proceedings regarding health professionals, tax consultants, agents in tax matters, patent lawyers or architects
  - other disciplinary proceedings - proceedings regarding legal remedies in matters of enforcement of youth custody, youth detention and remand detention
- With regard to "other criminal cases", only the number of incoming cases is recorded (exception: proceedings concerning supervision of conduct).

**(2018):** As only the number of resolved “other cases” is available, these will not be included in the total.

**(2014):** The information provided in the frame of the 2014 evaluation refers to 2013 data (the 2014 data is not available).

## Greece

**(2022):** It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data. The content of the categories of criminal cases in the table are the same as for the previous evaluation cycle, but the services now monitor and record these cases better so discrepancies in data can be observed. This is especially the case for the Misdemeanour and / or minor criminal cases.

**(2021):** The courts’ function in cooperation with the prosecution’s offices. For example, postponed cases get to the prosecutor offices and then to the courts, in repeat 2-3 times, during the period (year). The definition of the pending cases included postponed cases or the cases the trial date has been setting out of the reference year or hasn’t been determined during the year. The data has been collected from 63 out of 63 First instance courts in Greece.

**(2020):** To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor’s Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/ acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)- Phase A’, which was completed in March 2019 for 41 courts of the State, an integrated information system is implemented, which includes individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data.

**(2018):** To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor's Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/ acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)- Phase A', which was completed in March 2019 for 41 courts of the State, an integrated information system is implemented, which includes individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data.

**(2016):** Filling in the requested information regarding the criminal procedure is not possible at the moment. To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor's Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/ acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)- Phase A', which is expected to be completed by November 2018, an integrated information system will be implemented, which will include individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data. For 2016 the available data regarding the criminal procedure are as follows: Courts of First Instance: Criminal Cases Discussed: 473.457, Convictions/Acquittals: 206.311, Postponements: 262.433, Courts of Appeal: Criminal Cases Discussed: 59.643, Convictions/Acquittals: 24.995, Postponements: 33.601

## Hungary

**(General Comment):** Criminal offences are severe or minor crimes. Severe crimes (bűntett) are committed intentionally and are punishable with at least two years of imprisonment. All other criminal offences are minor crimes (vétség). Crimes that are not committed intentionally are always considered as minor crimes, despite the possible punishment. Misdemeanours (szabálysértés) are not considered as criminal offences, but are unlawful acts that are endangering the society. The authorities intervening in their respect are the police, the district office, or the National Tax and Customs Office. Their decisions can be reviewed by the relevant section of the respective district court upon request of the accused person. Generally, the court rules without oral hearings, based upon the available documents. However, it can set a hearing if it finds it necessary or if the person charged by a misdemeanor requests it. The judgment is a final and enforceable decision. It is noteworthy that the Hungarian law identifies also the category of civil offences encompassing offences mainly against public administration. However some criminal offenses, such as property crimes involving objects of small value (under 50000 HUF), are classified in this category as well. Civil offences fall under the jurisdiction of various administrative agencies, local governments or traffic police, but not the courts. Concerning the methodology of presentation of data, as according to the Hungarian Criminal Code not only severe crimes (bűntett), but also almost every minor crime (vétség) are punishable with imprisonment, both categories were included into the category "severe criminal cases". Thus misdemeanours (szabálysértés) were included into the category "minor criminal cases".

**(2022):** As misdemeanour cases have very strict deadlines, the number of resolved cases strongly correlates with the number of incoming cases. The decrease of incoming cases may be a result of the end of the pandemic as misdemeanours in connection with it "disappeared" as well.

**(2021):** New types of misdemeanours were introduced into the legal system in accordance with the measures taken against the COVID-19 pandemic. As the number of incoming cases increased the number of resolved cases increased as well.

**(2018):** Criminal offences are severe or minor crimes. Severe crimes are committed intentionally and are punishable with at least two years of imprisonment. All other criminal offences are minor crimes. Misdemeanours are not considered as criminal offences, but are unlawful acts that are endangering the society.

**(2014):** The increase in the number of incoming misdemeanour cases in 2012 and 2014 is the consequence of an amendment of the relevant legislation. This increase resulted also in higher numbers of resolved and pending cases.

**(2012):** For 2012, not all types of misdemeanour cases were included in the respective category. The increase in the number of incoming misdemeanour cases stems from legislative amendments. This increase resulted also in higher numbers of resolved and pending cases.

## Ireland

**(General Comment):** Except for the Supreme Court, criminal cases are generally counted by offence rather than case due to the various ICT systems used. This is due to data collection/ ICT systems that are in use by the Court Service. Akin to question 91, the number of pending criminal law cases cannot be provided within the frame of question 94, provided that it is not recorded in caseload data. Misdemeanour and/or minor criminal cases include all cases triable summarily (e.g. common assault, public order offences, burglary or theft in other than aggravated circumstances).

**(2022):** The COVID pandemic had an effect on the courts' ability to deal with incoming business in 2020 especially, which explains the discrepancies with number of resolved cases in 2022. Regarding severe criminal cases both the Circuit Criminal Courts and Central Criminal Courts showed an increase in resolved cases (offences) in 2022. Resolved cases are cases where orders are made. There may be more than one order made in some cases which is why the figure for resolved cases is higher than that for incoming cases.

**(2021):** Severe criminal cases are taken to mean indictable offences that are dealt with in the Circuit and High Court. Misdemeanour is taken to mean minor offences and indictable offences dealt with summarily in the District Court. The number of incoming cases will never equal the number of resolved cases. It is worth noting that the number of resolved cases in 2021 was a significant increase in the resolved cases from 2020. It is also worth noting that not all offences are proceeded with by the prosecutor, particularly minor offences. Criminal cases are generally counted by offence rather than case due to the various ICT systems used

**(2020):** Misdemeanour and minor criminal cases are cases heard in the District Court. There were fewer such cases incoming and resolved because of Covid-19.

**(2018):** From 2016 extra judicial resources were applied by Senior Judiciary to the Courts dealing with some of the most serious criminal matters, which explains the increase of the number of resolved severe cases.

**(2016):** With regard to the number of resolved severe criminal cases, there is no particular reason explaining the observed discrepancy between 2014 and 2016, except for the fact that in 2014 figures were exceptionally high.

**(2014):** The previous data in respect of severe criminal cases were presented by reference to the defendant rather than to the offence(s) charged, whereas the data for 2014 reflects offence(s) charged, to align with the unit of measurement for minor criminal cases.

**(2012):** There were substantial reductions in the number of recorded traffic and public order offences between 2010 and 2012, and these categories of offences make up a significant proportion of the minor criminal cases that come before the courts.

## Italy

**(2022):** In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

**(2021):** In Italy there is no formal definition of minor criminal cases. For the purposes of this exercise, are considered as minor criminal cases those proceedings dealt with by the Justice of Peace Offices.

**(2018):** The reduction in the number of resolved first instance criminal cases, and consequently the increase in the Disposition Time, between 2018 and 2016 comes from the decriminalization measures introduced in 2016 that led to a sharp increase in the number of case dismissals in that year. Indeed, the data for 2017 are:

Incoming: 1.311.900

Resolved: 1.293.054

Pending: 1.282.406

Disposition time: 362 days

These figures show a positive trend of the DT between 2014 and 2017, maintained in 2018.

## Latvia

**(General Comment):** Severe criminal cases include all criminal cases according to the Criminal law - it includes all cases where a harmful offense (act or failure to act) committed deliberately (intentionally) or through negligence, provided for the Criminal Law, and for the commission of which criminal punishment is set out shall be considered a criminal offense. Misdemeanor and / or minor criminal cases includes all administrative infringement cases according to the Law on Administrative liability about administrative offence of a person for which administrative liability is provided for in a law or binding regulations of local governments.

Other criminal cases include execution of a sentence, cases on penal order of the prosecutor, cases on determination of compulsory measures of a medical nature. In 2022 the increase in the balance of pending cases is related to changes in data collection systems` audit, more specifically, for misdemeanour and / or minor criminal cases.

**(2022):** The decrease in the number of resolved cases is related to the drop in the number of cases received in the courts of first instance.

Decrease of pending cases on 1 Jan is related to the decrease of misdemeanour and / or minor criminal cases. In the middle of 2020, Saeima adopted Law on Administrative Liability that affected amount of incoming and resolved of misdemeanour and / or minor criminal cases significantly. According to the law, if the person intends to use his right to appeal a decision, he/she needs to address the complain to the higher official from institution which has made this decision, but if there is no higher official, a decision may be appealed to a district (city) court. This is the main reason for decrease of incoming misdemeanour and / or minor criminal cases.

In 2022 the increase in the number of pending cases at the end of the year is related to changes in data collection systems` audit, more specifically, for misdemeanour and / or minor criminal cases. Severe criminal cases, which are assessed according to the Latvian Criminal Law and Criminal Procedure Law, are decreasing each year. The tendency of the decrease in the number of criminal cases has been observed for a longer period of time. The reduction of severe criminal cases can be explained by changes in legislation. (In the summer of 2020, amendments to the Criminal Procedure Law entered into force, which stipulated that the case for minor violations of the criminal law is not referred for initiation of criminal proceedings (Section 373 An investigator with a consent of a prosecutor or a prosecutor may refuse to initiate criminal proceedings, if a misdemeanor has been committed), which affected the the total number of criminal law cases received in court. A decrease in the number of criminal cases received has been observed since 2019.

The number of pending cases (pending for more then 2 years) has significantly decreased. The decrease in cases is due to the lifting of restrictions, which were related to limiting the spread of Covid-19. The reduction of pending cases also is related to the court reform, increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases. Starting from 2022, data on "other criminal cases" are also collected and inserted in the table.

**(2021): Pending cases:** The number of pending cases in January differs from pending cases in December 2020 registered data due the living Court information system database

Severe criminal cases include all criminal cases according to the Criminal law - it includes all cases where a harmful offense (act or failure to act) committed deliberately (intentionally) or through negligence, provided for the Criminal Law, and for the commission of which criminal punishment is set out shall be considered a criminal offense. Misdemeanor and / or minor criminal cases includes all administrative infringement cases according to the Law on Administrative liability about administrative offence of a person for which administrative liability is provided for in a law or binding regulations of local governments.

Criminal cases, which are assessed according to the Latvian Criminal Law and Criminal Procedure Law, are decreasing. The reduction from 2020 was influenced by changes in legislation. However, the tendency of the decrease in the number of criminal cases has been observed for a longer period of time, and it cannot be explained by the activities of the courts, but by assumptions about the general development trends of society.

In the summer of 2020, amendments to the Criminal Procedure Law entered into force, which stipulated that the case for minor violations of the criminal law is not referred for initiation of criminal proceedings (Section 373 An investigator with a consent of a prosecutor or a prosecutor may refuse to initiate criminal proceedings, if a misdemeanor has been committed), which affected the the total number of criminal law cases received in court. A decrease in the number of criminal cases received has been observed since 2020.

In the middle of 2020, Saeima adopted Law on Administrative Liability that affected amount of incoming cases significantly. According to the law, if the person intends to use his right to appeal a decision, he/she needs to address the complain to the higher official from institution which has made this decision, but if there is no higher official, a decision may be appealed to a district (city) court. This is the main reason for decrease of incoming cases. The number of pending cases (pending for more than 2 years) has significantly decreased. The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases. In 2021, courts of first instance resolved more criminal cases than in previous periods, which is related to the court's ability to adapt to resolve cases in the restrictive conditions of the Covid-19.

Data of 2020 for minor criminal cases are revised for incoming and resolved cases: 5 755 incoming cases and 6 631 resolved cases.

**(2020): Data on resolved severe criminal cases is decreased because of Covid-19 restrictions. We have already pointed out the limitations of court work: written procedure, prohibition of face-to-face meetings, cancellation of court hearings etc.**

**(2018):** There may be some change in data due to court system reform.

**(2016): Severe criminal cases - All sections of The Criminal Law**  
Misdemeanor and / or minor criminal cases - All sections of Latvian Administrative Violations Code

**(2014):** According to 2014 data and pursuant to the Criminal Law, criminal offences are divided into criminal violations and crimes distinguished by their nature, degree of the harm and the threat to the interests of a person or the society. A criminal violation is an offence for which the law provides for a deprivation of liberty for a term exceeding fifteen days, but not exceeding three months (temporary deprivation of liberty), or a type of lesser punishment. Crimes are classified in the following way: less serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding three months but not exceeding three years, as well as offences committed by negligence and for which the law provides for a deprivation of liberty for a term up to eight years); serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding three years but not exceeding eight years, as well as offences committed by negligence and for which the law provides for a deprivation of liberty for a term exceeding eight years); especially serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding eight years or a life imprisonment.

**(2012):** According to 2012 data and pursuant to the Criminal Law, criminal offences are divided into criminal violations and crimes distinguished by their nature, degree of the harm and the threat to the interests of a person or the society. A criminal violation is an offence for which the law provides for a deprivation of liberty for a term exceeding fifteen days, but not exceeding three months (temporary deprivation of liberty), or a type of lesser punishment. Crimes are classified in the following way: less serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding three months but not exceeding three years, as well as offences committed by negligence and for which the law provides for a deprivation of liberty for a term up to eight years); serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding three years but not exceeding eight years, as well as offences committed by negligence and for which the law provides for a deprivation of liberty for a term exceeding eight years); especially serious crimes (intentional offences for which the law provides for a deprivation of liberty for a term exceeding eight years or a life imprisonment).

## Lithuania

**(2022):** Protracted proceedings in criminal cases are caused by the non-appearance of the parties to the proceedings or their representatives at the court session, the request of the parties to the proceedings to postpone the proceedings and the collection of additional evidence. It can be concluded that the protracted examination of criminal cases is also usually determined by circumstances depending on the actions of the participants in the process.

There were 57 criminal cases (64 in 2021, 72 in 2020), the examination of which lasted longer than 5 years. In the last few years, there has been a trend towards a decrease in the number of criminal cases examined at the first instance in first instance courts, the examination of which lasted longer than 5 years.

**(2018):** On 1 January 2017 Amendments to the Criminal Code of the Republic of Lithuania were adopted that provide for criminal liability for persons who drove a road vehicle or taught practical driving while under the influence of alcohol more than 1,5 promilles. This change of regulation had impact on the increase of the number of criminal cases starting from 2017 (in comparison with 2016).

**(2016):** The crime situation changed in Lithuania - the number of registered crimes by prosecution also decreased through these years, as a result less cases were received in courts. As regards 94.1 and 94.2: the answer should be NA, the NAP was chosen for the calculation purposes.

**(2012):** For 2012, in contrast with the 2010 data, criminal cases in the execution process were also taken into account. The increase in the number of incoming and resolved criminal cases is due to the entry into force of the Law on Domestic Violence in December 2011. It has made compulsory the criminal investigation in respect of every single incident of domestic violence. The Lithuanian economic situation as well as the national economic priorities also account for the increase.

## Luxembourg

**(General Comment):** We have classified as minor offenses all cases concluded by penal order in the magistrate's court or district court. Serious offenses encompass all cases concluded by judgment at first instance in the magistrate's court, correctional court, or criminal court.

The figures listed under 'other cases' correspond to those cases which were referred to the investigating department.

Regarding the unavailability of pending and incoming cases: Due to the specific organization of workflow between courts and public prosecution service, files are only transferred to courts shortly before a hearing date, and if a case is not heard on that scheduled date, they are then returned to the public prosecution service until a new hearing date. Thus, there are - with few exceptions - no pending cases before criminal courts over an extended period, and the number of incoming cases is more or less equal to the number of resolved ones.

**(2022):** In our consideration of minor offences, we have included all cases concluded by penal order in the magistrate's court or district court. Serious offences encompass all cases concluded by judgment at first instance in the magistrate's, correctional or criminal court.

The figures recorded under 'other cases' correspond to those matters brought before the investigating office.

**(2018):** Nous avons compté parmi les infractions mineures, toutes les affaires terminées par ordonnance pénale au tribunal de police ou au tribunal d'arrondissement. Les infractions graves représentent toutes les affaires terminées par jugement en première instance au tribunal de police, correctionnel ou criminel.

L'augmentation du nombre d'affaires résolues est due au fait que, pour les cycles précédents, les ordonnances pénales des tribunaux d'arrondissement n'étaient pas prises en compte au niveau des infractions mineures, qui comptabilisaient seulement les ordonnances pénales de justices de paix. Ainsi, pour 2016, les infractions pénales mineures reportées s'élevaient à 6460 en comptant les ordonnances pénales des tribunaux d'arrondissement, au lieu de 5454. Le total des affaires terminées a considérablement augmenté puisqu'il nous est depuis la période d'évaluation 2018-2020 possible, par l'ajout de la catégorie « Autres affaires » dans le questionnaire, de renseigner les affaires dont le cabinet d'instruction a été saisi. Les chiffres inscrits dans « autres affaires » correspondent donc aux affaires dont a été saisi le cabinet d'instruction.

Regarding the unavailability of the number of pending cases and incoming cases, Due to the specific organization of the work flow between the courts and the public prosecutor's office, files are transferred to the courts only a short time before the hearing, and, if the case is not heard at the given date, are then returned to the public prosecutor's office until the new date of the hearing. Thus, there are – with very few exceptions - no cases pending before the penal courts over a longer period of time, and the number of incoming cases equals more or less the resolved cases. With regard to civil cases, we should be able to provide information on cases pending for more than two years for the next evaluation, once the new application has been used for a longer period of time.

**(2012):** Courts do not have a "stock" given that cases are handled at the public prosecutor's office and are only referred to the court shortly before the hearing. The only moment when cases are pending is between the hearing and the adoption of the decision. Usually, the judgment is made within 3 or 4 weeks after the hearing. Thus, data concerning incoming cases is identical to data concerning resolved cases.

## Malta

**(2022):** Since in Malta the vast majority of the cases contemplate the possibility of imprisonment, barring a few contraventions, the cases indicated as misdemeanors/minor offences, are those cases which are heard by the Court of Magistrates (excluding those being heard as a Court of Criminal Inquiry) having a maximum punishment of 2 years imprisonment while the cases indicated as 'severe criminal offences' are those having a punishment of over 2 years (Criminal Court & Court of Criminal Inquiry).

**(2020):** Given that the categorisation of criminal offences in Malta does not exactly match with the CEPEJ definitions provided, only the total of such cases is being reported. An actual breakdown of the figures quoted above is as follows:

- Pending 1st January 2020 = 11899 (79 cases Criminal Court and 11820 cases Court of Magistrates)
- Incoming cases 2020 = 11086 (17 cases Criminal Court and 11069 cases Court of Magistrates)
- Resolved cases 2020 = 7321 (5 cases Criminal Court and 7316 cases Court of Magistrates)
- Pending cases 31st December 2020 = 15883 (89 cases Criminal Court and 15794 cases Court of Magistrates)

The lack of horizontal consistency results from recounts that happen throughout the year, and that ensure that the data is always as up to date as possible. However when taken as a global figure, horizontal consistency might then be lost.

The decrease in the number of incoming and resolved cases, and the ensuing high number of pending cases, results from the restrictions imposed by the pandemic on the functioning of the Courts of Law.

**(2018):** Given that the categorisation of criminal offences in Malta does not exactly match with the CEPEJ definitions provided, only the total of such cases is being reported. An actual breakdown of the figures quoted above is as follows:

- Pending 1st January 2018 = 11887 (61 cases Criminal Court and 11826 cases Court of Magistrates)
- Incoming cases 2018 = 13817 (19 cases Criminal Court and 13,798 cases Court of Magistrates)
- Resolved cases 2018 = 14168 (8 cases Criminal Court and 14140 cases Court of Magistrates)
- Pending cases 31st December 2018 = 11589 (72 cases Criminal Court and 11517 cases Court of Magistrates)

The lack of horizontal consistency results from recounts that happen throughout the year, and that ensure that the data is always as up to date as possible. However when taken as a global figure, horizontal consistency might then be lost.

The decrease in the number of incoming and resolved cases is a phenomenon we are observing over the past years. The discrepancy between the data of 2016 and 2018 makes sense when one looks at the 2017 data that also shows a decrease in the caseloads from 2016. It is to be noted that the incoming caseload in 2018 is actually a bit higher than that of 2017.

**(2016):** In the Maltese legal system, all proceedings which appear before the Court of Magistrates may be punishable with a fine or imprisonment, bar a few contraventions which still appear before the Court of Magistrates and it is not possible to obtain data relating to these few cases. Nevertheless, all cases which lead to an imprisonment of ten years or more can only be heard by the Criminal Court whilst cases between 2 and 12 years may be heard by the Court of Magistrates only once the procedure before it as a Court of Criminal Inquiry is completed. Since in Malta the vast majority of the cases contemplate the possibility of imprisonment, barring a few contraventions, the cases indicated as misdemeanors/minor offences, are those cases which are heard by the Court of Magistrates (excluding those being heard as a Court of Criminal Inquiry) having a maximum punishment of 2 years imprisonment while the cases indicated as 'severe criminal offences' are those having a punishment of over 2 years (Criminal Court & Court of Criminal Inquiry).

This definition of severe/minor-misdemeanor cases is not fully consistent with the definition built by CEPEJ and therefore a comparison is not possible with the previous cycles. According to the Maltese categorization of cases, the number for severe criminal cases in 2016 is as follows: pending on the 1st Jan of Ref Year = 3054; Incoming cases = 827; Resolved cases = 1143; Pending cases on the 31st Dec of Ref Year = 2736. The number for minor/misdemeanor criminal cases is as follows: pending on the 1st Jan of Ref Year = 10571; Incoming cases = 15887; Resolved cases = 15682; Pending cases on the 31st Dec of Ref Year = 10805.

**(2013):** The 2014 data is derived from the official court statistics that are also available online at [www.justiceservices.com](http://www.justiceservices.com). The horizontal discrepancy in the data at point 6 cannot be verified since the data collection in the criminal courts is not as yet automated.

## Netherlands

**(General Comment):** Classification of severe and minor cases:

Minor offences: mainly traffic offences (speeding tickets, running red lights) and petty theft, vagrancy, littering, etc.

Severe offences: driving while drunk, grand theft, violent crimes, vice, drugs/narcotics, etc.

**(2022):** Increase in Category 1 - This is due to a technical change in registration, where it was found that some 14.500 cases were effectively resolved (from a legal standpoint) but had remained 'open' in the administration. This has led to a decrease of the number of pending cases. Increase in Category 2 - These cases are both minor criminal offences and also traffic fine cases (so-called WAHV- or Mulder-cases). The latter group shows the main increase. Possibly the increase is due to numbers being low in 2020 and 2021 as a result of Corona, and increased mobility since then

**(2020):** Classification of severe and minor cases:

Minor offences: mainly traffic offences (speeding tickets, running red lights) and petty theft, vagrancy, littering, etc.

Severe offences: driving while drunk, grand theft, violent crimes, vice, drugs/narcotics, etc.

Effects of the pandemic:

No in person hearings happened in the period between 17 March and April 6 2020. At the start of the pandemic, not everyone was able to work remotely due to insufficient available laptops and that many files were still coming in on paper. There were some exceptions for working remotely as well, such as security, some administrative staff (people that compiled paper files, for example), etc.

Some measures were taken: hearing in other buildings, online or hybrid, and hearings in the evenings. The age restriction for judges was upped from 70 years old to 73 years old, more criminal orders were handled by the public prosecution and more cases were handled by one judge instead of more (enkelvoudig versus meervoudig)

**(2016):** In 2016, there has been a strong decrease in numbers of cases compared to 2014. This decrease pertains to the group of misdemeanours, in particular the group of traffic offences ("Mulder Law"). The cases of "vorderingen dwangsom" (coercive detention) are no longer treated by the Public Prosecution. This following complaints at the Ombudsman. These coercive detention cases increased at first strongly in 2013 and 2014. But after that decision of the Public Prosecution The "Mulder Law" cases decreased from 200.000 in 2014, via 100.000 in 2015 to 40.000 in 2016.

## Poland

**(2022):** Severe criminal cases includes all offences under the Penal Code, Penal Fiscal Code and offences specified in other Acts. Misdemeanours are cases conducted under the Petty Offence Code.

The category "Other cases" covers the rest of cases conducted in criminal courts which are not connected directly with the severe criminal cases or misdemeanours (mainly cases conducted under the Code of Criminal Procedure and Petty Offences Procedure Code).

Cases under the Criminal Procedure Code and the Misdemeanours Code, which are presented as 'other criminal cases', are preliminary or follow-up proceedings.

**(2020):** The discrepancies in Table 94. First instance courts: number of criminal law cases - compared to the previous period (2018) are mainly due to two reasons. First – the COVID19 pandemic which reduced the inflow of Misdemeanour and / or minor criminal cases (p. 2). Second – in 2020 release the number of Other cases (p. 3) was added to the table. It significantly increased the number of total cases shown in the line Total of criminal cases (1+2+3).

**(2014):** For the 2014 evaluation, changes in the statistical forms made possible the identification of some types of misdemeanor cases (mainly the organizational ones, which were not considered in 2012). Above this, there is a constant growth in the number of incoming cases.

**(2012):** The increase of the total of criminal cases and the number of severe criminal cases in respect of the item "pending cases on 1st January 2012" is due to the fact that since 2010, there was a significant increase of the inflow of cases.

## Portugal

**(2022):** In our view, the increase in the number of incoming and outgoing cases in 2022 compared to 2020 reflects the effects of the Covid-19 pandemic and the resulting lockdown, which had an impact on the functioning of the courts in 2020, considering that in certain periods face-to-face services were interrupted or conditioned.

3. "Other criminal cases" - cases involving procedural types provided for in criminal law, which do not fall into the "severe criminal cases" and "minor criminal cases" categories. These are, for example, cases relating to "legal accumulation", "interrogation of foreigners", "judicial expulsion", "compulsory internment" and "habeas corpus".

**(2021):** The discrepancy should be contextualised, in our view, within the framework of the effects of the Covid 19 pandemic and the consequent confinement, with a reflection on the functioning of the courts in 2020, considering that in certain periods face-to-face services were interrupted or conditioned.

**(2020):** 94.1 - The decrease in the number of cases completed in the category "Total of criminal law cases" between 2018 and 2020 is justified by the decrease in court activity in the year 2020 due to the Covid-19 pandemic situation.

94.2 -The decrease in the number of incoming and outgoing cases in the category "Misdemeanour and / or minor criminal cases" between 2018 and 2020 is justified by the decrease in court activity in the year 2020 due to the Covid-19 pandemic situation. Still, the number of cases pending on January 1, 2020 reduced compared to the number of cases pending on January 1, 2018, since the number of cases completed from 2018 to 2019 was relatively higher than the number of cases entered in those years. 94.3 - The increase in the number of pending cases older than 2 years in the "Other criminal cases" category in 2020 compared to 2018 may be related to reduced court activity in the year 2020 due to the Covid-19 pandemic situation.

**(2018):** Regarding the decrease of the numbers comparing to 2016, there were no legislative changes or others that could explain this decrease. Due to increased efficiency of first instance courts, we can notice for the last several cycles a downward trend in respect of the number of pending cases, namely criminal law cases.

**(2016):** There is no specific reason explaining the decrease in the number of incoming and pending criminal cases in comparison with the values of previous cycles. There were no legislative changes or other that could explain this value. However, we can note that cases at first instance in criminal and other areas have been decreasing in the last years. In addition, this decrease may also result from the fact that the number of criminal cases registered by police forces has been decreasing.

**(2012):** The number of pending minor criminal cases on 1 January and 31 December 2012 decreased due to the fact that the number of misdemeanor and minor criminal resolved cases in 2010 and 2011 was significantly superior to the number of cases filed on both those years. Generally, there is a decreasing trend concerning minor offences.

## Romania

**(General Comment):** There is no classification of severe and less severe offences in the Romanian statistics.

In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

**(2020):** As stated at Q91 the context of the Covid-19 pandemic affected the activity of the courts which led to the decrease in the number of resolved cases in 2020 an increased Disposition time and an increased number of pending cases older than 3 years. In criminal law cases postponements were recurrent in cases involving persons serving a prison sentence, because generally they have to be brought to every court hearing which was not always possible due to the quarantine measures taken by the prison administrations.

**(2018):** The changes brought to the code of criminal procedure may be among the reasons for the augmentation of the total number of criminal law cases pending on January 1st between 2016 and 2018, namely for e.g. the procedure regarding the prosecutor's decision to discontinue the criminal investigation has to be confirmed by a judge/in court, according to the new provisions.

**(2016):** In the national Statis system, the cases are recorded on categories of pending cases as follows: - 0-1/2 years;

- 1/2-1 year;

- 1 - 1 and 1/2 years;

- 1 and 1/2 - 3 years;

- 3 - 5 years;

In the table above, last column, there are mentioned the numbers for cases pending for more than 3 years.

The total number of incoming criminal cases in first instance courts has substantially increased when compared to 2014 data (+41%). These figures have been confirmed by the CEPEJ National Correspondent.

**(2014):** The significant increase in the number of total pending cases on 1st of January within the period 2012 – 2014 is due to the new way of counting the statistical data by the application Statis. The time of reaching a decision is not equivalent to the time of drafting the decision. For the present evaluation, files where a decision is reached but is not drafted yet are not counted.

## **Slovak Republic**

**(General Comment):** The statistical data collected by the Ministry of Justice of the Slovak Republic does not allow the categorization of the criminal matters according to the types of criminal offences as defined in explanatory note.

**(2022):** Among "Other criminal cases" it is possible to include, for example, motions regarding the expungement of a conviction, motions regarding the imposition of protective measures and the execution of detention, motions related to custody and the execution of a sentence, motions for conditional release, motions related to probation and mediation, requests from domestic and foreign authorities in criminal cases, motions that are decided in preliminary proceedings, etc. Other discrepancies are reflection either of the submission activity of the prosecutors or productivity of the judicial system (judicial staff) in resolved cases.

**(2020):** Sources: Analytical center, Ministry of Justice of the Slovak republic

**(2018):** There is a big discrepancy between pending cases on 31st of December 2016 and "Pending cases on 1st of January 2018". This is caused of two factors: The first one and major is in delivered data in 2016. In the 2017 was the data collection still in paper form and in the old methodology, as we explained already. In the same time the project Audit with the experts from CEPEJ was already influencing the newly growing Analytical center and motivated as to try collect pending cases for 2016 backward. Since there were no electronic tools for collecting data available neither for courts nor for Ministry of Justice; the result were obviously full of mistakes. Analytical center had no chance to make data check, since pending cases were never collected before, so we had to rely on the courts data without possible checkup. After 2017, when was already available electronic tool (AZU) for collecting data from courts with implemented controlling formulas, then the mistakes from previous manual collection have occurred significantly especially in the first instance criminal agenda. The second factor is, that the Clearance rate dropped from 106, 52% in 2016 to the level 101, 81% in 2018.

**(2016):** For 2016 data, new methodology was implemented to make the reporting structure consistent with the CEPEJ methodology and leads to better comparison of Slovak Republic (SR) with other countries. The previous methodology was not counting a decision of first instance court as resolved until the case becomes finalised at last instance. This resulted in reporting such case as unresolved despite respective court has already made a decision. This is the nature of reporting of many "unresolved" cases on courts despite court already decided, in fact. New way of reporting extracts the numbers of decided cases in respective court instances from "unresolved" and allocates these numbers to those court instances that made an actual decision in the reference period that is in correspondence with CEPEJ methodology and better comparable with other countries.

## **Slovenia**

**(General Comment):** Other cases: criminal investigations at district courts, criminal cases against juveniles in preparatory proceedings, execution of the sanction of prison, execution of criminal sanctions of foreign courts, criminal investigation actions at local and district courts, cases of the out-of-hearing senate, clemency procedures at local and district courts, legal aid between national courts in criminal matters, international legal aid in criminal matters, cases of decisions to permit interventions within human rights and freedoms, legal aid between courts in minor offences, international legal aid in minor offences, search of premises, setting a task for the good of the community or the local community, compliance detention. various criminal matters at local and district courts and in minor offences at local courts.

Regarding criminal investigations at district courts: Slovenia has a system where the state public prosecutor can request a (first instance) court to perform a criminal investigation (or individual investigatory acts). When this procedure at court is finished, the case is returned to the state prosecutor, who can decide whether to dismiss a case or file an accusatory act at the (same) court. When the accusatory act is filed, a criminal trial (i.e. deliberating on the responsibility and sanctioning of the offender) begins.

Regarding setting a task for the good of the community or the local community: A request for prison sentence or fine to be replaced by a task for the good of the community can be filed after the finality of the main court decision and is decided upon in a separate proceedings.

Regarding compliance detention: In minor offences cases, if the fine is not paid in due time, a compliance detention (to comply with paying the fine) is ordered. The proposal is decided upon by a local court according to the domicile of the offender.

Compliance detention last up until the fine is paid, but can not exceed 30 days. The obligation to pay fine does not cease with detention.

Regarding various cases: this category is composed of different (accessory) proceedings, not fitting in any of the categories above.

**(2022):** In 2022, approx. 25-30% of pending cases and 6-7% of incoming/resolved cases were criminal investigation cases (see general comment).

1. Severe criminal cases - Pending cases older than 2 years – increase by 39%;

3. Other cases - Pending cases older than 2 years – increase by 25%:

Factors contributing to this increase are: increased complexity of cases (cases with multiple offenders, cases with offenders in detention, need for experts, international element), trouble finding and serving court documents to foreign offenders and victims, non-responsiveness of parties, delays due to international legal aid, limitation of operation of courts due to Covid-19 pandemics in 2020 and 2021 and lack of candidates for new judges at district courts.

**(2021):** 1. Severe criminal cases - Pending cases on 1 Jan.: increase by 22%

In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions, hence the increase in pending cases at the beginning of 2021.

1. Severe criminal cases - Resolved: increase by 17%

In 2020 first instance courts resolved less cases than usual due to Covid-19 restrictions, hence the increase in resolved cases in 2021.

2. Misdemeanour and / or minor criminal cases - Pending cases older than 2 years from the date the case came to the first instance court: decrease by 34%.

The decrease is due to the more efficient work of courts in resolving older cases.

3. Other criminal cases - Pending cases on 1 Jan. ref. year: increase by 16%

In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions, hence the increase in pending cases at the beginning of 2021.

In 2021, approx. 30% of pending cases and 7% of incoming/resolved cases were criminal investigation cases (see general comment).

**(2020):** Until now, at "1. Severe criminal cases" we have reported both criminal investigation and criminal trial cases (see general comment) for the same criminal offence. For 2020, we have excluded data on investigations to report data on criminal trials only, and criminal investigation is reported at 3. Other criminal cases. The main reason is the comparability of data between countries as criminal investigation is not within the jurisdiction of courts in most countries. Investigation cases, that were previously reported at 1. Severe criminal cases and are now reported under 3. Other cases represent 5-10% of all reported cases.

The number of incoming Severe criminal cases decreased by 1% in 2019 and the number of resolved cases decreased by 2% in 2019. However, in 2020 the number of incoming cases decreased by 1%, and the number of resolved cases decreased by 23%, mostly due to limitations of operations of courts due to the Covid-19 pandemics. Consequently, the number of pending cases has also increased by 22%.

The number of pending Severe criminal cases, older than 2 years increased in 2019 (by 15%) and stayed roughly the same in 2020, while the number of Misdemeanour cases stayed roughly the same in 2019 and increased significantly (by 128%) in 2020. No specific explanation can be given for any of the mentioned changes. This two factors resulted in increase in total number of pending cases older than 2 years.

**(2018):** Severe criminal law cases include all offences, listed in the Criminal Code. Such offences are punishable by either imprisonment, fine (monetary penalty) or in some cases with restricting the driving of motorized vehicles. Minor offences are set in other laws (not the Criminal Code) and the procedure is regulated by the Minor Offences Act. Minor offences cannot be punished by deprivation of liberty, but rather by a fine and/or other sanctions, provided by laws. Discrepancies: This year, some of the cases, previously reported at Severe or Misdemeanor cases, are reported under new category - Other cases (for details, please see general comment). The methodology for the total number of cases reported did not change, and the changes for total are below 20%.

**(2016):** The observed decreases can be attributed to the decrease in the number of cases, processed by the police and the state prosecution (see Q107).

**(2014):** According to 2014 data, the category “severe criminal law cases” includes all offences, listed in the Criminal Code. Such offences are punishable by either imprisonment, fine (monetary penalty) or in some cases with restricting the driving of motorized vehicles. At first instance, this category encompasses: criminal cases at local and district courts (K); criminal investigations at district courts (Kpr); criminal cases against juveniles at district courts (Km); criminal investigation actions at local and district courts (Kpd); various criminal matters at local and district courts (Kr); clemency procedures at local and district courts (Po); criminal cases against juveniles in preparatory proceedings (Kmp); cases of the out-of-hearing senate (Ks); execution of the sanction of prison (IKZ); execution of criminal sanctions of foreign courts (IKZt); cases of decisions to permit interventions within human rights and freedoms (Pp). The attention should be drawn on the fact that the 2014 data is not comparable to pre-2014 results, because until 2014, only first 3 categories above were reported. In 2015, the reporting method was further improved, and other types of cases were also included in the reporting. The minor offences are set in other laws (not the Criminal Code) and the procedure is regulated by the Minor Offences Act. The minor offences cannot be punished by deprivation of liberty, but rather by a fine and/or other sanctions, provided by laws. At first instance, this category subsumes: minor offences in regular court procedure – request for judicial protection (PR-zsv); minor offences in regular court procedure – accusation proposals (PR-obp); cancellation of validity of the driver’s licence according to the legal limit of punitive points (EPVD); compliance detention (PRuz). This category does not include: legal aid in minor offences (PomPR); international legal aid in minor offences (PomPRI); search of premises (PRhp); setting a task for the good of the community or the local community (PRnk) and various cases in minor offences (PRr).

**(2012):** The decrease in the number of “misdemeanour and/or minor criminal cases” in 2012 is the result of the reform in law on minor offenses which transferred the jurisdiction of some cases previously tried by courts to other authorities. According to 2012 data, the category “severe criminal law cases” at first instance included: criminal cases at local and district courts (K); criminal investigations at district courts (Kpr); and criminal cases against juveniles at district courts (Km). The category did not encompass: criminal investigation actions at local and district courts (Kpd); various criminal matters at local and district courts (Kr); clemency procedures at local and district courts (Po); criminal cases against juveniles in preparatory proceedings (Kmp); cases of the out-of-hearing senate (Ks); execution of the sanction of prison (IKZ); execution of criminal sanctions of foreign courts (IKZt); cases of decisions to permit interventions within human rights and freedoms (Pp).

The category “misdemeanour cases and minor offences cases” at first instance included: minor offences in regular court procedure – request for judicial protection (PR-zsv); minor offences in regular court procedure – accusation proposals (PR-obp); minor offences at the transition from 2004 to 2005 (PRs); minor offences, introduced in the judicial jurisdiction after the 31.12.2004 (PRv); cancellation of validity of the driver’s licence according to the legal limit of punitive points (EPVD); compliance detention (PRuz). This category did not subsume: legal aid in minor offences (PomPR); international legal aid in minor offences (PomPRI); search of premises (PRhp); setting a task for the good of the community or the local community (PRnk); and various cases in minor offences (PRr).

## Spain

**(General Comment):** When an error is detected in the statistics of a Court, the latter is allowed doing regularization, what means that the Court communicates the correct figure and rectifies the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the specific control of cases that the Court makes when a judge leaves the Court (called "alarde"), but in general, in any case in which the Judicial Counsellor detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

These regularizations and the cumulated cases and the re-opened cases are the causes for the horizontal inconsistencies.

**(2022):** There are increases of incoming and resolved cases compared to the number of cases in 2020. It should be taken into account that information from 2020 represents the year of the pandemic. The recovery of normal work increased the number of cases, incoming and resolved.

**(2021):** The number of incoming severe criminal cases increased in comparison with 2020, because that was the year in which the pandemic forced mobility restrictions. The recovery of activity, after the most severe restrictions of the pandemic, may have contributed to the improvement in efficiency and increased number of resolved cases.

**(2020):** Possibly the pandemic, and the restrictions it entailed, have had an impact on the decrease of the number of resolved cases.

**(2016):** The Organic Law 1/2015 eliminated 'faltas' (misdemeanour) of the Criminal Code, qualifying some of them as minor offenses, and others as administrative infractions. Accordingly, we can observe decreases in the numbers of misdemeanour cases which also affects the total of criminal law cases.

**(2014):** The Law 41/2015 has amended the Criminal Procedural Law in the sense that those files opened by the police concerning crimes committed by an unknown person will not be submitted to courts but will remain at the police offices at the disposal of the judge and prosecutor, with the exception of those crimes affecting life, sexual integrity, freedom or corruption, in which case the police report will necessarily be referred to the criminal court. As a result, it is expected that the number of incoming cases before the criminal courts will decrease. In addition, the law 1/2015 amended the Penal Code by suppressing the misdemeanors which now will be judged as administrative or civil matters according to their nature or as minor crimes.

**(2012):** Restarted procedures were not counted because they are not really incoming cases. Besides, there was a readjustment of the statistical data in the period between 2010 and 2012. The final data on pending cases is the real data at December 2012.

## Question 097

### Austria

**(General Comment):** From January 1st, 2014 there are 11 newly found courts for administrative law in Austria, namely 9 regional administrative courts, 1 Federal Administrative Court and 1 Federal Tax Court (all courts of first instances). Furthermore, there is also the Supreme Administrative Court (final instance). With regard to administrative law cases there is no second instance. The statistical evidence of the Federal Ministry of Justice of Austria does not distinguish between the types of second instance cases mentioned under 2.1., 2.2. and 2.3. Data regarding the general categories "litigious cases" (1.) and "non-litigious cases" (2.) is available. The number of "Other cases" (4.) is included in the category "litigious cases" (1.).

**(2022):** Non litigious family matters in the second instance have always been represented within the category of "non-litigious cases".

**(2021):** "Civil and commercial litigious cases" – the number of incoming civil litigious cases slightly increased between 2020 and 2021. The number of resolved such cases increased but to a lesser extent than incoming cases. Accordingly, the number of pending civil litigious cases at the end of the year increased. There is no explicit explanation for these variations. It should be recalled that 2020 year was a particular year due to the pandemic. In 2021, the data are back at the level of 2019.

**(2017):** In the area of appeal cases concerning other than criminal law cases only the categories of general civil law, labour law and social law are gathered. The administrative cases are NAP in second instance since they are presented in first and final instance.

**(2016):** In the area of appeal cases concerning other than criminal law cases only the categories of general civil law, labour law and social law are gathered. The administrative cases are NAP in second instance since they are presented in first and final instance.

## Belgium

**(General Comment):** Data on pending appeals against first instance decisions of the Justices of the peace and Police courts (civil cases) are not available.

**(2022):** In the Court of Appeal (Civil Matters): - Cases pending as of 01/01/2022 = 28525; cases pending as of 31/12/2022 = 27375; Cases pending for more than 2 years from the date on which the case is brought before the courts at second instance = 11578. Employment Tribunal: - Cases pending as of 01/01/2022 = 5461; cases pending as of 31/12/2022 = 5294; Cases pending for more than two years from the date on which The case is brought before The courts at second instance = 1416. Source: datawarehouse (data extraction date: August, 1st, 2023).

**(2021):** Court of appeal (civil matters): Pending cases on 1/01/2021 = 29 320 ; Pending cases on 31/12/2021 = 28 507 ; Pending cases older than 2 years from the date the case came to the second instance court = 12 133. Bron: datawarehouse (date of data extraction: 01/07/2022).

**(2020):** \*Cases in the second instance courts , labor courts and cases on appeal against decisions of justices of the peace and police courts (civil matters), at the trial level.

\*Court of second instance (civil matters): Cases pending as of 1/01/2020 = 30668; Cases pending as of 12/31/2020 = 29300; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 12391. \*Labor Court: Cases pending as of 1/01/2020 = 6033; Cases pending as of 12/31/2020 = 5841; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 1730. Source: datawarehouse (data extraction date: 06/16/2021)

\*Civil litigation cases: for 2020, there is a decrease in the number of new cases and an even greater decrease in the number of completed cases due to the pandemic that has affected the operation of the courts

**(2018):** Number of cases before courts of appeal, labour courts and cases of appeal against decisions of justices of the peace and police courts, at the first instance level.

Court of Appeal (civil matters): pending cases at 1/01/2018 = 33,018; pending cases at 31/12/2018 = 32,321; pending cases for more than 2 years from the date in which the case is brought before the courts of second instance = 13,507. Labour Court: pending cases at 1/01/2018 = 6236; pending cases at 31/12/2018 = 6201; pending cases for more than 2 years from the date in which the case is brought before the courts of second instance = 1535. Bron: datawarehouse (extraction 1/09/2019) no data on pending appeals against decisions of the justices of the peace and police courts at the first instance level. In administrative matters, there is no second instance. The Council of State is the only supreme court.

**(2017):** Number of cases before courts of appeal, labour courts and appeals against decisions of justices of the peace and police courts at the first instance level.

Courts of Appeal: Justice in numbers

**(2016):** Number of cases before courts of appeal, labour courts and cases of appeals against decisions of justices of the peace and police courts, at first instance.

## Bulgaria

**(2021):** As it is impossible to distinguish between litigious and non-litigious cases for the present, for 2021 the following data is available as to the sum of all civil and commercial litigious and non-litigious cases: pending at the beginning 16 469; incoming 41 774, resolved 41 391 and pending at the end of the year 16 852.

**(2020):** "Total": the decreases in the number of pending cases is due to growth in civil and commercial cases in 2019 which continued in 2020, but at a slower pace. As it is impossible to distinguish between litigious and non-litigious cases for the present, for 2020 the following data is available as to the sum of all civil and commercial litigious and non-litigious cases: pending at the beginning 13 612; incoming 43 927, resolved 41 070 and pending at the end of the year 16 469.

**(2019):** See General comments

**(2018):** NA

**(2016):** There is no particular explanation for the downward trend observed between 2014 and 2016 in respect of the number of pending cases on 1 January for the categories "total" and "administrative law cases". All the data provided is correct.

**(2012):** In the frame of the 2012 exercise, it has been explained that the number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 and 2012.

### **Croatia**

**(2022):** Regarding second instance „General civil (and commercial) non-litigious cases”, starting with early 2022, all the cases have been classified as „appeal on sentence” type of cases, instead of „enforcement cases”, „family law cases”, „labour law cases” or any other case type available in the court management system database, as it was in the previous cycles. Because of that, we are unable to differentiate between second instance litigious cases and second instance non-litigious cases (or any of the other types of cases for that matter). For „Other non-litigious cases”, the reason for no available data is the same as regarding “General non-litigious cases”, as those types of cases that would have been in the category of „Other non-litigious cases” according to the classification by the courts in the previous years, are also categorised as a generic „appeal case”. As regards registry cases, there is no specific reason for the decrease in the number of resolved cases, as the number of incoming cases is roughly the same as last year (around 1.700 incoming cases). Regarding administrative cases, there is no specific reason for the decrease in the number of resolved cases, as the number of incoming cases is roughly the same as last year (around 5.500 incoming cases).

**(2019):** Due to legal changes, the High Administrative Court of RoC started to receive more cases from 2016. With the same amount of judges, they did not manage to cope well with this income of case, therefore pending cases increased.

**(2018):** In category 1. Civil (and commercial) litigious cases there has been a decrease in the number of pending cases at the beginning of the period, received cases, resolved cases and also pending cases at the end of the year. This seems to be the trend for several years now. Although these courts are resolving less cases than in previous period, due to the reduced income, pending cases are still significantly decreased. Reduced number of received civil litigious and commercial cases on second instance do not have reason in for example law changes. Simply because less cases are resolved at first instance, less appeals are lodged to the second instance. The increased number of pending administrative law cases at the beginning and at the end of the year as well as received cases is due to the extended jurisdiction of the High administrative court following law changes. The latter led to an increased inflow of cases and difficulty for the High administrative court to cope successfully with the income of second instance cases, especially since the number of judges remain the same as before law changes. This comment was provided also for last cycle. The rest of the categories which have increase or decrease in pending cases is just an effect of the incoming or resolved cases.

**(2017):** The increased number of pending administrative law cases at the beginning and at the end of the year is due to the extended jurisdiction of the High administrative court following law changes. The latter led to an increased inflow of cases and difficulty for the High administrative court to cope successfully with the income of second instance cases. This comment in more details was provided also for last cycle.

In this category there is more than 20% increase of pending cases at the beginning of reference year in comparison to the beginning 2016. The reason are land registry cases. Reason for increased number of pending land registry cases is decreased number of resolved cases in relation to the number of incoming cases (87%) during previous year (2016.) which affected results for 2017. In 2017, second instance courts also resolved less than received land registry cases.

The reason for the decreased number of pending business registry cases at the beginning of 2017 in comparison to the beginning of 2016 is the number of resolved cases in relation to the number of incoming cases (104%) during 2016. The lower number of received cases and Clearance rate of 106% lead to the decrease of the number of pending business registry cases at the end of 2017. The reason for the decreased number of pending "other non-litigious cases" at the beginning of 2017 in comparison to the beginning of 2016 is the significant number of resolved cases in relation to the number of incoming cases (185%!!) during 2016. Regarding the increased number of incoming cases of this type, there are in absolute numbers very few cases (154) and although there is an increase of more than 20% in comparison to previous year, we think that there is no significant explanation for this, which would affect the trends in following cycles. As for the decrease in the number of resolved "other non-litigious cases", there is no significant explanation for this, but we think that it will not influence the trend in future cycles.

The reason for the decrease of pending civil and commercial litigious cases older than 2 years in second instance courts lays in the fact that in 2017 second instance county courts and the High Commercial Court resolved significant amount of cases in relation to received cases (122%) with special focus on older cases. This led to a decrease of more than 17% of all pending cases and more than 30% of pending cases older than 2 years.

The reason for the decrease of pending non-litigious cases older than 2 years in second instance courts lays in the fact that in 2017 second instance county courts and the High Commercial Court resolved more cases than received (103%) with special focus on older cases. This led to decrease of more than 7% of all pending cases and more than 30% of pending cases older than 2 years (of which they have few in the beginning). The reason for the decrease of pending "general civil and commercial non-litigious cases" older than 2 years in second instance courts lays in the fact that in 2017 second instance county courts and the High Commercial Court resolved more cases than received (103%) with special focus on older cases. This led to decrease of more than 7% of all pending cases and more than 30% of pending cases older than 2 years (of which they have few in the beginning). The reason of the increase of pending registry cases older than 2 years in this category is entirely due to the increase of the number of pending land registry cases older than two years. The reason is already explained - the increase of pending cases in total is due to the difficulty of second instance courts to cope with the income of these cases. Finally, in respect of administrative law cases, due to the decrease of number of pending cases of this type in total, there is also decrease for 8 cases of pending cases older than 2 years (as stated before, we do not think that this is significant change taking into consideration absolute numbers and type of cases).

**(2016):** Second instance land registry cases, due to introducing separate case registers for certain type of cases on second instance courts, are now traceable as such in case management system. They have been taken out from Other non-litigious cases, where they were presented in previous cycles. The number of administrative cases, both in incoming and pending cases at the end of period is increasing. This is due to the law changes, which have extend jurisdiction of this court and consequently increase income of cases and unresolved cases at the end of period.

**(2014):** It is noteworthy that in 2012 and 2013, the ICMS could not recognize and divide cases into litigious or non-litigious. In 2014, the ICMS was improved as Croatia introduced updated and a very detailed code table, in order to extract more detailed case types from the system. Therefore, now the distinction between all cases in litigious and non-litigious cases as well as other types of cases can be made very accurately. This change of methodology of categorisation affected the difference between pending cases on 31 December 2013 and pending cases on 1 January 2014 which will disappear in the next cycle.

**(2013):** In the frame of the 2013 exercise it has been explained that the discrepancies that can be observed in respect of the category “total of other than criminal cases” between the number of pending cases indicated for December 2012 and the number of pending cases communicated for January 2013, result from an administrative correction of a specific small number of cases by the second instance courts after the closure of the statistic period, which the reporting system then generates as a difference concerning previously rendered data.

As to the category “civil and commercial litigious cases”, owing to a different methodology of presentation of data, the number of pending cases in the end of 2012 does not coincide with the number of pending cases in the beginning of 2013. The number of pending cases on 31 December 2012 included second instance-civil and commercial courts’ cases, bankruptcy cases, general non-litigious cases, enforcement cases, land registry cases and company registry cases. Since 2013, it is possible to provide data on the second-instance civil and commercial litigation cases and bankruptcy cases separately from the general non-litigious cases, enforcement cases, land registry cases and company registry cases.

The variations observed with regard to the category “total of other than non-criminal law cases” for the period 2010-2013 can be explained by the negative economic situation in Croatia, which resulted in the increase of incoming commercial and civil cases before first instance courts and consequently led to the increase of the second instance cases.

**(2012):** As to the variations observed in respect of the “administrative law cases”, they are justified by the reform related to the administrative justice. Basically, till December 2011, they were adjudicated at the Administrative Court of the Republic of Croatia. Provided that the latter was overburdened, the two-instance administrative adjudication was introduced in January 2012. Four regional administrative courts were established as first instance courts (Zagreb, Osijek, Rijeka and Split), and former Administrative Court became second-instance High Administrative Court (appellate court).

## Cyprus

**(General Comment):** The case flow data of the Supreme Court are included in this question as second instance cases, although Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court.”

**(2021):** Increase in resolved cases: cases tried together.

**(2020):** Reducing delays in the disposition time is part of the reform process. In administrative cases in 2019 a big number of cases were tried together. The cases that had the same subject matter were filed individually but were consolidated and tried together but for statistical purposes they were calculated separately. This is the reason why number of resolved cases in 2020 might appear lower than in 2019. The difference in the pending cases in administrative cases compared with previous year is that in this figure we included the cases filed before the Administrative court of international protection which was set up. The reason we do not have statistical data on subcategories of cases is that the electronic filing system was not introduced that would enable to have statistical data on such cases.

**(2019):** The Administrative law cases include the cases from the administrative court which was established in 2018.

**(2017):** appeals filed against decisions of the administrative courts which was established in 2016 should be included in the pending cases on 1.1.2017 as Other cases include family court appeals  
Variation between 2016 and 2017 in administrative cases (incoming and resolved): this includes appeals filed against decisions of the administrative court

**(2016):** The Supreme Court is the appeal court.

## Czech Republic

**(General Comment):** It is noteworthy that the methodology of presentation of data has been changed since the 2014 exercise. Since 2014, administrative cases, business registry cases and insolvency cases (and also some litigious cases) which are still decided by the second instance courts acting as first instance courts, are subsumed within the table of question 91 (which was already the case for the 2008 exercise).

**(2022):** Other cases are insolvency and incidence cases.

**(2020):** In general, number of incoming cases is decreasing and it follows that the numbers of pending cases and resolved are decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies. Civil (and commercial) litigious cases: In general, number of incoming cases is decreasing (mostly because number of first instance cases is decreasing too) and it follows that the number of pending cases is decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies.

Other cases: The variations are the result of changes in first instance agenda. This category includes insolvency cases and there were numerous legislative changes in last years. Also, it must be noted that the number of pending cases is relatively small, thus the variance is bigger.

**(2019):** In "Other cases" category, insolvency cases are reported.

In general, number of incoming cases is decreasing and it follows that the numbers of pending cases and resolved are decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies.

**(2018):** In "Other cases" category, insolvency cases are reported.

In general, number of incoming cases is decreasing and it follows that the numbers of pending cases and resolved are decreasing as well (the situation is getting better). This may result in some big yearly changes and discrepancies.

**(2017):** In "Other cases" category, insolvency cases are reported. In this year the number of resolved insolvency cases greatly exceeded the number of incoming insolvency cases, which led to huge drop in pending cases at the end of the year and discrepancy appeared. The changes are connected to changes in first instance insolvency agenda.

**(2016):** Increase in the number of "other cases" in 2015 and 2016 is due to the change of methodology applied to these data.

**(2015):** Increases in the number of "other cases" are due to the change of methodology applied to the 2015 data.

**(2014):** In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

**(2013):** For the 2013 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

**(2012):** For the 2012 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

## Denmark

**(General Comment):** It is noteworthy that all appellate cases are considered as "litigious cases" which explains the reply NAP for all the other categories, as well as the fact that the total coincides with the number of civil and commercial litigious cases. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

Another important remark concerns cases that are not first instance cases before the two High Courts and which are included in question 97. Cases that begin as first instance at one of the two High Courts are not included in the figures in table 97.

**(2016):** Pending cases may vary a lot depending on the ratio of resolved cases compared to incoming cases. We can observe a decrease of about 30 % of pending cases ultimo the 2016. This is due to this "residual" nature of pending cases. The decrease in the pending cases between 2014 and 2016 is because in both calendar years 2015 and 2016 the number of resolved cases exceed the number of incoming cases.

**(2014):** In the ambit of the 2014 exercise, it has been emphasized that due to an improved business situation, courts on all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases. Generally speaking, pending cases are also reduced thereby.

## Estonia

**(General Comment):** Some horizontal inconsistencies and inconsistencies with previous year are due to the fact that data are always taken from the live database.

**(2022):** "Administrative law cases": there are problems that have been dealt with but no results can be observed yet. Above all there were many vacancies in civil departments and that has had an effect in administrative too.

**(2021):** In 2021, a general increase in the case load of circuit courts is observed.

**(2019):** Some horizontal inconsistencies and inconsistencies with previous year are due to the fact that data are always taken from the live database.

**(2015):** In respect of the civil and commercial non-litigious cases, the increase from 2013 in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters).

As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal. Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases

**(2014):** On the occasion of the 2014 exercise, it has been emphasized that there has been an ongoing reform concerning the court budgets and judicial performance indicators. Agreements have to be adopted on the occasion of the budget negotiations between the Ministry of Justice and the courts concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings.

As to the increase of the total of pending other than criminal cases (beginning and end of the year), the reason is that 1st instance courts started the project of clearing backlogs and accelerating proceeding earlier. As a result, the number of incoming cases in 2nd instance courts increased in 2013 and resulted also in an increase of the number of pending cases by the end of the year 2013.

For 2014, non-litigious enforcement cases are included in the category "general civil (and commercial) non-litigious cases".

**(2013):** In the frame of the 2012 and 2013 exercises, several clarifications were provided.

Firstly, in respect of the civil and commercial litigious cases, the observed variations were deemed to be normal, as a part of the ordinary dynamics of the case-flow.

Secondly, in respect of the civil and commercial non-litigious cases, the increase in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters). Owing to that, in 2014 one civil judge's position was given to the Tallinn Appeal Court in order to raise their efficiency.

As to the enforcement procedures, they are in the competence of public bailiffs who are completely independent from the judicial system but act as public authorities. The reply NA is justified by the impossibility to distinguish in the bailiffs' information system the enforcement proceedings where the enforcement instrument is court decision from all the other enforcement proceedings where the enforcement instrument is for example a fine made by police, an administrative act made by the tax authority etc.

In respect of the land registry and business registry cases, it should be recalled that they are within the competence of the 1st instance courts. If the decision of the registry is appealed, it goes to the first instance court as a regular civil case.

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## **Finland**

**(General Comment):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on January 2023 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

**(2022):** In previous years, military court cases of the second instance have been erroneously registered under Other civil cases, so in this statistical year, the before mentioned cases have been registered as criminal cases. Similarly, this question has previously included cases that have come in for consideration in the second instance courts as first instance cases. Since the first instance cases previously had their own procedure, from which it was not easy to determine whether the case concerned criminal or civil case, they were therefore registered in the group "Other cases". In this statistical year, it has been possible to find out whether they belong to criminal or civil cases and thus have been taken into account to the statistics according to the breakdown. In addition, "Other cases" have included cases related to releasing a prisoner serving a life sentence, which are also no longer counted in this group, because these are processed as separate applications and are not civil or criminal matters.

**(2021):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 20.1.2022 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Other cases are: Cases dealt in Court of Appeal as first instance, military court cases, and cases related to releasing a prisoner serving a life sentence [pitkääikaisvankien vapauttamismenettelyasiat].

**(2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2021 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts) and HAIPA (for administrative and special courts).

**(2019):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 22.1.2020 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts).

**(2018):** In 2017, the number of incoming cases has decreased for example due to some procedural changes and the courts have been able to resolve more pending cases. Accordingly, the number of pending cases at the beginning of 2018 has decreased.

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**(2016):** The number of incoming cases has decreased (for example due to some procedural changes) and the courts have been able to resolve more pending cases.

**(2013):** The category of civil and commercial non-litigious cases includes petitions for the 2012 exercise, divorce cases and petitions (without cases included in the other sub-categories) for the 2013 exercise. As for the category "other", according to the provided comments, in 2012 it encompasses cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners. In 2013 it subsumes temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases and complaints.

**(2012):** The category of civil and commercial non-litigious cases includes petitions for the 2012 exercise, divorce cases and petitions (without cases included in the other sub-categories) for the 2013 exercise. As for the category "other", according to the provided comments, in 2012 it encompasses cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners. In 2013 it subsumes temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases and complaints.

## France

**(2022):** Sources: Ministry of Justice/SG/SEM/SDSE, General Civil Directory; Council of State.

Following a change in methodology, "contentious civil (and commercial) cases" now include: general litigation cases before the court of appeal and civil cases from the special chamber for minors (educational assistance).

As a result of a change in methodology, "non-contentious civil cases" correspond to gracious matters before the courts of appeal, namely: divorces and separations by mutual consent, approvals of agreements regarding changes in matrimonial regimes, matters relating to civil status (declaratory judgment, rectification and annulment of a vital record entry and modification of gender designation), adoption requests (simple and full), successions (vacant or unclaimed succession, affixing seals and contestation related to seals), as well as matters concerning minor incapacity (initiation of guardianship proceedings, appeals against decisions made by guardianship authorities,

emancipation,

authorization for an act or appointment

of an ad hoc administrator within the framework

of legal administration,

control over an act under risky circumstances),

preventive procedures for companies facing difficulties

(conciliation procedure and ad hoc mandate),

preliminary conciliation attempts before judicial tribunals

and local courts,

amicable settlement procedures in agricultural matters,

real estate investment companies ('SCI')

and associations.

**(2021):** Source Council of State and SDSE

Administrative law cases: regarding the ageing of the stock, the output of the Administrative Courts of Appeal (CAA) fell sharply in 2020 (-10%) because of the COVID-19. When the situation returned to normal, the CAAs gave priority to foreigners' litigation, which accounts for almost 50% of their entries, and the stock therefore aged mechanically.

**(2020):** "The health crisis and containment may have played on TAs (completed cases) (by reducing the ability of courts to process cases) but also on NAs (new cases) (fewer offenses committed, fewer cases brought to trial). Prior to this, a major lawyers' strike and a transport strike had mainly affected the TAs.

Commentary provided by the highest administrative Court : As a reminder, the measures derogating from the ordinary law of contentious administrative procedure adopted to respond to the situation arising from the health crisis caused by the Covid-19 epidemic were provided for by Ordinance no. 2020-305 of March 25, 2020, and then by Ordinance no. 2020-1402 of November 18, 2020, and Decree no. 2020-1406 of the same day. I - Concerning the rules relating to the organization or holding of hearings 1°) Use of audiovisual or any other means of electronic communication

The two orders of March 25 and November 18, 2020 provided for the possibility of using an audiovisual means of telecommunication for the holding of hearings or any other means of electronic communication.

When this device was used, it was used, in almost all the jurisdictions that had recourse to it, for less than 10% of the cases judged in collegiality during the same period.

The most common configuration used was that in which one or more members of the panel were at a distance and the president, the other members of the panel, and the parties and their counsel were in the courtroom (approximately 75% of the courts that used videoconferencing chose this configuration, and 53% of them used it for less than 10% of the cases heard by the panel). Very few courts have used video-conferencing with remote parties. The reasons for which the courts have used video-conferencing are linked to the constraints linked to the health crisis, in particular the difficulties encountered by lawyers to travel, especially in overseas territories, and the isolation imposed on certain people (judges or lawyers) declared to be in contact or recognized as fragile.

In the case of single-judge hearings, the courts have made a very measured application of the provisions allowing the use of an audiovisual means of telecommunication, since only 6 administrative courts out of 35 have indicated that they have used it. The administrative courts indicated that they had used videoconferencing, as a single judge, for the processing of emergency proceedings in matters concerning foreigners, particularly in cases where the foreigner was in administrative detention. Finally, 15 administrative courts indicated that they held summary proceedings by videoconference. For almost all of these courts, the summary proceedings judge was in the courtroom and the parties were at a distance, and less than 10% of summary proceedings cases were judged in this configuration. Travel difficulties were the main reasons why the courts of first instance held summary proceedings by videoconference. The texts applicable during the state of health emergency allowed the use of any means of electronic communication, other than videoconferencing, in case of impossibility to use it. Only a few TAs used this procedure and for less than 10% of the cases in the courts that used it.

Generally speaking, the courts have made a very measured application of the provisions of the orders allowing hearings to be held by videoconference and this use was justified by the constraints and difficulties linked to the health crisis. 2°) The provisions allowing to limit the number of persons attending the hearing were applied by a large number of courts and in a frequent manner. On the other hand, the provisions allowing the president of the court to decide that the hearing will be held without the presence of the public have been used very little. 3°) The dispensation of the public rapporteur's conclusions has been used very little by the courts. This dispensation was applied because of the vulnerable state of the public rapporteur or to limit the length of the hearings (in those cases the dispensation was granted for cases that did not present any difficulty).

**(2017):** As regards administrative law cases, the Council of State report indicates that it is a coincidence to have the same number for incoming and resolved cases.

**(2013):** 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

**(2012):** 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

## Germany

**(2022):** Civil (and commercial) litigious cases include second instance civil cases at the regional courts and higher regional courts. There was a rise in pending cases (1. January and 31 December) compared to the 2020 cycle as well as a decrease in resolved cases. This is most likely a result of the flood of lawsuits brought against car manufacturers in connection with the "diesel emission scandal". For example, the higher regional court of Stuttgart, where a large car manufacturer has its main offices, has seen a rise in pending cases (1 January) of more than 100% compared to 2020.

"Administrative law cases" include cases at the higher administrative courts and regional social courts.

"Other cases" include cases at the regional labour courts and second instance family matters at the higher regional courts.

**(2021):** "Other": family cases at Higher Regional Courts, appeal and complaint proceedings at Regional Labour Courts Pending civil and commercial litigious cases on 31 Dec: The discrepancy stems from a rise in pending cases at the Higher Regional Courts (approx. 33% compared to 2020). While the number of pending cases at the Higher Regional Courts has risen in all Länder, the discrepancy is especially high in Baden-Württemberg (rise of approx. 88%). The reason for this is most likely the flood of lawsuits brought against car manufacturers in connection with the "diesel emission scandal". The Higher Regional Court of Stuttgart, where a large manufacturer has its main offices, has seen a rise in pending cases of more than 100% compared to 2020.

**(2020):** family cases at Higher Regional Courts, appeal and complaint proceedings at Regional Labour Courts

**(2019):** The horizontal consistency in the table is not ensured because the data are continuously checked.

**(2015):** A substantial number of the Länder was unable to provide information, meaning that any amount cited would not be meaningful in substantive terms.

**(2014):** The 2014 data are the same as those that have been provided in 2013. No update was available.

**(2013):** For 2013, two Länder did not provide any information.

The category "other" includes proceedings on complaints on appeal in family cases at the Higher Regional Courts and appellate proceedings on fact and law and proceedings on complaints on appeal at the Regional Labour Courts. In addition, given a lack of complete data, a total of 164 272 new legal cases or proceedings on complaints on appeal (in custodianship, accommodation, insolvency, estate, and costs cases, along with other complaints on appeal) were not considered in the category "other".

Regarding the slight horizontal inconsistency for the category "administrative law cases", it can partly be explained by the federal State structure of Germany. Moreover, data regarding incoming administrative law cases also reflected the number of appeals against decisions to grant provisional legal protection in the higher administrative regional courts and in the higher social courts; and appeals in matters of legal aid and other proceedings. In comparison with the previous years, the 2013 data are more accurate. The same applies regarding resolved cases even though no data was available for the appeals in matters of legal aid and other proceedings.

With regard to the sub-category "civil and commercial litigious cases" and the meaningful increase of the number of resolved cases, it should be noticed that in the frame of the 2013 exercise, the indicated figure encompassed the number of resolved civil and commercial litigious and not-litigious cases. For this cycle, it was impossible to distinguish between these two sub-categories.

**(2012):** In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

## Greece

**(2022):** The data has been provided by the office for the collection and processing of judicial statistics.

It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data, such as the training of staff and the creation of an instructional manual guide with definitions and instructions. These measures were intended to help collecting more reliable data from both small and large courts and prosecution services and eliminate the standard errors in judicial statistics. As our methodology is developing, discrepancies in data can be observed. Besides, as regards "Other cases", it should be mentioned that some types of cases that were previously included in this category, are now distributed in the other case-categories in the table.

**(2021):** The data are from the Statistical Service of the Ministry of Justice.

The data has been collected from the 19 out of 19 Courts of Appeal in Greece.

Business registry cases do not belong anymore to the case of the courts, there is new department of a different Ministry.

**(2020):** Due to the pandemic, pending cases have accumulated in the courts of first instance, with the result that the courts of second instance have fewer cases to handle.

The data given for questions 97 and 98 are collected from all second instance courts. However, many fields are answered NA as only few data were collected from the second instance Courts.

**(2019):** The Council of State did not provide the Ministry of Justice with data regarding the Administrative law cases

**(2017):** Concerning Civil and Commercial litigious cases but also administrative law cases, the numbers are different from those provided in the 2016 questionnaire due to the recent operation of the OSDDY-PP and OSDDY-DD Integrated Management Systems (please see the comments provided for Q91).

Variations in the number of resolved cases are explained by the fact that in 2017 the function of the courts was not affected by the strike of the lawyers, which took place in 2016.

**(2016):** Any deviations from the 2015 figures are due to a new way of collecting statistics. In fact, in 2016, a working group was set up to update and simplify the content of the statistical data requested by the judicial services of the country. The working group created tables followed by detailed instructions and training in relation to the requested information. According to the instructions given to the courts, some procedures they handle, in those which there is no participation of a judge, are not included in the data collected. In addition, in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction of numbers regarding the cases.

**(2012):** In the ambit of the 2012 exercise, it has been stressed that, as far as the statistical information provided by the courts is concerned (e.g. replies to questions 91 and 97), the system of collecting data could not comply with the CEPEJ methodology because it was planned having altogether different national needs in mind. Thus, schematically, a case brought into the Greek judicial system gets an initial reference number. However, in the process of being tried, it gets more than one reference number according to the laws. As a result the numbers of incoming and resolved cases do not match.

Moreover, the Ministry of Justice, Transparency and Human Rights was not able to verify the accuracy of the replies, due to the lack of IT system.

Besides, recent law changes have altered the jurisdiction of courts, so the figures communicated for 2012 could not be compared with these provided for the previous evaluation cycles.

## Hungary

**(2021):** As of 1 April 2020, a significant change was introduced concerning the competence of the Administrative Chamber. As a result of this change, all legal remedies sought for in administrative disputes were decided by the Curia after 1 April 2020. Other cases: second instance labour cases and those second instance insolvency cases that are not included in category 2.1.

**(2020):** The pandemic situation had a huge effect on the case flow of the courts on every level of the court system. Special regulations were adopted by the legislator to promote videoconferencing and the courts were "closed between the 16th of March and the 31st of March (during this period no procedural events could be performed at the courts). Although the courts carried out their main activities, many cases were prolonged e.g. because the parties were not able to attend the hearings. Regarding administrative cases the re-organization of administrative jurisdiction also could have an effect on the case-flow.

**(2019):** No specific reason was pointed out in respect of decreases observed for the period 2018 - 2019 with regard to "4. other cases".

**(2017):** With regard to variations observed in the numbers of "registry cases" and "other registry cases", it is noteworthy that the content of these categories is the same for the last four cycles. As the legislation on civil societies was amended in 2014 this resulted in an increased number of registry cases, but since then the number of incoming cases is decreasing.

**(2016):** With regard to the pending cases, it is noteworthy specifying that the decrease of the “backlog” of the courts is an overall trend in the Hungarian judiciary.  
As for the other variations observed within the frame of question 97, the “raw” figures in most of the categories can be considered as relatively low figures (e.g. some hundreds in the whole country), so even a not so huge increase or decrease result in a large percentage change.

**(2014):** In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category “civil and commercial non-litigious cases”. The item “other registry cases” includes registration of civil societies. The item “other non-litigious cases” includes court mediation and non-litigious labour cases.  
The category “other” encompasses insolvency cases and labour cases.

## Ireland

**(General Comment):** Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**(2020):** Reduced cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. This included domestic violence and criminal proceedings. All written judgments were delivered electronically and published on the Courts Service website, courts.ie.

Attendance at Court offices was by appointment only to ensure that footfall could be safely managed.

The Court of Appeal quickly adopted the use of video technology and made greater use of electronic documentation to facilitate its work. Procedures were introduced to ensure that justice was administered in public. Judgments were delivered electronically. Waiting times for a hearing were improved, to a certain extent, by a net reduction in the numbers of new cases coming into the list from other jurisdictions. By year end, there was a net improvement in the numbers of cases waiting to be dealt with compared to 2019.

**(2017):** The number of resolved civil and commercial litigious cases reflects a significant reduction in disposal of second instance appeals by comparison with that returned in the previous reporting cycle.

**(2016):** As concerns the number of resolved "Civil and commercial litigious cases", 2016 data reflects a significant increase in disposal of second instance appeals over that in the previous reporting cycle. Accordingly, the total of resolved cases is affected.

## Italy

**(General Comment):** - Non-litigious enforcement cases are not in the competence of the Courts of Appeal.

- With regard to the administrative cases (which number is provided only since 2014), the appeals are dealt with by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body ensuring the legality of public administration in Italy. The Council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law. Figures referring to the activity of the Council of State are inserted in the frame of question 99 and not question 97.

**(2022):** In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at

<https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

The main goal is a general reduction of the disposition time by 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together) .

More specifically a reduction of the civil backlog by 65% in first instance courts and 55% in appeal courts by the end of 2024; by 90% in first instance courts and appeal courts by June 2026. As far as the civil cases, such targets relate exclusively to litigious cases.

A monitoring system is in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>

**(2021):** There are no "other cases"

Figures in 2020 were hugely affected by the pandemic

**(2020):** In 2020 the case flow was highly affected by the COVID-19 pandemic and the consequent temporary shutdown of courts. This had an impact on both incoming and resolved cases, which fell quite considerably compared to 2019. However, the fall in the number of resolved cases was less drastic than that of incoming cases, resulting in a clearance rate (CR) higher than 100% and, hence, in a reduction in the number of the unresolved cases (i.e. the pending cases at the end of the period). The COVID-19 pandemic also had a strong impact on the disposition time (DT).

**(2018):** -

**(2017):** The number of pending “civil and commercial non-litigious cases”, older than 2 years, decreased between 2016 and 2017. Generally speaking, pending cases older than 2 year have priority. However, in this specific case, the important reduction (in %) is mainly due to the fact that the numbers are small.

**(2016):** As regards the variations concerning the category “general civil (and commercial) non litigious cases”, it should be noted that the Ministry of Justice has recently implemented a data warehouse system that can collect a huge number of data and events pertaining to millions of civil cases. The new DWGC (Data Warehouse for Civil Justice) is now fully operational and it represents a major improvement in terms of statistics and quality. Since 2015, data pertaining to Q.97 is extracted from the above Datawarehouse and it is to be considered more accurate than the figures provided in the past.

It should be noted that in 2014 for many cases it was not possible to distinguish between litigious and non-litigious cases because they were coming together in a bundle. With the data warehouse it is possible to tell whether any given procedure has either litigious or non-litigious nature. Besides, when comparing pending cases on 31 Dec 2014 with pending cases on 1 Jan 2016, the variations are less important.

**(2015):** The appeal of administrative case is dealt by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body that ensures the legality of public administration in Italy. The council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law.

Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.97.

Figures on Q.97 (points 1 and 2) have been extracted from a new IT system called “Civil Data warehouse”. This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases.

All cases dealt by the Supreme Court of Cassation has always a litigious nature.

## Latvia

**(General Comment):** Data from the first and appeal instance courts are compiled by the Court Administration, and the Court Information System is a living database that allows data to be corrected, so changes between previous periods are possible. In accordance with the provisions related to data gathering, all information must be recorded in the Court Information System within 3 days. However, the Court Information System functionality for the statistical reports provides in the System recorded figures at the end of the year. Consequently, submissions received in the previous year but registered the next year are considered as incoming cases for the new year.

Justice statistics do not distinguish between “non-litigious enforcement cases” because such type of cases are not defined in the Civil Code. Accordingly, the reply in their respect is NAP. The “non-litigious land registry cases” are dealt with by the regional courts in second instance and they are within the competence of the first and second (appeal) instance.

**(2022):** Data on incoming, resolved non-litigious civil cases in appeal court decreased in 2022, but the changes cannot be explained.

It should be mentioned that the statistical system has been improved which affected the 2022 data. Moreover, 2020 and 2021 data have been updated according to the same methodology of presentation of data as for 2022 data. The number of pending cases (pending for more than 2 years) has significantly decreased. The decrease in cases is due to the lifting of restrictions, which were related to limiting the spread of Covid-19. The reduction of pending cases (pending more than 2 years) is related to an interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases.

**(2021):** Comparing to the previous period, the number of pending civil cases on 1 Jan is lower due to the restriction measures of the Covid-19 spreading in 2019 and 2020. However, the indicator of pending administrative law cases on the beginning of year is lower than the previous period due to the high CR in 2020.

The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending cases.

**(2020):** Data on civil (commercial) litigious cases (number of resolved and incoming cases) is lower due to the Covid-19 pandemic. On March 14 2020 there was the state of emergency that affected the work of courts. In order to mitigate potential risks of virus, oral proceedings that did not involve serious violations of rights were cancelled. This restriction directly affected the number of resolved cases. Also, there were restrictions on appearance of persons in the court, that affected the number of new claims or request - incoming cases. The first state of emergency lasted till June 2020. The second state of emergency started in November 2020.

Number on civil (commercial) non-litigious cases include the data like in the first instance. Mainly there are cases on undisputed enforcement. Usually, non-litigious cases are resolved in written (not oral) process, and during State of emergency oral processes were not allowed, but there were no restriction on written process. According to this the number of non-litigious cases are higher.

Number on incoming administrative cases are lower. It is connected with restrictions of state emergency situation when representatives from institutions could not check, revise, visit companies (individuals) in the face-to-face meetings.

**(2019):** Decrease of pending administrative cases is due to many resolved cases in previous period  
The number of Non-litigious civil cases is very low, that's why percentage isn't good qualifier

**(2018):** Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – pending. Data on court statistics are being calculated by automated systems and records on changes that affect data in database are not available. Any changes to the Court Information System can affect the data.

**(2017):** As regards the decrease from 2016 in administrative law cases pending on 1 Jan, it can be explained as there were much more resolved cases than incoming in previous cycle. As regards the decrease in the total of other than criminal pending cases, it can be explained as there was a change of pending civil law cases in second instance. This might be an issue due to reclassifying the starting moment of a court case. Also, much more resolved cases than incoming cases has decreased the amount of unresolved cases on 31 Dec.

**(2016):** The increase in pending civil cases is due to fewer resolved cases in 2015. Decrease in pending Administrative cases is due to more resolved cases in 2015.

**(2014):** In the frame of the 2013 and 2014 exercises it has been indicated that the category "other" includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

**(2013):** In the frame of the 2013 and 2014 exercises it has been indicated that the category "other" includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

**(2012):** The decreases observed in 2012 with regard to the totals in respect of the different items (pending, incoming and resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases. The end of the economic crisis and the strengthening of the courts' capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category "civil and commercial litigious cases", the increase of the number of pending cases on 1 January 2012 is due to the increase of the number of incoming cases in different categories of cases such as different types of bankruptcy cases which know a long processing time. The duration of these special types of bankruptcy cases cannot be shortened by improving the efficiency of the judiciary. The increase of the number of resolved cases can be explained by the improvement of the work capacity of courts.

As to the sub-category "civil and commercial non-litigious cases", the decrease of the number of resolved cases and pending cases on 1 January 2012 and 31 December 2012 can be explained by the transfer of a part of the cases from the first instance courts to the Land Registry Department, following the legislative reform of 1 January 2012. The number of incoming cases has decreased essentially due to external (socio-economic) factors, namely the gradual exit from the economic crisis during 2010-2013.

As to the sub-category "non-litigious land registry cases", the increase of the number of resolved cases between 2010 and 2012 can be explained by the courts work reviewing a large number of cases in the law limited time because of external factors causing an increase of the number of incoming cases before the entry into force of the new provisions of the Civil Procedure Law on 1 January 2012.

As to the sub-category "administrative law cases", the decrease of the number of pending cases on 1 January 2012 can be explained by the courts work, namely the improvement of the judicial capacity and the decrease of the number of incoming cases due to external factors as public activity resubmission to the Administrative Court and internal factors. The decrease of the number of resolved cases can be explained by the limited capacity of courts work, the complexity of the cases, the parties' failure to appear for court hearings, etc. The decrease of the number of pending cases on 31 December can be explained by the improvement of the judicial capacity of courts and decrease of incoming cases due to external factors.

There are no cases in the sub-category "other". All cases are distributed among the mentioned categories No.1, No.2 and No.6.

The decreases observed with regard to the totals in respect of the different items (pending, incoming, resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases on 1 January and 31 December. The end of the economic crisis and the strengthening of the courts' capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category "civil and commercial non-litigious cases", the increase of the number of resolved cases between 2012 and 2013 can be explained by the long pending backlog of complex cases before the courts of the second instance.

## Lithuania

**(General Comment):** In Lithuania, statistical data on case flow and their classification are made according to the specific regulations and are mainly based on the institutes of Civil, Criminal Codes and the codes of Civil and Criminal procedures, as well as the Code of Administrative Offences and the law on Administrative procedure. Therefore figures for some of the types of cases are unavailable because there is no such classification while making statistical reports. In respect of the variations that can be observed between figures provided for the different evaluation cycles and in the light of the above described peculiarity of the statistic system of Lithuania, it is noteworthy that cases the number of which is not available are included in other categories, i.e. "civil litigious", "civil non-litigious". Accordingly, the indicated totals are relevant. Second instance courts deal with some non-litigious cases, but their number is insignificant.

**(2022): 3.** in 2021 the duration of the review of decisions of administrative cases at the appellate instance was significantly shortened (more than 130 days compared to 2020), this fact led to a smaller balance of unexamined cases at the beginning of 2022. 3.1. The significant change in administrative cases received and examined by the second instance, compared to 2021, was caused by an increase in complaints regarding the decisions made by the court of first instance regarding debt collection of local fees for the collection and management of municipal waste, as well as complaints regarding asylum requests related to illegal migration to Lithuania.

3.2. The duration of the review of decisions by the appeal instance of administrative cases was significantly reduced (120 days compared to 2021 and 253 days compared to 2020), which led to a smaller balance of unexamined cases at the end of 2022. In 2022, compared to 2021, more complaints about decisions made in courts were examined, as well as accordingly, the ratio of examined complaints and amended or annulled decisions slightly increased.

**(2021):** Other cases include appeal cases regarding decisions announced by the district courts in cases of administrative offenses.

The number of incoming administrative cases were increased in 2021 due to 1214 cases received in Vilnius Regional Administrative Court and the Regional Administrative Court regarding asylum (due to decisions taken by the Migration Department under the Ministry of Internal Affairs not to consider the request for granting asylum or decisions not to grant asylum). Only 335 such cases were examined.

**(2020):** Second instance courts deal with some non-litigious cases, but their number is insignificant.

**(2019):** "Other": administrative offence cases (including cases in process of enforcement (execution)).

"Administrative cases" - the data provided encompasses cases dealt with by the Supreme Administrative Court of Lithuania; it is to notice that these figures include apellation cases (on decisions of the court of first Instance) well as cases that are heard in the Supreme Administrative Court of Lithuania as sole instance.

"Pending cases older than two years": the decrease is due to the fact that cases pending for more than 2 years have been resolved.

**(2018):** The decrease in "other cases" (4), i.e. administrative offence cases (including cases in process of enforcement (execution), at second instance courts (appeal) in 2017-2018 period was related to the decreased number of resolved administrative offence cases in the first instance courts (see Q091).

**(2017):** As regards the category "other cases" which refers to cases of administrative offences and cases of administrative offences in process of enforcement (execution), the observed decreases in their numbers (pending at the beginning of 2017, incoming, resolved, pending at the end of 2017) are the consequence of the entry into force of the new Code of Administrative Offences.

**(2016):** The changes in number of cases are mainly related to the increased number of resolved administrative cases in the first instance administrative courts in 2015 and 2016 (the courts were fighting backlogs from previous years) and the renewed processes that were suspended in the second instance court due to the application to the Constitutional Court of the Republic of Lithuania (related to salaries of civil servants, decreased pensions, etc.).

**(2014):** The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category "other cases" since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

## Luxembourg

**(2022):** Resolved administrative cases: While the number of cases concluded by the Administrative Court has increased by almost 34%, it transpires that this variation was primarily recorded between 2020 and 2021, and commented upon during the assessment of the 2021 data. Between 2021 and 2022, there is a decrease of -6% in the number of resolved cases.

Administrative pending cases on December 31st reference year: The decline in pending cases between 2020 and 2022 is indeed significant, dropping from 240 to 174 cases. However, when compared to the figures provided in `201`, outstanding administrative matters have only decreased by -4%, reducing from `182` to `174` pending matters before the Administrative Court."

**(2021):** The increased number of pending administrative law cases at the beginning of 2021 is a consequence of the increase in the number of pending administrative law cases at the end of 2020. In this respect, it should be recalled that the decrease of the Clearance rate for 2020 was mainly due to the increase in the number of appeals, in particular those relating to the general development plan of the City of Luxembourg. These cases had entered the first instance from January to March 2018, while the related judgments, consolidated by the administrative court, were delivered between May and September 2020. The related appeals, 51 in number, were filed between July and November 2020 and were still under investigation on 31 December 2020 due to the fixed time limit regime of investigation, but also due to the pandemic and the introduction of crisis legislation involving a suspension of appeal timeframes.

**(2020):**

Administrative cases - the decrease in the RC for 2020 is primarily due to the increase in the number of appeal motions, particularly those related to the City of Luxembourg's general development plan. These cases were entered in the first instance from January to March 2018, while the related judgments, consolidated by the Administrative Court, were issued between May and September 2020. The related appeals, numbering 51, were filed between July and November 2020 and were still being processed on December 31, 2020, due to the fixed timeframe regime (suspension from July 16 to September 15 - one month for the answer - one month for the reply - one month for the rejoinder), but also due to the pandemic and the implementation of crisis legislation involving a suspension of the appeal deadlines (until June 24, 2020). Thus, in addition to the increase in the number of requests for appeal, their investigation has been postponed, leading to an increase in the number of cases pending as of December 31, 2020. Throughout 2020, the Administrative Court was essentially up to date and disposed of cases as soon as they had been heard. The same is true in 2021.

**(2019):** Civil and commercial litigious cases pending at the beginning of the year have been restated in relation to those available at the time of the 2018-2020 evaluation cycle. The introduction of a new case management application at the Court of Appeal (JUCIV) has made it possible to identify a number of cases, still listed as pending, which were in fact completed.

**(2016):** It is a fact that the number of appeals before the Court decreased between 2014 and 2016. A key reason is that the number of appellate judgments rendered by the court has decreased significantly. The first reason is that the court had to evacuate a large number of cases as a matter of priority under the so-called accelerated procedure provided for by the law of 18 December 2015 on international protection. For the judicial year 2015/2016, 355 judgments out of a total of 938 judgments (excluding striking off) were rendered in accelerated proceedings and therefore not subject to appeal.

**(2013):** 2013: because of the international events that have increased the number of asylum seekers, the administrative courts that have jurisdiction in case of appeal against a refusal of refugee status, have, in particular in 2013 but already during the 3-4 previous years, known a significant increase in this very specific litigation both at first instance level and appeal level.

**Malta**

**(2022):** The increase in the incoming caseload at 1st Instance has reflected itself in an increase in the incoming caseload at the 2nd Instance across all courts. Moreover, in one particular court, the incoming caseload has increased twofold due to a legal provision that facilitates the filing of specific cases.

The number of resolved cases has increased across all 2nd Instance courts and underscores the efforts of the judiciary to address the burgeoning caseload.

**(2020):** The decrease in the Incoming caseload results from the disruption of the pandemic on the court operations. In the second instance courts, we are still unable to distinguish precisely between the cases that are appealed. Thus, Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**(2019):** Total other than criminal cases - resolved cases: The data shows an increase in the resolved caseload of the 2nd instance courts and in fact, the pending caseload at the end of the year is less than that registered in 2018. These courts were more efficient in 2019.

**(2017):** In Malta, the civil second instance courts comprise the Civil Court of Appeal in its Inferior and Superior Jurisdiction. To date, whilst we can collect the data relating to the incoming, resolved and pending caseloads of these courts, we cannot easily distinguish between the sub-divisions of case typology outlined above. What we can tell for sure is that all cases filed before the Courts of Appeal are civil and commercial litigious cases (including a minority of administrative law cases) so the figures provided at Category 1 reflect the global total of cases heard at the second instance courts. Non-litigious cases are not filed before these courts (hence NAP answers).

Concerning the variation between 2016 and 2017 in the pending cases older than 2 years, the reason is due to a different methodology used in 2016 and in 2017.

**(2016):** Regarding Civil (and commercial) litigious cases: 2015 was the best year in terms of number of resolved cases, mainly because the judiciary were trying hard to conclude cases that were ready for sentencing. In fact, our efficiency indicators reflected this effort. As regards to the other data, we do not, as yet, have those statistics at hand and hence, the last 3 evaluations were marked as NAP.

**(2014):** The discrepancy in the data provided for 2014 as "pending cases on 31st December 2014" results from an internal exercise being carried out by the Court Administration in which cases that have been prescribed, are being cleaned from the system. This exercise is going to be carried out more frequently so that it does not reflect in discrepancies in the data that is published.

**(2013):** The significant increase of the number of civil and commercial litigious cases between 2010 and 2013 was due to the fact that the number of appeals has increased substantially in the past few years and the jurisdiction of the Court of Appeal has been extended to include also appeals from large public contract awards. Accordingly, the Court of Appeal was not in a position to manage the considerable influx of cases.

**(2012):** In 2012, a number of judges in the Appeal Court retired and their replacement took some time to materialise, as a result of which, the number of decided cases decreased.

## Netherlands

**(General Comment):** It is not possible to differentiate between litigious and non-litigious cases at second instance. The financial registrations at first instance make a clear distinction between types of cases (that the answer for first instance can be based upon), but for second instances this differentiation does not exist (and thus, the registration is all the same).

As to the lack of horizontal consistency that can be observed, the reason is that the official number of cases pending on January 1st is determined at different time then the other 3 categories (official incoming, official resolved, official pending on December 31st). Due to time lags in registration and dynamics in the data systems, if the cases pending on January 1st are measured at the same time as the others, the result would be different.

**(2021):** The number of incoming administrative law cases increased between 2020 and 2021, most probably due to the pandemic. Especially, the number of appeals for tax cases is higher in 2021.

**(2020):** It is not possible for us to differentiate between litigious and non-litigious cases at second instance. In short, we can provide this for first instance because the financial registrations makes clear distinction between types of cases (finances differ) that we can base that answer on, but for second instances, this differentiation in finances does not exist and thus, the registration is all the same.

**(2019):** .

**(2018):** If there is an appeal, cases are litigious in my view. I would tend to enter the value "0", but since the question is being asked, you probably see things differently. So I chose the answer "NA"

**(2017):** Administrative law cases, litigious plus non-litigious.

**(2016):** Administrative law cases, litigious plus non-litigious.

## Poland

**(General Comment):** The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97, while Q99 is replied by NA. The category „Other cases” includes appeals and complaints concerning social insurance, minors and others.

**(2022):** According to the available data for civil, commercial and labour and social security cases at second instance for 2022. - taking 2021 as a benchmark: In courts of appeal :

(a) In civil and commercial cases, including in the AGa category in 2022, the number of cases settled actually decreased slightly (by 1.0%), with a total increase in settlements in ACa+AGa cases of 7.5% compared to 2021. Thus, overall in civil and commercial appellate cases, the number of settlements in the appellate courts has increased. Despite the increase in settlements, the impact of ACa+AGa cases (65.6%) was not brought under control, due to its drastic increase of 51.9% compared to 2021. (cases involving franking credits).

- In 2022, there was a slight decrease in the handling of ACz (by 1.9%) and AGz (by 2.4%) complaint cases, which can be explained by a decrease in the impact of these categories of cases by 7.3% and 4.9%, respectively, compared to 2021. The impact of ACz cases was controlled at 100.6% and AGz cases at 101.9%;

Thus, in AGa cases, the reason for the decrease in handling (by only 1%) was a drastic increase in the impact of ACa cases (by 64.5%), while the handling of ACa and AGa cases combined increased, so there is no basis for further explanation. In AGz cases, the decrease in disposals should be linked to the decrease in receipts. The decrease in the handling of cases has not impeded the control of the impact of the cases, so there are no grounds for further explanation. b) In labour and social security cases, the total number of cases disposed of in 2022 decreased (by 17%), of which the number of cases disposed of in the APa category decreased by 9.6%, which was due to a 14.8% decrease in the number of cases received in this category, as 104.9% of the cases received were managed, while in the AUa category, the number of cases disposed of decreased by 18.1% (from 21,360 to 17,500 cases) in relation to 2021, This was partly attributable to the 4.9% decrease in receipts, but above all to the inability to handle a larger number of homogeneous AUa cases, as was the case in 2021 regarding the pension amount of women from the so-called "1953 vintage", which were handled in large numbers in 2021. in connection with new decisions of the pension authority, issued on the basis of the provisions of the Act of 19 June 2020 amending the Act on pensions from the Social Insurance Fund (Journal of Laws of 2020, item 1222) implementing the judgment of the Constitutional Tribunal of 6 March 2019. P 20/16. It should be emphasised that the disposition of this type of cases in 2021 was atypically high (in both appellate and district courts) and significantly higher than in 2020, when it amounted to 12 929 cases in appellate courts. Moreover, in 2021, proceedings were discontinued in 6 923 cases in this category, while in 2022, only 1 193 cases were discontinued. only 1 193 cases of this category were discontinued, which resulted in a decrease in the total number of cases handled in the labour and social security division and the inability to control the impact in 2022. (93,6%); - in 2022, the handling of grievance cases in the AUz cat. decreased by 28.9% (from 3,611 to 2,565), which was also due to the decrease in the inflow of cases in this category (by 27.43%) in relation to 2021, as the inflow in this category of cases was contained. In the APz category, the 16.41% decrease in the number of cases settled in 2022 (from 201 to 168 cases) was also due to a 19.40% decrease in the inflow of cases in this category (from 201 to 162 cases) in relation to 2021.

In regional courts:

(a) in civil appellate cases Ca the number of civil cases settled in 2022 decreased in comparison to 2021 only minimally by 0.01% (by 6 cases), so there are no grounds for further clarification;

- in complaint cases Cz at second instance, the number of cases handled in 2022 decreased by 10.60% (from 37,565 to 33,584) compared to 2021, as a result of a 17.48% decrease in receipts (from 36,400 to 30,200). It should be emphasised that

**(2021):** The category „Other cases” includes appeals and complaints concerning social insurance, minors and others.

\* administrative law cases - The figures given to you on the receipt of cases at the Supreme Administrative Court and their settlement were affected primarily by two circumstances, i.e. changes in the organizational structure of the Supreme Administrative Court (NSA) and the related transfer of cases between departments, and, as indicated above, restrictions on court operations due to the declared epidemic state in Poland.

As of January 1, 2021, new additional adjudicatory divisions were established in the Finance Chamber and the General Administrative Chamber. Some cases from Divisions I and II of both chambers were transferred to the newly created Division III. These actions had a significant impact on the way the statistics were read.

According to the data provided to you, in 2020 the NSA completed 15786 cases registered in the "SK" repertory (cassation complaints, complaints for the resumption of proceedings). However, this number includes not only cases completed by issuing a substantive decision, but also cases closed due to their transfer to a new department. There were 3115 such cases in 2020. Given the above, the real efficiency in 2020 was 88%, not 110% as reported. Cases closed in the Finance Chamber of the Supreme Administrative Court in 2020 were, in turn, in large part added to the impact in 2021, for they were re-registered in another judicial department.

The re-registration of the aforementioned cases in the Financial Chamber, as well as the re-registration of cases in the General Administration Chamber for similar reasons (4079 cases) were recorded in the total number of cases received by the NSA in 2021. Hence, 7194 cases (re-registered) would have to be deducted from the total number of 26873, which was given to you in earlier correspondence. Thus, the real flow of new cases to the NSA was 19679.

The data on the completion of cases for 2021 shows that 17111 cases were completed at the NSA. It should be noted that this figure also includes cases closed in the General Administration Chamber due to their transfer to Division III. Such cases, as mentioned, were 4079. Thus, it can be assumed that in 2021 the NSA completed 13032 cases through their substantive settlement. These data, in turn, allow us to assume that the NSA's adjudication efficiency in 2021 was 67%.

Despite the decrease in efficiency in 2021 compared to the previous year, it should be noted that in 2021 the NSA settled more cases than in 2020. On the other hand, undoubtedly, the higher inflow of cases to the NSA was due to the increased number of complaints filed with provincial administrative courts, as discussed in more detail in point 1. The increased inflow of cases to the NSA was also due to a partial blockage in the circulation of documentation between administrative courts of both instances, which occurred especially during the first phase of the pandemic (March-May 2020). During this period, far fewer cases were submitted to the NSA, which consequently translated into an increase in impact in the following months of 2020 and 2021. In turn, referring to issues related to the number of cases handled at the NSA in 2021, one can additionally point to staff shortages resulting from the retirement of some judges and the fact that more than a quarter of full-time positions were unfilled (more than 20% of judicial positions remained unfilled). In addition, the COVID-19 pandemic necessitated the reorganization of the Court's work by providing parties with the opportunity to attend hearings remotely. For technical reasons, fewer cases may be handled at remote hearings than at land-based hearings.

**(2020):** “Other than criminal law” cases: compared to the previous period (2018), decreases in the numbers of "incoming cases" before courts and "resolved cases" result from the COVID19 pandemic. As regards increases in the number of pending cases, they are due to increased amount of unresolved specific categories of cases in civil litigious procedures (e.g. claims under the loan agreement) and civil non-litigious procedures (e.g. division of the property). Administrative law cases : In 2020, the court disposed of 57.70% of all cases within 12 months, and within up to 24 months 78.66%. With regard to cassation complaints, 44.06% of cases were dealt with within 12 months. As far as complaints are concerned, 75.99% are settled within 2 months, while within 12 months the rate is 99.57%. 4. "4.Other cases": From the analysis of annual information for 2020 at the level of district courts and appellate courts in the labour and social security division, the following factors had an impact on the decrease in the degree of control of the impact (and thus the number of cases handled) and the increase in the average duration of proceedings in Ua, Uz and AUa and AUz cases in relation to 2019: - restrictions on court activity in 2020 related to the Covid-19 pandemic, due to the declaration of an epidemic state in the territory of the Republic of Poland from 20 March 2020 and the associated need for quarantine, sick leave, isolation, the need to provide care for children under 8 years of age, remote working, resulting in a reduction in the work of adjudicators, clerks and experts; - Insufficient number of experts on the list of expert witnesses compared to the number of cases requiring an opinion and the need to carry out joint or multiple expert opinions from different specialities, refusal of experts to carry out examinations necessary for their opinion (as a result of the epidemic situation in relation to SARS-CoV-2 infections), - a large number of suspended cases resulting from the regulation of the Act of 19 June 2020 on amending the Act on pensions from the Social Insurance Fund (Journal of Laws of 2020, item 1222), concerning a group of women born in 1953 (in these cases the proceedings were suspended by law as of 10 July 2020 until the pension authority issues a new decision recalculating the benefit of entitled persons, but not earlier than after 6 months from the suspension).

**(2019):** The decrease of Clearance Rate for 1. Civil and commercial litigious cases and 4. Other cases in 2019 compared with 2018 is caused by increased value of incoming cases. For 1. Civil and commercial litigious cases: from 141 045 cases in 2018 to 155 341 cases in 2019 (increase of 10%) and for 4. Other cases: from 41 242 cases in 2018 to 44 233 cases in 2019 (increase of 7%). The number of judges hearing in these type of cases in 2019 was at comparable level like in 2018 so the number of cases per one judge had increased automatically. In 2019, 16,844 cassation appeals (3,385 appeals less than in 2018) and 80 appeals for reopening the proceedings were submitted to the Supreme Administrative Court. From the previous period, 27,649 complaints and 28 applications for reopening of proceedings remain to be considered. In total, the Supreme Administrative Court had to consider 44,493 cassation appeals. In 2019, a total of 16,375 cassation complaints were examined. In 3,465 cases, the Supreme Administrative Court allowed the cassation appeal (21.16%), dismissed 11,721 cassation appeals (71.58%), and settled 1,189 in a different way (7.26%). Apart from cassation appeals, in 2019 the Supreme Administrative Court handled 4,665 complaints against decisions (orders) of courts of first instance, of which 715 allowed the appeal (15.36% of all appeals), and in 3,773 cases, the Supreme Administrative Court dismissed the appeal (80.88%), and it handled 177 matters in a different way (3.79%).

Moreover, the Supreme Administrative Court examined 162 complaints about violation of a party's right to hear a case in court proceedings without undue delay, of which 4 were admitted (2.47% of all settlements of this type), 60 were dismissed (37.04%), and 98 were settled in other way (60.49%).

In 2019, the Supreme Administrative Court handled 42.33% of all cases within 12 months, and 80.43% within 24 months. With regard to cassation complaints, 23.54% of the cases were settled within 12 months. In the case of complaints, 91.13% are examined by 2 months, and within 12 months, this ratio is 99.72%.

**(2017): 2.2.2.** There is not any specific explanation for observed increase. We can indicate only that mentioned increase is related especially to Register of Pledges.

As regards General civil (and commercial) non-litigious cases, we have validated previous data and we have made some corrections. We also indicate that a number of pending cases on 1 Jan. ref. year have been increased due to higher number of incoming cases in 2016.

**(2016):** Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry).

In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

## Portugal

**(General Comment):** Since 2007, statistical data concerning pending cases in 2nd instance judicial courts are collected through the courts information systems. Being a dynamic system, allowing regular corrections and up-dating, this data collection may lead to oscillation data from previous years resulting in variations in pending cases.

In Portugal, there are not non-litigious cases in superior courts.

The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

**(2022): total:** The increase in the number of cases filed in 2022 compared to 2020 reflects, from our point of view, the effects of the Covid 19 pandemic and the consequent lockdown, which had an impact on the functioning of the courts in 2020, considering that in certain periods face-to-face services were interrupted or conditioned.

1. The drop in the number of pending cases in 2022 compared to 2020 is related to the fact that in the period from 2020 to 2022 the number of cases completed was higher than the number of cases received.

**(2021):** The decrease in the number of pending cases is related to the fact that in 2020 the number of cases that were completed in the second instance courts was higher than the number of new cases. This downward trend in pending cases has been constant since 2016.

**(2020):** The decrease in the number of cases under the category "Civil (and commercial) litigious cases" between 2018 and 2020 is justified by the decrease in court activity in 2020 due to the Covid-19 pandemic situation. The number of cases pending on December 31, 2020 has reduced compared to the number of cases pending on December 31, 2018, since the number of cases completed from 2018 to 2020 was relatively higher than the number of cases entered in those years. The increase in the number of cases completed in Administrative Courts between 2018 and 2019 may be justified by the increase in the number of judicial magistrates working in these courts. Even so, despite this increase in cases completed, there was an increase in the number of cases pending on January 1, 2020 compared to the number of cases pending on January 1, 2018, considering that the number of cases completed from 2018 to 2019 was still relatively lower than the number of cases entered in those years.

**(2019):** This increase of resolved cases can be explained by the increase on the number of judges in Administrative Courts.

**(2018):** Regarding the increase in the number of pending administrative law cases comparing to 2016, there were no legislative changes or others that could explain this variation".

**(2016):** There is no specific explanation as regards the increase in the number of civil and commercial litigious cases pending on 1 January 2016 between 2015 and 2016. The question 97\_3 "Administrative law cases", includes administrative and tax cases.

The number of Pending cases on 1Jan. that correspond only to tax cases is 3.909

The number Incoming cases that correspond only to tax cases is 1.809

The number of Resolved cases that correspond only to tax cases is 1.663

The number of Pending cases on 31 Dec. that correspond only to tax cases is 4.055

**(2015):** The question 97\_3 "Administrative law cases", includes administrative and tax cases.

## Romania

**(General Comment):** It is worth specifying that, since 2010, the first table (question no. 91) centralizes all the first instance cases (irrespective of the level of the courts), the second table (question no. 97) centralizes all the second instance cases – appeal (irrespective of the level of the court) and table no. 3 (question no. 99) shows the statistical data on all second appeal cases (last instance cases) from all courts (irrespective of their level).

In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

**(2022):** Due to the large number of magistrates retiring in 2022, the number of solved cases decreased, as a result the stock of files at the end of the year increased, while the number of newly entered cases followed an upward trend compared to the previous reporting cycle.

**(2021):** As stated at Q91 the context of the Covid-19 pandemic affected the activity of the courts which led to the decrease in the number of resolved cases, therefore the the stock with old cases increased in some cases.

**(2020):** As stated at Q91 the context of the Covid-19 pandemic affected the activity of the courts which led to the decrease in the number of resolved cases in 2020 an increased Disposition time and an increased numer of pending cases older than 3 years.

**(2019):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

**(2018):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The increase in the number of cases in appeal reflects the changes in the procedural provisions in the new codes; the jurisdiction of the courts in judging appeals and second appeals has changed. Accordingly, the number of appeals in the New Civil Procedural Code includes the number of appeals and second appeals from the Old Code and shows continuous increase since the entry into force of the provisions.

**(2017):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The increase in the number of cases in appeal reflects the changes in the procedural provisions in the new codes; the jurisdiction of the courts in judging appeals and second appeals has changed. Accordingly, the number of appeals in the New Civil Procedural Code includes the number of appeals and second appeals from the Old Code and shows continuous increase since the entry into force of the provisions.

**(2016):** In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The general increase in the number of cases in appeal reflects the changes in the procedural provisions in the new codes; the jurisdiction of the courts on judging appeals and second appeals has changed. Accordingly, the number of appeals in the new Civil Procedure Code includes the number of appeals and second appeals from the old Code and shows continuous increase after 2014.

**(2014):** By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field “stocks” to the field “closed” only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The meaningful increases in figures observed between 2012 and 2014 are due to the fact that, in relation to the appeal, beyond the differences recorded in Statis, there was a change of jurisdiction in civil matters. Accordingly, the appeal (apel) became the main instrument to challenge a decision.

**(2013):** With regard to the category “civil and commercial litigious cases”, the observed evolutions between 2010 and 2013 are due to the fact that following the changes in the procedural provisions in the new codes, the jurisdiction of the courts on judging appeals and second appeals has changed. Accordingly, the number of appeals in the new Civil Procedure Code includes the number of appeals and second appeals from the old Code. Thus, even if the number of solved files in second instance is higher in 2013 than in the previous year, the number of new appeals (incoming cases in second instance) is higher. This explains the growth of the workload in the last period of time on these courts, although previously the trend was descending.

With regard to the category “civil and commercial non-litigious cases”, the analysis of data and the noticed evolutions and variations between 2010 and 2013 should be qualified. In fact, the figures are not so high and the growth and regress of a few cases during one year lead to relatively important variations. For example, a growth of only 8 cases at the end of the year will reflect a growth of 35%. The same reasoning should be applied with regard to the category “non-litigious land registry cases” where a growth of only 122 cases at the beginning of the year will reflect a growth of over 40%.

In respect of the category “non-litigious enforcement cases”, the considerable increases between 2010 and 2013 with regard to all the items (pending cases, incoming and resolved) were the consequence of the new distribution of competences between courts. Since 2013, all the enforcement cases are in the jurisdiction of the courts of appeal. The number of cases in third instance decreased correlatively.

Following the changes in the procedural provisions made in 2013, the second appeal, as means of review in the field of non-litigious business registry, became appeal, in accordance with the new principles of the Civil Procedure Code as regards the means of review.

## **Slovak Republic**

**(2022):** The decline in litigious and non-litigious cases has been gradual since 2017. This phenomenon was not analysed in more detail. The decrease may be caused by the impact of the activity of courts of first instance as well as the behaviour of participants in court proceedings - a lower number of appeals.

There is some small amount of non-litigious registry cases, but they can not be monitored separately, they are part of the bigger group.

In August 2021, the Supreme Administrative Court of the Slovak Republic was established as a separate institution and it took over all the administrative law cases of the Supreme Court of the Slovak Republic. The Supreme Administrative Court of the Slovak Republic acts as second instance court in the administrative cases.

Source: [https://www.nssud.sk/web\\_object/stat\\_2022.pdf](https://www.nssud.sk/web_object/stat_2022.pdf)

**(2021):** Explained in the table.

**(2020):** More significant decline of incoming cases and resolved cases as well in the Second instance courts as a result of a pandemic situation. In the category 3. Administrative law cases was only one pending case on 1 January 2020, which was resolved during the year and no case came into the Second instance courts in the year 2020. The number of non-litigious business registry cases is included in "general civil and commercial non-litigious cases".

**(2019):** The decrease in the number of cases (especially incoming and pending on 31 December) was not analysed yet but we can confirm that there were no significant changes in the system or legislation.

**(2018):** The discrepancies in the number of pending cases as of 1 January 2018 in comparison with the final numbers as of 31 December 2017 were caused due to the introduction of electronic data collection through the Data Collection Application (hereinafter referred to as AZU). When introducing the electronic data collection in 2018, the courts were allowed to record the actual state of pending cases as of 1 January 2018 with the aim of not transmitting any inaccuracies from paper data collection of previous periods. These differences should not occur in the next year, given the introduction of automatic transfer of the number of undecided cases from the end of the previous period in the electronic data collection

**(2017):** As regards the trends of the decrease in all monitored indicators, the decrease in caseload at first instance courts has a secondary impact on the drop in caseload at the courts of appeal. We did not analyse in details the cause of decrease and the detail structure of caseload. The decrease of caseload has the positive effect of raising the CR to 121% and decreasing of total number of pending (unresolved) cases.

The data in the table are not horizontally consistent. This is caused by the fact, that the data on pending cases on 1. January 2017 (the same as data on 31. December 2016 given for the previous cycle) were collected in a one-shot collection for the Justice Scoreboard 2017 and were not bound by control patterns of horizontal consistency as it is in the new electronic data collection active since January 2018. The improper initial number of unresolved cases taken from a "paper" collection of data in 2016 caused such differences. Likewise, the transition from 2015 final numbers to 2016 initial numbers were counted up manually from paper collections. We cannot therefore consider the initial numbers as of 1 January as reliable. The transition between the old system of collecting the statistical data to new one is more complicated than was expected, with the setting up of Analytical centre of the MoJ, application of CEPEJ methodology and its tools is one of the targets in the on-going project between CEPEJ and Ministry of justice of the Slovak republic.

There are still two different IT tools used to collect the statistical data from the courts to Analytical centre. Some inconsistencies in data between the old and new system persist.

The Analytical centre makes every effort to complete the transition between two systems as soon as possible to get reliable data as soon as possible.

As to administrative cases, since 1 July 2016 the appeals against the decisions of the District courts are processed at the Regional courts and the appeals against the decisions of Regional court are processed at the Supreme court as the court of appeal.

In our data for administrative cases in the year 2017 there were some appeal procedures pending at Regional courts as the courts of appeal as the result of application of the previous procedural rules described in point 1. Those appeal proceedings appear in this table. All appeals against the decisions of Regional court (as the courts of first instance) were always tried by the Supreme court and we are presenting this data for all evaluation cycles in the table to Q 99

**(2016):** The new structure of data presented by the Ministry of Justice influenced also the second instance. Registry cases are all included in 2.1 and can not be separated by categories.

**(2014):** In respect of the variations observed in 2014 with regard to the category "administrative law cases", it is worth mentioning that the low number of cases makes small absolute variation large in relative terms.

**(2013):** For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called “non-bank loan companies” where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

## Slovenia

**(2022):** Pending cases on 1 Jan. (all categories) - decrease by approx. 35-50%: In 2021, the number of pending cases decreased by approx. 50% due to effects of Covid-19 pandemics in 2020. In 2022, the number increased again (by approx 20%). For (land) registry cases (2.2. and 2.2.1) please note small (absolute) number of cases. Incoming cases (2.2 and 2.2.2) – decrease by 21% and 36%: please note small (absolute) number of cases. Resolved cases (2.2. and 2.2.2) - decrease by 21% and 35%: please note small (absolute) number of cases and low disposition time (number of resolved cases is highly dependant on number of new cases). Pending cases on 31 Dec. (all categories) – increase by 50% - 90%: in reporting period a slight decrease in number of incoming cases and more significant decrease in number of resolved cases is observable (especially in 2021). Clearance rate was slightly below 100%. Please note the ratio between pending and incoming/resolved cases is approx 1:5 (a slight decrease in % of resolved cases will reflect in higher % increase in pending cases). The decrease in the number of resolved cases in 2021 is due to two factors: 1. impact of Covid-19 pandemics, namely the higher number of judges and court staff on sick leave or quarantined (compared to 2020), and 2. more general human resources issues (retirement of judges, prolonged sick leaves etc.). In 2022, the number of second instance judges decreased by 7% (mostly due to retirement) which resulted in decreased number of resolved cases.

**(2021):** All categories - Pending cases on 1 Jan.: decrease by approx. 50%  
In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions (and the number of resolved cases at first instance courts decreased). As second instance courts deal with the majority of cases without hearing of parties, their functioning was not affected that much. The number of appeals coming from first instance decreased, which resulted in the decrease of pending cases at second instance courts at the beginning of 2021.  
Resolved cases: The decrease in the number of resolved cases is due to two factors: 1. impact of Covid-19 pandemics, namely the higher number of judges and court staff on sick leave or quarantined (compared to 2020), and 2. more general human resources issues (retirement of judges, prolonged sick leaves etc.).  
Categories 1, 2 and 2.1 - Pending cases on 21 Dec.: increase by approx. 10-30%  
Higher courts resolved approx. 10% less cases in 2021, which resulted in a greater increase of pending cases on 31. Dec (Disposition time in higher courts is low – 1-2 months; ratio of Resolved vs. Pending cases is approx. 10:1)  
Categories 2.2/2.2.1 - Pending cases on 21 Dec.: increase by approx. 60/90%  
Please note the increase in resolved land registry cases in 2021 (Q91) which may result in an increase of appeals, and small (absolute) number of cases at second instance (20-30 pending cases).  
Category 2.2.2 - Pending cases on 21 Dec.: decrease by approx. 25%  
Please note the small (absolute) number of cases at second instance (less than 5 pending cases).

**(2020):** The decrease in pending cases at the beginning and the end of the year is due to the fact that higher courts are successfully reducing the number of pending cases. The decrease in incoming and resolved cases is partially due to the national trend observed in general, and partially due to the limitation of operation of courts due to Covid-19 pandemics. The discrepancies in categories 2.2.1. Non litigious land registry cases and 2.2.2 Non-litigious business registry cases (and subsequently in 2.2. Registry cases), as well as at Pending cases older than 2 years from the date the case came to the second instance court are due to a small absolute number of cases.

**(2019):** No particular explanation can be given for the general decrease of incoming cases (national trend) which resulted in the decrease in the number of incoming and pending cases.  
The increase in incoming Non-litigious business registry cases in 2018 resulted in an increased number of pending cases in the beginning of 2019. Please note small (absolute) number of cases.

**(2018):** No particular explanation can be given for the general decrease of incoming cases (national trend), as well as for the increase in number of incoming registry cases.

**(2017):** In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

**(2016):** In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

**(2015):** In recent years, the number of incoming non-litigious cases is generally decreasing partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary. Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases have a considerable effect on the number of pending cases.

**(2013):** 2013 The area of land registry cases has been in constant improvement since a successful computerisation project in 2003 – the average disposition times have fallen from 18 months to 2 weeks. The lowering of the number of pending cases is the consequence of a better organisation of work and of the totally electronic procedure.

**(2012):** 2012 The figures of pending cases on 1 January 2012 for civil litigious cases (as well as for incoming, resolved and pending cases on 31 December 2012) are higher than in the previous exercise, because we included in this category the cases of bankruptcy proceedings (including: compulsory composition, bankruptcy of legal person, bankruptcy of physical person, bankruptcy of inheritance and compulsory dissolution), which were counted as 'other cases' in the previous evaluation cycle. The example in the questionnaire for this 7th category was 'insolvency registry cases', so we mistakenly included here all the cases pursuant to the Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act handled by district courts. These are not insolvency registry proceedings, but are to be understood as litigious proceedings according to the CEPEJ Explanatory note.

With regard to the category "administrative law cases, in the previous round we included appeals in administrative disputes, which are lodged with and dealt with by the highest instance court, namely the Supreme Court of the Republic of Slovenia in this category (Q 97.6). To ensure internally consistent answers we decided to provide the data in this chapter regarding the instance of the court that decides on the case not the instance of the procedure in which the cases is decided. This means that all the cases that are addressed by the Supreme Court of the Republic of Slovenia are taken into account at question 97.

## Spain

**(General Comment):** When an error is detected in the statistics of a Court, the latter is allowed doing regularization, what means that the Court communicates the correct figure and rectifies the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the specific control of cases that the Court makes when a judge leaves the Court (called "alarde"), but in general, in any case in which the Lawyer of the Administration of Justice detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

These regularizations and the cumulated cases and the re-opened cases are the causes for the horizontal inconsistencies. It is noteworthy that the small (probably insignificant) number of Registry cases that arrive to the Second Instance is not distinguished of the Litigious cases. This is why, the total number of cases can be provided.

Regarding "other non-litigious cases", the most correct answer is NA (because we can appeal against certain decisions of 'voluntary jurisdiction' not included in the CEPEJ categories).

**(2022):** 2020 was a year marked by the pandemic, the reduction of work in judicial bodies, despite digitalization, and by mobility restriction measures. The increase in the pace of work in 2022 is logical and it explains the increase in the number of incoming civil (and commercial) litigious cases. The reduced clearance rate has been due to the increase in appeals against judgements in ordinary trials related to floor clauses (cláusulas suelo); clause that a specific financial institution can include in a variable interest mortgage loan contract and that establishes the minimum interest rate that customers will pay.

**(2021):** For civil and commercial litigious cases the number of incoming cases increased in comparison with 2020, because that was the year in which the pandemic forced mobility restrictions. This also affected the increases of the number of pending cases at the end of the year.

**(2020):** There is an increase in the number of incoming administrative appeal cases in the Autonomous Regions High Courts. It is possible that certain modifications in the Contentious Administrative Jurisdiction, as well as the Judgement of the Constitutional Court in 2015 that eliminated the fees to appeal, have had an impact on the number of incoming cases.

**(2019):** "Civil and commercial litigious cases": the increased number of pending cases at the beginning of the year is partly due to the low clearance rate in 2018. In general there is an increase in incoming issues. In civil law many appeals are related to cases of general conditions included in financing contracts with real estate guarantees in which the borrower is a natural person (object of massive cases in Spain since the doctrine of the CJEU).  
"Administrative cases": The increase of administrative appeals may probably be due to Aliens (immigration) cases, which had a strong increase in resolution in 2018.

**(2018):** The Court of Justice of the European Union (CJEU) of December 21, 2016 and other previous Judgments have meant a massive interposition of lawsuits based on that doctrine, for the civil challenge of general conditions included in financing contracts with real estate guarantees whose Borrower is a natural person. Measures, referred to in previous assessments, of spatialization of certain judicial bodies have been adopted. In 2018, the appeals to the judgments in matters of individual suitcases against general conditions included in financing contracts with real estate guarantees whose borrower is a natural person have reached the Provincial Courts (second Instance). The small (probably insignificant) number of Registry cases that arrive to the Second Instance is not distinguished of the Litigious cases. This is why the total number of cases can be provided

**(2016):** In respect of the increase in the number of incoming civil and commercial litigious cases as well as the increase of the total of incoming cases between 2014 and 2016, it should be mentioned that since March 2015 the fees to bring a case to the court were abolished in case of natural persons. Besides, in July 2016, the Constitutional Court declared the nullity of the fees to appeal.

**(2015):** Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

**(2014):** For the 2014 exercise, the decrease of the number of pending administrative law cases in the beginning and in the end of the year is the result of the decreases observed and explained in first instance.

**(2012):** In the frame of the 2012 exercise, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate. Moreover, the horizontal inconsistency is also a result of the inclusion within the table of data related to restarted procedures, while there is not a specific item dedicated to this category of cases.

## Question 098

### Austria

**(2020):** "Misdemeanour and / or minor criminal cases": compared to the previous 10 years the pending, incoming and resolved cases in this category in the year 2020 showed a slight decrease. There is no specific explanation for this circumstance.

**(2016):** There is significant discrepancy in the number of incoming and resolved misdemeanour cases because the administrative criminal cases of second instance are included in third instance.

## Belgium

**(General Comment):** Serious offenses: cases brought on appeal before the Court of Appeal (criminal matters) Minor offenses: cases brought on appeal before the lower court - criminal jurisdictions - for cases handled by the police court (therefore handled in second instance by criminal jurisdictions) Youth protection cases: included under minor offenses Criminal cases (under point 3. other criminal matters) now also include cases from the chambers of indictment. The chamber of indictment intervenes in judicial investigation oversight, particularly controls pre-trial detention, and decides on referral to trial.

**(2022):** Court of Appeal (criminal matters): - Totals: Pending cases on 1/01/2022 = 6610; pending cases on 31/12/2022 = 6677; Cases pending for more than 2 years from the date when the case is brought before the courts of second instance = 1436. - Serious offenses (involving criminal and social penal cases): Pending cases on 1/01/2022 = 6304; pending cases on 31/12 /2022=6311; Cases pending for more than two years from the date when the case is brought before the courts of second instance=1307. - Protection-related youth affairs: Pending cases as at January 1,2022=306 ;pending as at December31 ,2022=366 ;Cases pending since over two years from the date when a case is brought before the courts of second instance=129. Source: datawarehouse(data extraction date :1/18 /2022) - Other criminal matters=figures for the chamber of indictments.

**(2021):** Protection cases - youth: these cases have been included in point 2 "Minor criminal cases". Here are the figures: pending cases on 1/01/2021 = 337; pending cases on 31/12/2021 = 306; Pending cases older than 2 years from the date the case came to the second instance court = 124. Bron: data warehouse (data extraction date: 01/07/2022). The category "3. Other criminal cases" corresponds to the cases dealt with by the Investigation Chamber (Chambre des mises en accusation).

**(2020):** "Second instance Courts (Criminal Matters): \* Totals: Cases pending as of 1/01/2020 = 9434; Cases pending as of 12/31/2020 = 9317; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 2616. \* Serious offenses (involves correctional and indictment division cases): Cases pending as of 1/01/2020 = 9095; Cases pending as of 12/31/2020 = 8981; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 2499. \* Minor offences: youth cases are included in the figures shown in the table (1,374 new cases and 1,377 completed cases respectively). Also noteworthy are the youth cases: Cases pending on 1/01/2020 = 339; Cases pending on 31/12/2020 = 336; Cases pending for more than 2 years from the date the case is brought to the 2nd instance courts = 117. Source: datawarehouse (data extraction date: 16/06/2021) \*For 2020, there is a decrease in the number of new cases and in the number of completed cases due to the pandemic that affected court operations."

**(2016):** The category "Severe criminal cases" concerns appeals to the courts of appeal against the judgements of the courts of first instance ruling in criminal matters. The category "Misdemeanour and / or minor criminal cases" refers to appeals to the courts of first instance against decisions of police courts in criminal matters.

## Bulgaria

**(2022):** "Total criminal cases" include all criminal cases of second instance - criminal cases of a general nature and criminal cases of a private nature (common offences and offences subject to private prosecution), cases of release from penal responsibility with imposing of administrative punishment in accordance with Art. 78a of the Criminal Code, private criminal cases, interrogations, and administrative-criminal cases.

**(2020):** The specified sum does not include proceedings for which no penalties are imposed (pre-trial proceedings, enforcement proceedings). These proceedings are within the competence of other bodies in the Republic of Bulgaria.

(2018): NA

## Croatia

**(General Comment):** Due to the peculiarity of the Croatian legal system explained within the frame of question 94, the category "severe criminal cases" subsumes criminal cases under the jurisdiction of the 2nd instance county courts, while the category "misdemeanours and/or minor criminal cases" encompasses cases under the jurisdiction of the 2nd instance misdemeanour courts and the High Misdemeanour Court. Croatian legislation distinguishes misdemeanours and criminal offences. Misdemeanour Act prescribes that misdemeanours and misdemeanour legal sanctions can be proscribed solely for those behaviours that violate or threaten public order, social discipline and social values guaranteed and protected by the Constitution of the Republic of Croatia, international law and the laws whose protection is not possible without misdemeanour legal sanction, and their protection is not achieved with criminal coercion. The above shows that misdemeanours are certain behaviours that deserve sanction, but which by its severity and consequences do not deserve criminal liability. Since the Criminal code does not strictly classify the categories of severe and minor criminal offences, we are not able to classify as misdemeanour/minor all offences for which it is not possible to pronounce a sentence of deprivation of liberty, and classify as severe offences all offences punishable by a deprivation of liberty. According to this, in the category "severe criminal cases" there are criminal cases under the jurisdiction of the 2nd instance county courts, while in the category "misdemeanours and/or minor criminal cases" there are cases under the jurisdiction of the 2nd instance misdemeanour courts and High Misdemeanour Court.

**(2021):** In category "Other cases" are included cases of execution of imprisonment sanctions on county courts in second instance.

**(2018):** Starting from 1 June 2013, when the Act on Amendments to the Misdemeanors Act (OG 39/2013) entered into force, the inflow of first-instance misdemeanour cases had been reduced up to the point where there was no more justification for keeping specialized courts for these types of cases. This led also to continuous decrease of second instance misdemeanour cases, which is also the case in this reporting cycle.

Category "Other cases" - category introduced in this cycle: in case of Croatia, cases calculated here are cases of execution of imprisonment sanctions on county courts in second instance.

**(2016):** Starting from 1 June 2013, when the Act on Amendments to the Misdemeanours Act (OG 39/2013) entered into force, the inflow of first-instance misdemeanour cases displayed in this table continuously and significantly had been reduced. The number of resolved cases reduced as well, but due to a significant decrease in inflows, the number of unresolved cases reduced by the end of the period.

**(2014):** According to 2014 data and pursuant to the Act on the Amendments of Misdemeanour Act which entered into force in 2013 (OG 39/13), possession of drugs for personal usage is no longer a criminal act but a misdemeanour act. That provision enabled disburdening of the county courts. Furthermore, municipal courts became competent for criminal act of unauthorized production and trafficking of drugs (which was previously in the jurisdiction of county courts and made a share of 40-50% of all cases dealt with by the county courts).

**(2013):** Generally speaking, the decrease of the total number of misdemeanour cases at all levels was the main goal and purpose of adopting the Act on the Amendments of the Misdemeanour Act in 2013 (OG 39/13) in which the definition of misdemeanour act was changed, the principle of opportunity as well as the simplification of the procedure were introduced, the more active role was given to the plaintiff. Moreover, specific measures were introduced: if the fine is paid when caught in committing a misdemeanour offence, it is considered as paid if the half of the amount was paid immediately, and if the deadline was prescribed, it is considered as paid if the 2/3 of the amount was paid. Moreover, the enforcement procedure conducted on monetary assets is more efficient. The Register of Unpaid Fines was established.

According to the new misdemeanour provisions, there is no suspension of the proceedings because of the statute of limitations. Every court decision is being enforced, fines are being paid, therefore strengthening the general prevention and withdraw of committing misdemeanour offences. All of the above said leads to the reduction of the number of misdemeanour cases at both courts' instances: misdemeanour courts and High Misdemeanour Court of the Republic of Croatia

## Cyprus

**(General Comment):** The case flow data of the Supreme Court are included in this question as second instance cases, although Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court."

**(2020):** with regard to criminal appeals less were filed.

**(2016):** There was an increase in the cases pending between 2014 and 2016. With regard to the increase of number of cases resolved this was due to the creation of the administrative court and therefore the Supreme court did no longer had to deal with first instance administrative cases.

### **Czech Republic**

**(General Comment):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases". The data provided involves appeals and complaints (corrective measure against a resolution). Instead of "Pending cases older than 2 years from the date the case came to the second instance court" "Pending cases older than 1 year from the date the case came to the second instance court" are provided.

**(2021):** The number of pending cases older than 2 years is very low in second instance and thus it follows that there is a big variance in the data between years.

**(2012):** In the frame of the 2012 evaluation cycle, it has been specified that the total number of criminal cases includes severe criminal cases decided by second instance courts acting in first instance and appeals against decisions of the first instance courts in criminal matters. On the contrary, in 2010, the total encompassed only the number of appeals, while the number of severe criminal cases was not subsumed. Accordingly, due to the different methodology of presentation of data, the comparison between the 2010 and 2012 figures should be qualified.

### **Denmark**

**(General Comment):** All criminal cases at 2nd instance are considered severe as they would otherwise not become 2nd instance criminal cases. We can not differentiate pending cases depending on their age. There might be cases though that would not fulfil the criteria of a severe case. About one third of the cases may be smaller or bigger issues from the cases in the district courts that are appealed to one of the two High Courts before proceeding at the district courts and then finally settled in the district court. It is not possible to see if it an issue is from a severe case in the district or a case that is not severe. Then the whole case may afterward be appealed to one of the two High Courts when the district courts have come to a final judgment.

**(2022):** All criminal cases at 2nd instance are considered severe as they would otherwise not become 2nd instance criminal cases. Due to periods of lock downs because of the situation with covid-19, the courts have still a lot of pending cases.

**(2020):** 2020 was an unusual year because of the Covid-19 related close down of society, including close down of courts. It created more pending cases as the prosecution continued to forward new cases to the courts that could not deal with it.

**(2016):** All criminal cases at 2nd instance are considered severe as they would otherwise not become 2nd instance criminal cases. We can not differentiate pending cases after how old they are.

### **Estonia**

**(General Comment):** Some horizontal inconsistencies and inconsistencies with previous year are due to the fact that data are always taken from the live database. Other criminal cases: The enforcement and pretrial cases do not exist in the second instance.

**(2022):** In recent years, there has been a (wide-ranging) generational change among judges in Estonia, which has led to a temporary drop in performance. especially in the district courts.

**(2020):** The pandemic has affected the courts activity in criminal matters in general. The criminal procedure law was not as flexible when judges had to work online. The complete revision of the criminal procedure law is ongoing and will come into force next year.

**(2016):** Discrepancies are due to the numbers being quite small. Number of incoming cases depends on the crimes being committed and the number of resolved cases depends on. Because the distinction between severe and minor criminal cases is not the same with the CEPEJ, data for subcategories can be found below :

Severe criminal cases : Pending cases on 1 Jan. ref. year : 71

Incoming cases : 745

Resolved cases : 762

Pending cases on 31 Dec. ref. year: 54

Pending cases older than 2 years from the date the case came to the first instance court : 0

Misdemeanour and / or minor criminal cases :

Pending cases on 1 Jan. ref. year : 9

Incoming cases : 208

Resolved cases : 214

Pending cases on 31 Dec. ref. year: 3

Pending cases older than 2 years from the date the case came to the first instance court : 0

**(2014):** The variations observed over the years 2010, 2012 and 2014 are most likely due to the fact that the Ministry of Justice and the biggest court in Estonia (Harju County court) had an agreement setting the target for eliminating backlogs.

## Finland

**(General Comment):** The cases are not statistically categorized in severe criminal cases and misdemeanour and / or minor cases in Finland.

**(2021):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 20.1.2022 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

**(2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2021 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts) and HAIPA (for administrative and special courts).

## France

**(2022):** Please note that for the year 2022, we do not have data regarding the criminal appeals chambers. Consequently, it is not possible for us to provide the total volume of criminal cases at second instance. Furthermore, cases are not categorized by type of offense but by chamber (criminal, investigative, enforcement), which prevents us from providing the number of criminal cases per offense.

**(2021):** Source SDSE

**(2020):** "The health crisis and containment may have played on TAs (completed cases) (by reducing the ability of courts to process cases) but also on NAs (new cases) (fewer offenses committed, fewer cases brought to trial). Prior to this, a major lawyers' strike and transportation strike had mostly affected TAs.  
"

## Germany

**(2022):** "Severe criminal cases" include criminal proceedings according to the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" includes regulatory fine proceedings before criminal courts.

"Other" includes complaints in regulatory fining proceedings at the Higher Regional Courts (according to Section 80 of the Act on Regulatory Offences), objections in regulatory fining proceedings according to the Competition Act. With regard to these cases, only the number of incoming cases is recorded. Discrepancies in comparison with the last cycle:

The decrease in resolved severe criminal cases can mostly be attributed to second instance cases at the regional courts. No special reason could be identified for this development.

The decrease in pending minor criminal cases on 1 January is caused by the fact, the number of pending cases on 1 January 2020 higher than usual. No specific reason could be identified for this deviation or for the deviation of "other than criminal cases".

**(2021):** "Other": complaints in regulatory fining proceedings at the Higher Regional Courts (according to Section 80 of the Act on Regulatory Offences), objections in regulatory fining proceedings according to the Competition Act

With regard to these cases, only the number of incoming cases is recorded. Pending minor criminal cases on 1 Jan: The number of incoming cases was lower in 2020 than in 2019 and the number of resolved cases higher, resulting in a lower number of pending cases at the end of 2020. A reason for this development could not be identified.

**(2020):** complaints in regulatory fining proceedings at the Higher Regional Courts (according to Section 80 of the Act on Regulatory Offences), objections in regulatory fining proceedings according to the Competition Act

**(2016):** The category "severe criminal cases" (line 2) includes criminal proceedings in accordance with the Criminal Code (Strafgesetzbuch, StGB) and ancillary criminal laws. The category "minor criminal cases" (line 3) includes regulatory fine proceedings before the criminal courts.

**(2014):** According to 2014 data, the category "severe criminal cases" included criminal proceedings in accordance with the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" subsumed regulatory fine proceedings before criminal courts.

The information provided in the frame of the 2014 evaluation refers to 2013 data (the 2014 data is not available).

**(2012):** According to 2012 data, the category "severe criminal cases" included criminal proceedings in accordance with the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" subsumed regulatory fine proceedings before criminal courts.

## Greece

**(2022):** The data has been provided by the office for the collection and processing of judicial statistics.

It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data. The content of the categories of criminal cases in the table are the same as for the previous evaluation cycle, but the services now monitor and record these cases better so discrepancies in data can be observed. This is especially the case for the Misdemeanour and / or minor criminal cases.

**(2021):** The data are from the Statistical Service of the Ministry of Justice. The courts function in cooperation with the prosecutions offices. For example, postponed cases get to the prosecutor offices and then to the courts, in repeat 2-3 times, during the period (year). The definition of the pending cases included postponed cases or the cases for which the trial date has been setting out of the refence year or hasn't been determined during the year. The data has been collected from 19 out of 19 Courts of Appeal in Greece.

**(2020):** Due to the pandemic, pending cases have accumulated in the courts of first instance, with the result that the courts of second instance have fewer cases to handle.

The data given for questions 97 and 98 are collected from all second instance courts. However, many fields are answered NA as only few data were collected from the second instance Courts.

**(2018):** To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor's Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/ acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)- Phase A', which was completed in March 2019 for 41 courts of the State, an integrated information system is implemented, which includes individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data.

**(2016):** Filling in the requested information regarding the criminal procedure is not possible at the moment. To give a brief overview of the national criminal procedure, criminal cases are filed for admission in the Public Prosecutor's Office, where they are further investigated. If a prosecution is initiated, the cases are discussed in court. The Court of First Instance or the Court of Appeal discusses and issues a judgment on each case brought before the court. The decision can then either postpone the case (whereby the case is forwarded to the competent Prosecutor's Office for further processing), or convict/ acquit the defendants. When the case is forwarded to the competent Prosecutor's Office (after a postponement), it is uncertain if and when it will go back to the court for discussion. Criminal cases cannot be tracked down throughout the different stages of the criminal procedure at present. With the Integrated Civil and Criminal Court Case Management System (OSDDY-PP)- Phase A', which is expected to be completed by November 2018, an integrated information system will be implemented, which will include individual applications (subsystems) to support the operational functioning of the units of all levels of the courts involved in the flow of every case (criminal and civil), allowing the extraction of the relevant data. For 2016 the available data regarding the criminal procedure are as follows: Courts of First Instance: Criminal Cases Discussed: 473.457, Convictions/Acquittals: 206.311, Postponements: 262.433, Courts of Appeal: Criminal Cases Discussed: 59.643, Convictions/Acquittals: 24.995, Postponements: 33.601

## Hungary

**(2021):** As it was mentioned at the first instance, the introduction of new types of misdemeanours resulted in a higher number of incoming cases. As a result of the increase of incoming cases the number of resolved cases was also higher.

**(2014):** The increases over the period 2010-2014 regarding misdemeanour and/or minor criminal cases, is due to the constant increase of incoming and resolved first instance cases starting from 2010, which led to the increase in the number of second instance incoming cases.

## Ireland

**(General Comment):** Except for the Supreme Court, criminal cases are generally counted by offence rather than case due to the various ICT systems used. This is due to data collection/ ICT systems that are in use by the Court Service.

**(2022):** In 2020, the year in which the covid pandemic had its greatest effect on court business, the number of criminal appeals particularly in minor criminal cases was much lower than usual.

**(2020):** Reduced misdemeanour/minor cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. This included domestic violence and criminal proceedings. All written judgments were delivered electronically and published on the Courts Service website, courts.ie. Attendance at Court offices was by appointment only to ensure that footfall could be safely managed.

The Court of Appeal quickly adopted the use of video technology and made greater use of electronic documentation to facilitate its work. Procedures were introduced to ensure that justice was administered in public. Judgments were delivered electronically. Waiting times for a hearing were improved, to a certain extent, by a net reduction in the numbers of new cases coming into the list from other jurisdictions. By year end, there was a net improvement in the numbers of cases waiting to be dealt with compared to 2019.

Offences are counted here rather than number of cases. There were 260 appeals in respect of 1,405 offences lodged in the Court of Appeal (Criminal) in 2020. The Court disposed of 367 appeals in respect of 1,719 offences.

**(2018):** With regard to the category "resolved cases", the figures reflect a continuing increase in disposal of second instance appeals disposed of over that in the previous reporting cycle (2016 data) due to the establishment of the Court of Appeal.

**(2016):** Data on resolved cases reflect a significant increase in disposal of second instance appeals due to the establishment of the Court of Appeal. Concerning the number of incoming severe criminal cases, 2016 data reflects the receipt by the Court of Appeal of a substantial number of pending appeals following its establishment.

**(2014):** The increase of 161% between 2012 and 2014 in the number of incoming cases and the increase of 101% in the number of resolved cases are due to a change in the unit of measurement for criminal cases from a defendant related unit to an offence related unit.

## Italy

**(General Comment):** In Italy there is no formal definition of "minor criminal cases". For the purposes of this exercise are considered as minor criminal cases those proceedings dealt with by the Justice of Peace Offices which have been appealed (to Tribunal).

**(2022):** In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

The main goal is a general reduction of the disposition time by 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together) .

More specifically a reduction of the civil backlog by 65% in first instance courts and 55% in appeal courts by the end of 2024; by 90% in first instance courts and appeal courts by June 2026. As far as the civil cases, such targets relate exclusively to litigious cases.

A monitoring system is in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>

**(2021):** Figures in 2020 were hugely affected by the pandemic

**(2018):** -

**(2016):** With regard to second instance criminal cases, in 2014-2015 a new case management system was introduced. This has negatively affected the statistics for those two years. Statistics for 2016 are definitely more robust and consistent. Besides, when comparing pending cases on 31 Dec 2014 with pending cases on 1 Jan 2016, the variations are less important.

## Latvia

**(General Comment):** Data from the first and appeal instance courts are compiled by the Court Administration, and the Court Information System is a living database that allows data to be corrected, so changes between previous periods are possible. The figures reflect data of second instance courts and the Supreme Court Criminal chamber. The latter is the appellate body in respect of cases decided by regional courts acting as courts of first instance. Statistics related to the Supreme Court are mentioned only within the total, because till 2009 the statistics were compiled by a specially hired expert.

**(2022):** Decrease of incoming and resolved cases is mainly related to the impact of decrease of misdemeanour and / or minor criminal cases. In the middle of 2020, Saeima adopted Law on Administrative Liability that affected amount of incoming and resolved of misdemeanour and / or minor criminal cases significantly. According to the law, if the person intends to use his right to appeal a decision, he/she needs to address the complain to the higher official from institution which has made this decision, but if there is no higher official, a decision may be appealed to a district (city) court. As the number of cases in the courts of first instance decreases, the number of cases in the regional courts also decreases. This is the main reason for decrease of incoming and resolved misdemeanour and / or minor criminal cases. Of course, there is also a decrease in the number of serious criminal cases, which is related to the overall decrease in criminal cases in the courts of first instance. The number of pending cases on 31.Dec. has increased due to a limited capacity of the largest appeal court (Rīgas apgabaltiesa (The Riga Regional court)): the number of judges in the Board of criminal cases has decreased and some serious criminal cases were completed. The Riga Regional Court is the largest appeal court in Latvia. This court has the largest amount of work and the workload of the judge compared to other appeal courts.

The number of pending cases (pending for more than 2 years) has significantly decreased. The decrease in cases is explained:

- due to the lifting of restrictions, which were related to limiting the spread of Covid-19;
- due to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases.

**(2021):** In the middle of 2020, Saeima adopted Law on Administrative Liability that affected amount of incoming cases significantly in the first instance courts. According to the law, if the person intends to use his right to appeal a decision, he/she needs to address the complain to the higher official from institution which has made this decision, but if there is no higher official, a decision may be appealed to a district (city) court. This is the main reason for decrease of incoming cases in the first instance courts and in appeal courts as well.

The reduction of pending cases is related to the increased interest and pressure of the public, the Council of Justice and the Ministry of Justice to reduce the number of long pending criminal cases.

**(2020):** In 2020 there was changes in Administrative Procedure Law, that might affect the amount of resolved cases. Furthermore, number of misdemeanour and / or minor cases are higher in the appeal courts because in last years the Constitutional court has declared several norms on administrative infringements are not incompatible with the Constitution of Latvia. This led to an increase of incoming administrative cases.

**(2018):** Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – pending. Data on court statistics are being calculated by automated systems and records on changes that affect data in database are not available. Any changes to the Court Information System can affect the data.

**(2014):** In 2014, the statistics of the Supreme Court Criminal Chamber were the following: pending cases on 01.01.2014: 139; incoming cases: 19; resolved cases: 73; pending cases on 31.12.2014: 0.

Due to a court reform, the Chamber of Criminal Cases of the Supreme Court has been liquidated as from 1 January 2015. All cases, which were not resolved on 31 December 2014, were transferred to regional courts.

## Lithuania

**(General Comment):** There is no separate statistical data allowing to distinguish between severe/minor/and other criminal cases. Neither the court information system is applied to this, nor the courts have obligation to provide the information on the seriousness of the crime. In the court information system offenses are described through the indication of an article (it does not show the severeness of a crime by itself).

## Luxembourg

**(General Comment): 0**

**(2018):** Concernant le nombre d'affaire résolues en matière d'affaire pénales grave, une baisse des recours introduits à la Cour d'appel est observée depuis ces dernières années, en conséquence les affaires terminées ont diminué en 2018. Concernant le nombre d'affaire résolues en matière d'affaire pénales mineures, le chiffre plus élevé des affaires d'infractions mineures s'explique par le fait qu'en 2017, 59 recours avaient été introduits sur des jugements du tribunal de police et que ces recours ont été traités pour partie en 2018 seulement.

## Malta

**(2022):** There was a registered increase in incoming cases across all courts.

**(2021):** During 2021, the criminal courts were still largely effected by Covid restrictions. Given that these particular courts did not introduce video-conferencing, it was not possible to counteract the increasing incoming caseload with an equally increasing resolved caseload. As a result of this imbalance, the efficiency parameters of the criminal courts suffered. Having said this, following the removal of the pandemic restrictions, sincere efforts have been made in order to restore the efficiency of the criminal courts to the former levels.

**(2020):** The above data reflects the aggregate scores of the Criminal Court of Appeal in its Superior and Inferior Jurisdiction. The pandemic restrictions effected the caseload of the Court.

**(2018):** Given that in the Maltese legal system, the definition of severe/ minor-dismeneanor cases is not fully consistent with the definition built by CEPEJ, the data for these types of cases for Malta, is going to be presented within this section: For severe cases: Pending caseload at 1st January 2018 = 32; Incoming cases = 6; Resolved cases = 14; Pending cases on the 31st December = 21. Minor/ misdemeanour criminal cases: 1st January 2018 = 1266; Incoming cases = 445; Resolved cases = 644; Pending cases on the 31st December = 1018.

**(2016):** There was an increase in the pending caseload of the Court of Criminal Appeal, Inferior Jurisdiction. In the Maltese legal system, the definition of severe/minor-misdemeanor cases is not fully consistent with the definition built by CEPEJ and therefore a comparison is not possible with the previous cycles. According to the Maltese categorization of cases, the number for severe criminal cases in 2016 is as follows: pending on the 1st Jan of Ref Year = 26; Incoming cases = 15; Resolved cases = 10; Pending cases on the 31st Dec of Ref Year = 32. The number for minor/misdemeanor criminal cases is as follows: pending on the 1st Jan of Ref Year = 1214; Incoming cases = 629; Resolved cases = 485; Pending cases on the 31st Dec of Ref Year = 1358.

**(2012):** In 2012, the increase of the number of criminal cases resulted from the fact that for some time the number of judges hearing the appeals, particularly in the Criminal Court of Appeal (Inferior Jurisdiction), was reduced due to retirement and re-allocation of duties. Accordingly, the number of appeals in the inferior jurisdiction increase considerably.

## Netherlands

**(2014):** The reason for the horizontal inconsistency in 2014 is that the figures from the 4 columns of the table are not retrieved at the same time. The number of pending cases on Jan 1st is determined one year before the other 3 columns can be filled. One year later it is possible to determine the number of incoming cases, the number of resolved cases and the number of pending cases on Dec 31st. The definition of 'pending' together with dynamic changes in the registration system mean that the number of pending cases on Jan 1st will have changed. To ensure horizontal consistency, all the 4 columns should be determined after the years' end which would imply to overrule a previously determined and official (i.e. published) number of pending cases on Jan 1st.

## Poland

**(General Comment):** Severe criminal cases includes all offences under the Penal Code, Penal Fiscal Code and offences specified in other Acts. Misdemeanours are cases conducted under the Petty Offence Code. The category “Other cases” covers the rest of cases conducted in criminal courts which are not connected directly with the severe criminal cases or misdemeanours. Mainly these are cases conducted under the Code of Criminal Procedure and Petty Offences Procedure Code, e.g: complaints against the discontinuation of the proceedings, complaints against the application or extension of pre-trial detention, complaints against the ordering the execution of a substitute prison sentence, complaints against a failure to grant parole. Cases under the Criminal Procedure Code and the Misdemeanours Code, which are presented as 'other criminal cases', are preliminary or follow-up proceedings.

**(2022):** Serious criminal cases include all offences under the Penal Code, the Fiscal Penal Code and offences under other laws. Misdemeanours are cases conducted under the Misdemeanours Code. The category "Other cases" includes other cases conducted in the criminal courts that are not directly related to serious criminal cases or misdemeanours (mainly cases conducted under the Criminal Procedure Code and the Misdemeanours Code).

**(2021):** Severe criminal cases includes all offences under the Penal Code, Penal Fiscal Code and offences specified in other Acts. Misdemeanours are cases conducted under the Petty Offence Code. The category “Other cases” covers the rest of cases conducted in criminal courts which are not connected directly with the severe criminal cases or misdemeanours (mainly cases conducted under the Code of Criminal Procedure and Petty Offences Procedure Code).

**(2020):** Variations in the number of criminal law cases in 2020 compared to the previous period (2018) are mainly due to two reasons. First – the COVID19 pandemic which reduced the inflow of severe criminal cases (p. 1) and misdemeanour and / or minor criminal cases (p. 2). Second – in 2020 release, the number of Other cases (p. 3) was added to the table. It significantly increased the number of total cases shown in the line Total of criminal cases (1+2+3).

**(2012):** The increase of the total of criminal cases and the number of severe criminal cases in respect of the item “pending cases on 1st January 2012” is due to the fact that since 2010, there was a significant increase of the inflow of cases”. As to the number of minor cases, there was a change in the statistical system which resulted in aggregating some categories of cases considered as minor with other criminal second instance cases. Accordingly, it was impossible to include them in the provided figures.

## Portugal

**(General Comment):** When courts handle appeal cases it is not possible to separate appeals that had in their origin a criminal case or a misdemeanor case.

**(2016):** There is no specific reason explaining the increase in the number of pending criminal cases on 31 December 2016 in comparison with the values of the previous cycle. There were no legislative changes or other that could explain this change.

## Romania

**(General Comment):** There is no classification of severe and less severe offences in the Romanian statistics.

**(2016):** In the national Statis system, the cases are recorded on categories of pending cases as follows: - 0-1/2 years;  
- 1/2-1 year;  
- 1 - 1 and 1/2 years;  
- 1 and 1/2 - 3 years;  
- 3 - 5 years;

In the table above, last column, there are mentioned the numbers for cases pending for more than 3 years.

**(2014):** The significant increase of the total of criminal cases in respect of all the enumerated categories (pending, incoming and resolved cases) in 2014 is due to the entry into force of the new Codes and the changes of jurisdiction.

**(2012):** The decrease of the total of criminal cases in 2012 in respect of all the enumerated categories (pending, incoming, resolved cases) is due to the entry into force of Law n° 202/2010, the so called “small reform law”. Consequently, the legal remedy of appeal (appeal on the merit) has been abolished in several criminal matters, remaining only the “recurs” (“appeal on law”).

### **Slovak Republic**

**(2022):** In the line "Total" of the table in Q 98 are data for all court registers in the criminal appeal agenda. Among the category “Other criminal cases” are included for example cases in which the appeals court decides on jurisdictional disputes, objections of bias, on complaints for inaction and other complaints filed after the filing of the indictment, etc.

Sources: Analytical center, Ministry of Justice of the Slovak Republic.

**(2020):** Sources: Analytical center, Ministry of Justice of the Slovak republic

**(2016):** The 2016 data are based on the new methodology which may cause inconsistency comparing to previous cycles. The 2014 data are based on the methodology that covered only two main criminal court registers, while the 2016 data are based on the methodology that covers more than two criminal court registers. This makes the basic and key difference.

### **Slovenia**

**(2022):** Discrepancies (to 2020 data) – 2. Misdemeanour and / or minor criminal cases (also reflected in Total):

An increase is due to two factors: 1) Until 2020, the appeal in minor offences in regular court procedures – request for judicial protection was limited (depending on the criteria – sanction) by the Minor Offences Act. At the end of 2020 the Constitutional court established that the aforementioned limitation for appeal was unconstitutional, which lead to the increase in the number of appeals in 2021 and 2022; 2) the higher court, competent for the coastal region received multiple cases of fishermen regarding border-crossing issues (in relation to the Arbitration under the arbitration agreement between the government of the Republic of Croatia and the Government of the Republic of Slovenia; PCA CASE NO. 2012-04). Pending cases older than 2 years: please note small (absolute) number of cases.

**(2021): All categories - Pending cases on 1 Jan.:** decrease by approx. 10-70%

In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions (and the number of resolved cases at first instance courts decreased). As second instance courts deal with the majority of cases without hearing of parties, their functioning was not as affected that much. The number of appeals coming from first instance decreased, which resulted in the decrease of pending cases at second instance courts at the beginning of 2021.

2. Misdemeanour and / or minor criminal cases – Incoming/Resolved cases: increase by approx. 150/90%, Pending cases on 21 Dec.: increase by approx. 1400% (this also reflected in Total)

The increase in incoming cases at second instance in 2021 is mostly due to two factors: 1) according to the Minor Offences Act, the appeal in minor offences in regular court procedures – request for judicial protection was limited (depending on the criteria - sanction). At the end of 2020 the Constitutional court established that the aforementioned limitation for appeal was unconstitutional, which led to the increase in the number of appeals in 2021; 2) In 2021, the higher court, competent for the coastal region received multiple cases of fishermen regarding border-crossing issues (in relation to the Arbitration under the arbitration agreement between the government of the Republic of Croatia and the Government of the Republic of Slovenia; PCA CASE NO. 2012-04). Despite the efforts (see the number of resolved cases), the number of pending cases at the end of the year increased (Disposition time in higher courts is low – less than 1 month; ratio of Resolved vs. Pending cases is approx. 33:1).

**(2020):** The decrease in pending cases at the beginning and the end of the year is due to the fact that higher courts are successfully reducing the number of pending cases. The decrease in incoming and resolved cases is due to the limitation of operation of courts due to Covid-19 pandemics

The discrepancies at Pending cases older than 2 years from the date the case came to the second instance court are due to a small absolute number of cases.

**(2018): Discrepancies:** This year, some of the cases, previously reported at Severe or Misdemeanor cases, are reported under new category - Other cases (for details, please see general comment). The methodology for the total number of cases reported did not change, and the changes for total are below 20%.

**(2016):** The observed decreases can be attributed to the decrease in the number of cases, processed by the police and the state prosecution (see Q107).

**(2014):** According to 2014 data, the figures for “severe criminal law cases” at second instance includes: criminal cases (Kp) and various criminal cases (Kr). In this respect, it should be highlighted that the 2014 data is not comparable to pre-2014 results, because until 2014, only first category was reported. In 2015, the reporting method was further improved, and other types of cases were also included in the reporting.

The figures for “minor offences cases” at second instance included: minor offences in regular court procedure – request for judicial protection (PRp-zsv); minor offences in regular court procedure – accusation proposals (PRp-obp); cancellation of validity of the drivers license according to the legal limit of punitive points (EPVDp); compliance detention (PRuzp); setting a task for the good of the community or the local community (PRnkp); various cases in minor offences (PRr).

**(2012):** According to 2012 data, the figures for “severe criminal law cases” at second instance included criminal cases (Kp) and excluded various criminal cases (Kr).

The figures for “minor offences cases” at second instance included: minor offences in regular court procedure – request for judicial protection (PRp-zsv); minor offences in regular court procedure – accusation proposals (PRp-obp); minor offences at the transition from 2004 to 2005 (PRps); minor offences, introduced in the judicial jurisdiction after the 31.12.2004 (PRpv); cancellation of validity of the driver’s licence according to the legal limit of punitive points (EPVDp); and compliance detention (PRuzp). The category did not include: setting a task for the good of the community or the local community (PRnkp) and various cases in minor offences (PRr).

The decrease of the number of “misdemeanour and/or minor criminal cases” before courts in 2012 is the result of the reform in law on minor offenses which transferred some of the jurisdiction in cases previously tried by courts to other authorities.

## Spain

**(General Comment):** When an error is detected in the statistics of a Court, the latter is allowed doing regularization, what means that the Court communicates the correct figure and rectifies the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the specific control of cases that the Court makes when a judge leaves the Court (called "alarde"), but in general, in any case in which the Lawyer of the Administration of Justice detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

These regularizations and the cumulated cases and the re-opened cases are the causes for the horizontal inconsistencies.

**(2022):** 2020 was a year marked by the pandemic, the reduction of work in judicial bodies, despite digitalization, and by mobility restriction measures. The increase in the pace of work in 2022 is logical and it explains the increase of incoming and resolved cases compared to 2020.

**(2021):** The number of incoming and pending cases for both severe and minor criminal case categories increased in comparison with 2020, because that was the year in which the pandemic forced mobility restrictions. The recovery of activity, after the most severe restrictions of the pandemic, may have contributed to the improvement in efficiency and increased number of resolved minor criminal cases.

**(2020):** The reduction in criminal appeals during 2020 may be an effect of the pandemic.

**(2016):** The number of pending severe criminal cases decreased due to the decrease in the number of incoming cases. The decreases observed in respect of the numbers of Misdemeanour cases can be due to the elimination of "Faltas" (Misdemeanour cases) by the Organic Law 1/2015. Some of them were transformed in minor offences, but other disappeared or were transformed in administrative infractions.

**(2012):** The lack of horizontal consistency in 2012 was due to the number of restarted procedures that were not counted in the boxes of the questions because they are not really incoming cases. Besides, there was a readjustment of the statistical data in the period between 2010 and 2012. The final data provided in the questionnaire, and shown in the box of pending cases is the real data at December 2012.

## Question 099

### Austria

**(2022):** Administrative Law Cases: The number of 3547 pending administrative cases on 1 January ref. year corresponds to 3392 procedures adopted from previous years and 155 procedures completed in previous years and reopened in the reference year.

**(2021):** Discrepancy between number of pending administrative law cases on 31 December 2020 and number for pending administrative cases on 1 January 2021: 3043 procedures adopted from previous years and 139 procedures completed in previous years and reopen in the reference year. "Administrative law cases": The COVID-19 pandemic posed significant and new challenges to international and government institutions worldwide, including the Supreme Administrative Court. Social distancing necessary to combat the pandemic required profound changes in the service of the Supreme Administrative Court to guarantee its functioning. In addition to internal organisational measures such as the possibility of remote work and new electronic communication tools, changes to the legal framework were necessary to enable the passing of resolutions via circular letter without physical contact between the members of the judicial body. These legal changes became effective in the course of 2020 and 2021. The continuing high level of new cases in asylum and aliens law is due to the numerous applications for international protection filed in Austria from 2015 onwards. The increase in staff at both the Federal Office for Immigration and Asylum and the Federal Administrative Court has led to an increase in the number of cases dealt with by these authorities and thus also in the number of cases brought before the Supreme Administrative Court, which has now been at a relatively high level for several years.

**(2020):** Discrepancy between number of pending administrative cases on 31 December 2019 and number for pending administrative cases on 1 January 2020: the number of 3 064 pending administrative cases on 1 January 2020 corresponds to 2762 procedures adopted from previous years and 302 procedures completed in previous years and reopen in the reference year.

Pending administrative law cases older than 2 years: the observed increase is a consequence of the high number of cases in the field of asylum and aliens.

**(2019):** The reason for the increased number of incoming administrative cases and accordingly the increase in the number of pending administrative cases is related to the high number of cases in the field of asylum and aliens law characterizing the period 2016 - 2019.

**(2018):** The reasons for this increase of the incoming administrative cases is related to the high number of cases in the field of asylum and aliens law.

**(2017):** To 3.:

Because of the model of business cases installed at the Supreme Administrative Court pending cases at the begin of a reporting year have to be analysed by calculation. Incoming cases are subtracted from the sum of resolved cases and of pending cases at the end of the reporting year. New applications within the same case cause a reopening of the concerned cases. Thus the number of pending cases changes. Therefore a completely consistent image of figures of pending cases from the end of previous year and those from the begin of the current year is not feasible.

**(2016):** The big variation is due to the fact that this cycle the administrative cases were included.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

## Belgium

**(2022):** - The category "2.3 Other non-contentious matters" contains cases G (applications for judicial assistance) brought before/dealt with by the Court of Cassation. - The category "4. Other matters" contains cases D (disciplinary matters) brought before/dealt with by the Court of Cassation. - The category "3. Administrative matters" includes, on one hand, administrative cases dealt with by the Council of State and, on the other hand, administrative cases handled by the Court of Cassation. In this latter case, it encompasses a portion of C-type cases - civil affairs; a substantial number of S-type cases - social affairs; and all F-type cases - fiscal affairs - processed by the Court of Cassation. Among completed matters under point "3. Administrative matters" (total 763 = 353 + 410), concerning the Council of State, it should be noted that figure 410 includes final judgments and orders refusing leave to appeal (189+221). For "administrative matters", a new methodology has been adapted to comply with CEPEJ's definition for "an administrative matter" (i.e., disputes between citizens and any public authority at local, regional or national level). Under previous cycles only those issues dealt with by the Council of State were counted under point "3. Administrative matters".

**(2021):** "Civil (and commercial) litigious cases": in 2021, the Court of cassation managed to adopt a higher number of final decisions compared to 2020 (973 final decisions in 2021 compared to 853 in 2020). This is largely due to a series of 72 similar cases in which final decisions were delivered in 2021, as well as to the endeavours to increase the number of final decisions in tax matters (+30 final decisions compared to 2020). The number of incoming civil (and commercial) litigious cases in 2021 is more or less comparable to the one in 2020. In the long term, an upward general trend is to be noticed. However, more specific evolutions have been observed within this case category: in 2021, compared to 2020, the number of incoming civil cases (including commercial and administrative cases), as well as the number of incoming social cases has slightly decreased, while the number of incoming tax cases has increased. The latter is increasing from year to year.

The category "2.3 Other non-litigious cases" encompasses cases related to requests for judicial assistance introduced before and dealt with by the Court of cassation in 2021.

The category "4. Other cases", concerns disciplinary cases brought before and resolved by the Court of cassation in 2021. Incoming disciplinary cases, as well as resolved disciplinary cases are higher in 2021 compared to 2020 (+ 15 incoming cases; + 11 final judgments). Given that the Court processes a small number of disciplinary cases each year, it is not possible to draw relevant conclusions based on the observed variations.

"3. Administrative law cases": data communicated by the State Council; in respect of the number of resolved cases, there were 170 final decisions and 255 non-admission orders.

**(2020):** In the category '1. contentious civil (and commercial) cases' are included the C, F and S cases (civil; fiscal and social cases) that were filed/processed before the Court of Cassation in 2020.

The category '4. other cases' contains the D cases (disciplinary cases) filed before/processed by the Court of Cassation. It should be noted that the Court of Cassation is also competent to decide on applications for legal aid. The category 3 ""administrative cases"" was provided by the highest administrative Court.

(source Cour de Cassation)

With regard to the category ""administrative cases"" (Council of State), for completed cases: it should be noted that the figure of 479 covers 177 final judgments and 302 orders of non-admission. (source Council of State). It should be noted that the lack of horizontal coherence is due to the fact that the number of judgments does not necessarily correspond to the number of closed cases. For example, a judgment that closes two cases is recorded as a single judgment.

In 2020, the number of new administrative cases increased compared to 2019. However, due to the exceptional situation caused by COVID, the State Council could not keep up with the flow of cases and even though the number of completed cases increased compared to 2019, the number of pending cases at the end of 2020 increased. "

**(2019):** Civil, social and fiscal affairs at the supreme Court. Administrative cases are the cases 'in cassation' at the Council of State.

**(2018):** Civil, social and tax cases at the Court of Cassation  
Administrative affairs = cases "in cassation" at the Council of State

**(2017):** civil and commercial cases: cases in roles C, S and F at the Court of Cassation  
administrative cases: cases before the Council of State "in cassation": Out= 221 judgments and 214 non-admission orders

**(2016):** Civil, social and fiscal cases at the Court of Cassation  
Administrative cases = "cassation" cases in the State Council  
The decrease in administrative cases is due to a reduction in referrals to the Council of State for this type of case.

**(2014):** 2014: The civil and commercial cases include cases of roles C (private and public law), F (tax law) and S (employment law) of the Court of cassation.  
Administrative cases fall within the decisions of the Council of State in cassation.

## **Bulgaria**

**(General Comment):** The data on the supreme courts are provided by the Supreme Court of Cassation and the Supreme Administrative Court on the basis of the information extracted from the case management systems implemented in these courts. The software of the Supreme Court of Cassation for extraction of statistical data is made according to a methodology developed in the Supreme Court of Cassation, as the codes for the respective type of cases are formed by a working group of judges in the Supreme Court of Cassation. This software, which allows the SCC to extract the statistics needed to answer Question 99, is different from the product used for other courts.

Since 2020, the Unified Court Information System (UIS) has been gradually introduced in all courts, developed within the project "Creating a Model for Optimizing the Court Card of Bulgarian Courts and Prosecutor's Offices and Developing a Unified Court Information System" with the financial support of Operational Program "Good Governance" 2014-2020.

**(2022):** "Civil litigious cases" - the reasons for the higher number of pending cases at the beginning of 2022 compared to 2021 are twofold: the large increase in case filings in 2021 and the critical staffing of the court, leading to a high backlog at the end of 2021. 1. The number of pending cases on 1 January 2022 is 845 more than on 1 January 2021, as the number of cases filed in 2021 is 1105 more than in 2020. As a result of the amendments to the Civil Procedure Law, access to cassation appeals has been expanded from the beginning of 2020 in cases related to consumer disputes, which in turn determined the increase in the number of cassation cases in the Civil Division and the Commercial Division. 2. In 2021 the Court is not sufficiently staffed due to the delay in the competitions for the appointment of judges in the Supreme Court of Cassation, as well as due to the retirement of judges in 2021 - 3 judges in the Civil Division and 1 judge in the Commercial Division. "Administrative cases"/SAC/: Regarding the increase in the number of pending cases at the end of the reporting period (2022) and the higher number of cases initiated, compared to the number of cases completed, is explained, on the one hand, by the unevenness of the initiated cases by matter in the different divisions of the SAC, and, on the other hand - by the complexity and volume of the cases handled by some divisions (e.g. tax, customs, cases under the Management of Resources from the European Funds under Shared Management Act, public procurement, elections, etc.); the need for in-depth knowledge of European law, including requests for preliminary rulings to the Court of Justice of the European Union (CJEU). The problem with the pending cases till issuance of interpretative decisions or rulings of CJEU continues to be relevant, as all such cases are suspended and that respectively results in delays in their consideration and further strains the schedule. In particular, an analysis of the factually and legally complex tax cases shows that the one-month time limit for court decisions is not optimal. The complexity of this type of cases and the need for direct application of Community law suggest another reasonable time-limit for the panel to issue its ruling. Furthermore, it should be stressed that in parallel with the judicial activity during the year under review, General meetings of First and Second Chambers of the SAC on interpretative cases for unification of the case law were held on a monthly basis. Joint meetings of the SCC and the SAC on joint interpretative cases were also conducted regularly. On the other hand, the decrease in the number of initiated cases during the reporting period is also due to undertaken legislative changes concerning jurisdiction. Last but not the least, in 2022, there was still a high incidence of COVID-19 among the judges and staff of the SAC, which further led to delay in the administration of justice of the court.

**(2021):** There are also some other non-litigious cases that are not included in the data. However, their number is insignificant. Concerning the category "Civil and commercial litigious cases": the reasons for the difference between 2020 and 2021 are twofold: the large increase in caseloads in 2021 and the critical staffing of the Supreme court of cassation. 1. There are 836 pending cases as of December 31, 2021 more compared to those at the end of 2020, as the cases received in 2021 were 1105 more than those who entered in 2020. As a result of the amendments to the Civil Procedure Law, access to cassation appeals was expanded from the beginning of 2020 in cases related to consumer disputes, which in turn caused an increase in the number of cassation cases in the Civil College/Chamber and the Commercial College/Chamber. 2. The court in 2021 is not sufficiently staffed due to delays in the competitions for the appointment of judges in the Supreme Court, as well as due to the retirement of judges in 2021 - in the Civil College/Chamber - 3 judges, and in the Commercial College/Chamber - 1 judge.

**(2020):** The number of pending administrative cases decreased meaningfully because of reorganization of work in the Supreme Administrative Court (SAC). By issuing an internal order The Chairman/President of the SAC increased the workload of each judge to achieve these results.

The difference of two cases in the horizontal calculation/consistency (indicated by the SCC 3863 cases instead of 3865- Pending cases on 31 Dec. ref. year) is due to two cases found in 2020, which were completed in the SCC in a previous period (before 2020), but were not correctly filled in then with all the details needed by the software to report the cases as completed. The adjustment was made in 2020, which actually reduces the number of cases for consideration by two, and the number of completed cases does not increase because the cases were completed in a previous period - before 2020.

**(2019):** There are some non-litigious cases that are not included in the data but their number is insignificant.

**(2018):** There are also some other non-litigious cases that are not included in the data. However their number is insignificant. The number of pending administrative cases older than 2 years decreased meaningfully because of reorganization of work in the Supreme Administrative Court (SAC). By issuing an internal order The Chairman/President of the SAC increased the workload of each judge to achieve these results.

**(2017):** The answer for 2. Non litigious cases (2.1+2.2+2.3) is NAP for previous cycles as well.

**(2016):** The increase in the number of pending administrative law cases (in the beginning and at the end of the year) is explained by the fact that data has been provided by different sources for 2014 and 2016.

### **Croatia**

**(2017):** Regarding the answers in this question, cases dealt with by the Supreme Court of the Republic of Croatia, as the highest instance court in the RoC, have been presented. We are unable to show separately the required categories. The Supreme Court of the RoC is in the process of preparing the implementation of the ICMS, which will in future enable the expression of cases by types. Source for this data is published data by the Supreme Court of the RoC for year 2017 on their website.

**(2016):** Due to a large influx of revision proceedings and a slower solving of cases in 2014 and 2015, at the beginning of 2016 the number of pending cases continues to increase. However in 2016 the Supreme Court of the Republic of Croatia significantly resolved more cases than in previous cycle and the number of pending cases had decreased compared with 2015 although not when compared with 2014.

**(2015):** In the table 99. cases dealt by the Supreme Court of the Republic of Croatia, as the highest most instance court, have been presented. We are unable to show separately the required categories. The Supreme Court is in the process of preparing the implementation of the ICMS, which will in future enable the expression of cases by types.

**(2014):** After the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which the existing judges and advisors at the Supreme Court may solve. In resolving the cases at the Supreme Court, advantage is given to urgent cases (determined by laws) and to old cases.

### **Cyprus**

**(General Comment):** Q99 is NAP because Cyprus has a two tier system therefore the supreme court is the second, highest and final instance court.

**(2018):** Cyprus only has a two tier system. The Court of Appeal is also the Supreme Court, therefore the relevant data could be found in the section on second instance cases.

**(2016):** The supreme court is the appeal court

### **Czech Republic**

**(2022):** Administrative cases: The Supreme court is overburdened and has trouble resolving its cases thus the number of pending cases grow quite quickly. It is connected to growth in the number of administrative first-instance cases in previous years and growing tendency to file an appeal to the Supreme Administrative Court.  
Other cases: Includes insolvency cases. The changes are the result of changes in second-instance agenda.

**(2021):** Other cases: This category includes appeals in last (third) instance of insolvency cases and incidence disputes.

**(2020):** Civil (and commercial) litigious cases: After several years of steady growth in the incoming cases, the incoming cases started to decrease in 2018. This is mainly due to legislative changes and drop in first and second-instance agenda in previous years. Thanks to this decrease the Supreme court was able to resolve part of its backlog and thus pending cases significantly decreased.

Civil (and commercial) non litigious cases: The variations should be put into perspective due to small absolute values.

Administrative cases: The Supreme court is overburdened and encounter difficulties to resolve its cases thus the number of pending cases grow quite quickly. It is connected to grow in number of administrative first-instance cases and growing tendency to fill an appeal to Supreme Administrative Court.

Other cases: This category includes appeals in last (third) instance of insolvency cases and incidence disputes. The changes are the result of changes in second-instance agenda. Also, it must be noted that the number of pending cases is relatively small, thus the variance is bigger.

**(2019):** Court was overburdened last year (there was much higher number of incoming cases than it managed to resolve), so there is a big increase in the number of pending Administrative cases.

**(2018):** The category "other" includes appeals in last (third) instance of insolvency cases and incidence disputes.

**(2017):** The category "other" includes appeals in last (third) instance of insolvency cases and incidence disputes. This whole agenda is relatively new (since 2008) and it takes quite a long time to resolve a case (several years). Since the agenda is new, it took several years before the number of first-instance incoming cases stopped growing and reach somehow stable level. Of course, the number of appeals (second instance) and incoming case second instance cases started to grow as well, but later. For simplicity, it can be said that Supreme Court deals with appeals in final (third instance). It follows that the number of final instance cases in this agenda also started to grow and again, later than the number of incoming cases in second instance. Thus the number of incoming cases in this agenda (insolvency cases and incidence disputes) is currently growing. The court seems to be struggling to deal with this growth in number of incoming cases, yet it is difficult to understand the reasons behind it, as the growth does not seem to be very high in absolute numbers.

**(2016):** In 2016 the administrative cases were added and for that reason all numbers show variation. Previously the number of administrative cases on this instance was NA.

**(2012):** In the frame of the 2012 evaluation cycle, it was specified that the civil and other cases are within the competence of the Supreme Court, while the administrative cases are within the competence of the Supreme Administrative Court.

## Denmark

**(2021):** There is no special reason explaining the increase in the number of incoming cases. It should be recalled that 2020 was a special year because of the lockdown. The Supreme court depends on the two High Courts to receive cases and they send a few more cases to the Supreme court in a year without lockdown compared with 2020.

**(2019):** resolved and incoming cases have not markedly changed. So it is pending cases that varies. But pending cases are residual numbers and will typically vary from year to year.

**(2018):** In the Danish context, non-litigious cases do not make sense. Pending cases may vary as it is residual in nature and is depending on the number of incoming and resolved cases and the ratio between those two. It is also important, when we talk discrepancy, that there is a year between previous and present year (2016 - 2018). 2017 is missing, so data - in particular pending cases - may vary.

**(2017):** Pending cases primo and ultimo 2017 for the Supreme Court is found based on pending cases ultimo 2016, received cases in 2017 and resolved cases in 2017. Put differently, pending cases are now generated based on pending ultimo 2016 and cases in 2017.

**(2016):** In the Danish context, non-litigious cases do not make sense. Pending cases may vary as it is residual in nature and is depending on the number of incoming and resolved cases and the ratio between those two.

**(2015):** The number of incoming cases ("other than criminal cases") dropped between 2010 and 2015. Since the instance reform in 2007, the Supreme Court is now almost only a third instance court (instead of being partly a second instance court and partly a third instance court). Indeed, first instance pending cases at the two High Courts in 2007 have gradually already been appealed or finalised.

**(2014):** In the frame of the 2014 exercise, the attention was drawn on the fact that the number of incoming and resolved cases before the Supreme Court was still falling, since the reform of 1st January 2007. Before 2007, many cases started in one of the two High Courts and could be appealed directly to the Supreme Court as second instance. Since 2007, almost all cases start at the lowest level and consequently, much fewer cases are appealed to the Supreme Court. This effect of still fewer cases appealed to the Supreme Court following the reform could still be seen from 2012 to 2014.

## Estonia

**(General Comment):** It is noteworthy that the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, are due to the fact that the statistic system is alive and courts are entitled to modify and up-date data at any time. Moreover, differences in the horizontal consistency may be explained by the fact that during the proceedings some cases are joined and some are disjoined.

**(2016):** The number of pending cases has increased because the number of cases where the Supreme Court has decided to open proceedings in the Supreme Court has increased.

## Finland

**(2022):** Administrative law cases: In the Supreme Administrative Court, there has been exceptionally high number of cases concerning international protection since 2017 and now as the number of incoming cases of this case category has decreased, the numbers have settled. This also corresponds to the decrease in the number of resolved cases, because the synergistic benefits of large number of cases with common features have decreased and the extra personnel resources reserved for clearing the backlog have been given up. Other factors that could have influenced the development are the increased court fees starting from 2016, as well as the change in the role of the Supreme Administrative Court in 2020, when the leave to appeal system became the main rule in appeals (previously it was an exception that was widely applied to different groups of cases from the possibility of direct appeal).

**(2021):** The number of incoming administrative cases has been on the decline for the last years. Variations observed in respect of "civil and commercial litigious cases" are due to yearly fluctuations.

**(2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2021 and reflects the situation on that day. The data available is: 1)Incoming cases 2)Resolved cases 3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

**(2019):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 22.1.2020 and reflects the situation on that day. The data available is:

1)Incoming cases 2)Resolved cases

3)Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ. Currently the calculation is further complicated by the partial implementation of the new cases managements systems, AIPA (for general courts) and HAIPA (for administrative and special courts).

**(2018):** The total of incoming other than criminal cases decreased slightly in 2018 compared to 2017. The number of administrative law cases decreased slightly in 2018 but is still high. The general increase is mostly a consequence of the asylum crisis and the fact that cases from the administrative courts have reached the highest instance in 2017 and 2018.

**(2017):** The total of incoming other than criminal cases increased for the period 2016-2017. This increase is mostly due to the increase in the number of administrative law cases as a consequence of the asylum crisis and the fact that cases from the administrative courts have reached the highest instance in 2017 (which was not the case in 2016).

**(2016):** Courts were able to resolve more cases because the number of incoming cases decreased. The Supreme Administrative court got more resources and personnel due to the asylum crisis, but cases from the administrative courts have still not reached the highest instance.

**(2014):** In respect of the variations observed between 2012 and 2014 data, it is noteworthy that the statistics system has changed. Data is not received any more from the Central Statistical Office of Finland. Instead, the Ministry of Justice receives information directly from processing systems. This method of compilation of statistics does not quite support answering the question, as the information is run periodically and not daily. As a result, some discrepancies occur. As the system does not provide the numbers for 1 January 2014, it is necessary to calculate them separately from the correct data obtained on a later date.

## France

**(General Comment):** In non-contentious civil matters, an appeal to the Court of Cassation is possible, yet the statistics provided by the Court do not allow for their specific identification. Consequently, these non-contentious civil cases are grouped together with contentious civil cases.

**(2022):** The category 'other' encompasses additional primary requests, such as advisory requests, priority questions of constitutionality, and petitions concerning the appointment of experts or mediators.

Source: Council of State / Court of Cassation

**(2021):** source SDSE and Council of State

**(2020):** "The health crisis and containment may have played on TAs (completed cases) (by reducing the ability of courts to process cases) but also on NAs (new cases) (fewer offenses committed, fewer cases brought to trial). Prior to this, a major lawyers' strike and a transport strike had mainly affected the TAs.

Commentary provided by the Conseil d'Etat: As a reminder, the measures derogating from the ordinary law of contentious administrative procedure adopted to respond to the situation arising from the health crisis caused by the Covid-19 epidemic were provided for by Ordinance no. 2020-305 of March 25, 2020, and then by Ordinance no. 2020-1402 of November 18, 2020, and Decree no. 2020-1406 of the same day. I - Concerning the rules relating to the organization or holding of hearings

1°) Use of audiovisual or any other means of electronic communication

The two orders of March 25 and November 18, 2020 provided for the possibility of using an audiovisual means of telecommunication for the holding of hearings or any other means of electronic communication.

When this device was used, it was used, in almost all the jurisdictions that had recourse to it, for less than 10% of the cases judged in collegiality during the same period.

The most common configuration used was that in which one or more members of the panel were at a distance and the president, the other members of the panel, and the parties and their counsel were in the courtroom (approximately 75% of the courts that used videoconferencing chose this configuration, and 53% of them used it for less than 10% of the cases heard by the panel). Very few courts have used video-conferencing with remote parties. The reasons for which the courts have used video-conferencing are linked to the constraints linked to the health crisis, in particular the difficulties encountered by lawyers to travel, especially in overseas territories, and the isolation imposed on certain people (judges or lawyers) declared to be in contact or recognized as fragile.

In the case of single-judge hearings, the courts have made a very measured application of the provisions allowing the use of an audiovisual means of telecommunication, since only 6 administrative courts out of 35 have indicated that they have used it. The administrative courts indicated that they had used videoconferencing, as a single judge, for the processing of emergency proceedings in matters concerning foreigners, particularly in cases where the foreigner was in administrative detention. Finally, 15 administrative courts indicated that they held summary proceedings by videoconference. For almost all of these courts, the summary proceedings judge was in the courtroom and the parties were at a distance, and less than 10% of summary proceedings cases were judged in this configuration. Travel difficulties were the main reasons why the courts of first instance held summary proceedings by videoconference. The texts applicable during the state of health emergency allowed the use of any means of electronic communication, other than videoconferencing, in case of impossibility to use it. Only a few TAs used this procedure and for less than 10% of the cases in the courts that used it.

Generally speaking, the courts have made a very measured application of the provisions of the orders allowing hearings to be held by videoconference and this use was justified by the constraints and difficulties linked to the health crisis. 2°) The provisions allowing to limit the number of persons attending the hearing were applied by a large number of courts and in a frequent manner. On the other hand, the provisions allowing the president of the court to decide that the hearing will be held without the presence of the public have been used very little. 3°) The dispensation of the public rapporteur's conclusions has been used very little by the courts. This dispensation was applied because of the vulnerable state of the public rapporteur or to limit the length of the hearings (in these cases the dispensation was granted for cases that did not present any difficulty).

**(2014):** 2014: The statistics of the Court of Cassation are not based on the same information system as the ones of courts of first instance and appeal courts. If discontinued cases of the category non-litigious cases may be subject to an appeal, it is not possible to identify them, they are included in the figure given for civil litigious cases. Thus, the total figure is the one retained.

## Germany

**(2022):** The annual statistic of the Federal Court of Justice does not differentiate between litigious and non-litigious cases.

The case-flow of all litigious and non-litigious other than criminal cases (including family matters) at the Federal Court of Justice 2022 was as follows:

5275 cases pending on 1 Jan.; 6624 incoming cases; 6013 resolved cases; 5886 cases pending on 31 Dec.

The total of other than criminal law cases is the total of administrative law cases (no. 3), other cases (no. 4) and the cases at the Federal Court of Justice mentioned above.

Administrative law cases include cases at the Federal Administrative Court, Federal Social Court and Federal Finance Court  
Discrepancy of "other cases":

Other Cases represent labour law cases at the Federal Labour Court. The annual report of the Federal Labour Court does not provide an explanation for the general decrease in cases.

**(2021):** The statistics of the Federal Court of Justice do not differentiate between litigious and non-litigious cases. The data given under Nr. 1 represents all appeal cases in civil matters at the Federal Court of Justice (including family matters). "Other Cases": Data represents labour law cases at the Federal Labour Court.

The annual report of the Federal Labour Court doesn't provide an explanation for the decrease in incoming cases and resolved cases. According to press reports, the decrease in incoming cases might be due to the good economic situation prior to the pandemic (less dismissal cases). The decrease in resolved cases might be due to a rising number of cases, in which an involvement of the European Court of Justice is necessary.

**(2015):** The data provided date from 2014. At present, no data are available for 2015.

It is not possible to distinguish between litigious civil cases, respectively commercial cases, and those that are non-litigious. Accordingly, number 1 of the answer to question 99 includes all appeals on points of law brought in the civil matters before the Federal Court of Justice (Senates for civil matters including family law matters). However, the number of proceedings dealt with and concluded by litigious rulings in 2014 amounts to 600.

**(2014):** The 2014 data are the same as those that have been provided in 2013. No update was available.

**(2013):** For 2013, two Landers did not provide any information. Data provided for the civil (and commercial) litigious cases include all appeals lodged encompassing litigious and non-litigious cases as well as family law cases.

**(2012):** In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

## **Greece**

**(2022):** It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data, such as the training of staff and the creation of an instructional manual guide with definitions and instructions. These measures were intended to help collecting more reliable data from both small and large courts and prosecution services and eliminate the standard errors in judicial statistics. As our methodology is developing, discrepancies in data can be observed. Besides, as regards "Other cases", it should be mentioned that some types of cases that were previously included in this category, are now distributed in the other case-categories in the table.

**(2021):** The fact is that Supreme Court couldn't split the number of civil cases on each category provided in the table. The correct numbers for Categories 1+2 are the following: 2300 pending cases on 1 Jan. ref. year, 2 644 incoming cases, 2 262 resolved cases and 2 682 Pending cases on 31 Dec. ref. year.

**(2020):** No data were collected from Supreme Courts regarding incoming and resolved cases. Therefore, we were unable to provide the relevant evaluable data.

**(2018):** "the discrepancy between the number of the resolved cases of 2017 and of 2018 for administrative law cases is due to the combination of the following factors:

- in 2018 a number of difficult cases, that had to do with the system of social insurance, was about to be completed
- lawyers become familiar with the filters regarding the cassation and its strict prerequisites, which lead to less rejections of cases as inadmissible and subsequently to a higher number of cases being discussed as far as their real facts are concerned.
- for the abovementioned reason the fast procedure provided for by the relevant code of procedure is not so often implemented
- there are still vacant places of councillors of state, i.e. of the highest rank."

**(2017):** "Administrative law cases": the number of incoming cases decreased in mainly two sections of the Council of State (i.e. section b for tax issues (-239 cases) and section d for general issues (-692)).

**(2016):** Previous data concerning the total did not include administrative law cases.

## Hungary

### **(General Comment):** 2.2.2. Non-litigious company registration cases:

- legal remedy (appeal/judicial review) against a decision delivered in the course of a legality supervision procedure in respect of companies
- legal remedies (appeal/judicial review) in connection with the incorporation of companies and with the amendment of information entered in the company register
- deciding on legal remedies against decisions delivered in the course of the forced deletion procedure of companies

### 2.2.3. Other registry cases:

- legal remedies against a lower instance court decision delivered in the course of the incorporation of civil society organisations and other non-commercial organisations and in connection with the amendment of information entered in the court register of such organisations (primarily judicial review)
- deciding on legal remedies against court decisions delivered in the course of legality supervision and legality control procedures in respect of civil society organisations and other non-commercial organisations
- deciding on legal remedies against decisions delivered in the course of a procedure prior to the deletion of civil society organisations and other non-commercial organisations (for instance, decisions delivered in the course of a simplified deletion procedure, etc.)

### 2.3. Other non-litigious cases:

- designation of the competent court,
- appealed non-litigious labour law case,
- judicial review procedure in non-litigious labour law cases (the subject matter of which may be, for instance, the violation of trade union rights, the exercise of the right to strike, etc.),
- deciding on an appeal delivered in a labour law litigation.

**(2022):** The justification for the changes is related to the fact that in the year 2021, the Curia's remedial powers – due to a law amendment effective from April 1, 2020 – extended to the second instance adjudication of legal disputes in public administrative cases, thus the Curia became the general court of second instance with nationwide jurisdiction in administrative matters. In addition, the Curia continued to operate as a review court, if the conditions for review as specified in the Act on Administrative Procedures were fulfilled in the given case. By the autumn of 2021, the Curia faced the highest workload throughout the country.

To stop the above trend, which has become critical, the legislator adopted Act CXXXIV of 2021 in which the legislator provided for that the level of regional courts of appeal should be involved in the second instance adjudication of administrative case. As a result of the amendment, effective as of 1 March 2022, the levels of judicial forums hearing administrative cases have changed. High courts having an administrative chamber will be general courts of first instance in administrative matters. The Curia has original jurisdiction in exceptional cases set out by law. Regional courts of appeal having an administrative chamber will be general courts of second instance. Thus, the abovementioned Act has provided for that it falls within the responsibilities of regional courts of appeal to hear cases at the ordinary appeal stage, and it has also provided for exclusive geographical jurisdiction, which means that the Act has reinstated the second instance (appellate) jurisdiction of Budapest Capital Regional Court of Appeal in administrative matters.

The decrease in the number of the so-called general civil litigious and non-litigious cases can be traced back to several reasons. The most significant of these is that under the scope of the new Civil Procedure Code, which entered into force on January 1, 2018, the number of lawsuits is decreasing every year. Among other things, this is related to the fact that litigation diversion procedures, such as mediation, play a greater role than before in the settlement of private law disputes, and the value limit below which a property claim can be enforced with a payment order before a notary, i.e., in an out-of-court, non-litigation procedure, has tripled. As a result of all this, the timeliness indicators of the lower courts have improved continuously in recent years, which means that the number of protracted, more difficult decisions that can be challenged before the Curia as the highest court is decreasing.

The number of completions is basically determined by the volume of cases received, and although they show a decrease compared to the previous year, they significantly exceed the number of cases received, even though the number of judges handling such cases has decreased due to retirement.

We do not consider it justified to examine the reduction in the number of received and completed cases in so-called general civil (and commercial) non-litigious cases by itself. In relation to the case groups indicated for the so-called general civil (and commercial) non-litigious cases, the number of cases received and completed changes continuously every year, which make up a fraction of all cases received by the Curia. Comparing the 2022 data with the 2020 data, it can be seen that in the indicated case group, fewer such cases were received in 2020 than in the current year, so the number of civil non-litigious cases received in 2021 was different from the average. Taking into account the general rules of statistics, the highlighting of some data may result in inadequate conclusions.

Our data collection methodology has not changed from the previous cycles. It is therefore recommended that we keep the data as it is, otherwise, the data provided will not be comparable with those of previous years.

**(2021): Other cases:** insolvency cases, review procedures in labour cases, uniformity complaints  
Administrative Chamber

As of 1 April 2020, a significant change was introduced concerning the competence of the Administrative Chamber. As a result of this change, all legal remedies sought for in administrative disputes were decided by the Curia after 1 April 2020. This caused a significant increase in the caseload which was substantially higher than any number of incoming cases in the previous years, regarding the year 2021 as a whole. The change in the competences had an impact for the whole year 2021, due to which administrative legal remedy cases accounted for almost half of the total number of incoming cases at the Curia. Because of the change, the number of administrative judges was increased, and the increased judicial staff managed to resolve the surplus in a timely manner.

Civil Chamber

In comparison to 2020 data, the increase in the number of incoming civil and commercial litigious (line 1) can be explained by the fact that the incoming appeal (second instance) cases were higher by almost 40%. Regarding the appeal cases, the Curia experienced a temporary fallback in 2020; however, as the pandemic situation got better, lower courts could resolve more cases. So, the increase experienced in 2021 is explained by the low base value in 2020, as well as by the improvement in the COVID-19 pandemic situation.

The increase in the number of incoming general civil non-litigious cases (line 2.2.1) can be explained by the increase of cases initiated for the designation of the competent court to two and a half times. Despite the fact that the Civil Division of the Civil Chamber had resolved two times more cases than in the previous year, still there was a significant number of 'designation cases' remained pending.

2.1. Civil and commercial non-litigious cases referred to the Curia through an appeal or a petition for review, cases concerning recusal of judges, cases concerning the designation of the competent court, cases concerning an objection filed because of allegedly excessive duration of the proceedings.

2.2. This is an aggregate of the numbers reported under lines 2.2.1, 2.2.2, and 2.2.3.

2.2.2. Business registry cases referred to the Curia through an appeal or a petition for review.

2.2.3. Review proceedings concerning the registry of civil organizations and other non-profit organizations.

2.3. Review proceedings initiated in non-litigious labour cases, as well as non-litigious proceedings related to labour litigation, initiated for the designation of the competent court.

**(2020):** The pandemic situation had a huge effect on the case flow of the courts on every level of the court system. Special regulations were adopted by the legislator to promote videoconferencing and the courts were "closed between the 16th of March and the 31th of March (during this period no procedural events could be performed at the courts). Although the courts carried out their main activities, many cases were prolonged e.g. because the parties were not able to attend the hearings. Regarding administrative cases the re-organization of administrative jurisdiction also could have an effect on the case-flow.

**(2017):** The number of incoming cases decreased in most of the observed categories at the Supreme Court. This also resulted in a decrease in the number of resolved cases thus the number of pending cases increased.

**(2016):** Generally, the increase in the number of incoming cases at the Kúria (Hungarian Supreme Court) for 2016 is the result of the increasing use of extraordinary remedies by the parties. As the number of incoming cases increased, it resulted in an increase in the other categories as well.

**(2014):** In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category "civil and commercial non-litigious cases". The item "other registry cases" includes registration of civil societies. The item "other non-litigious cases" includes court mediation and non-litigious labour cases.

The category "other" encompasses insolvency cases and labour cases.

On the occasion of the 2014 exercise, it has been stressed that one of the main aims of the judicial reform of January 1, 2012 was that the President of the Supreme Court (Kúria) and the Supreme Court itself should focus more on the quality of judicial work. As the President of the Supreme Court was released from the burden of the central administration of the court system, the Kúria was able to reduce its backlog as well as to focus more on the consistency of the national jurisdiction.

## Ireland

**(General Comment):** Administrative law cases are included in the number of Civil (and commercial) litigious cases.

**(2022):** There was an increase in 2022 over 2020.

**(2020):** Reduced cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. All written judgments were delivered electronically and published on the Courts Service website, courts.ie. Both the Supreme Court and Court of Appeal quickly adopted the use of video technology and made greater use of electronic documentation to facilitate their continued work. Procedures were introduced to ensure that justice was administered in public. Both jurisdictions delivered their judgments electronically. Waiting times for a hearing in both Courts were improved, to a certain extent, by a net reduction in the numbers of new cases coming into their lists from other jurisdictions. By year end in both Courts, there was a net improvement in the numbers of cases waiting to be dealt with compared to 2019.

**(2019):** There has been an overall increase in the appeals in civil matters to the Supreme Court from 2016 and it is expected at this stage that this trend will continue into next year.

**(2018):** There has been an overall increase in the appeals in civil matters to the Supreme Court from 2016 and it is expected at this stage that this trend will continue into 2019.

**(2017):** Since the establishment of the Court of Appeal in 2014, the number of pending cases at third instance has fallen. However, the number of incoming cases at third instance has slightly increased between 2016 (164) and 2017 (190).

**(2016):** The reduced number of incoming and resolved cases reflects the consequences of the establishment of the new Court of Appeal which came into operation in October 2014.

**(2015):** The reduction in the number of incoming cases to the Supreme Court substantially reflects the change in the jurisdiction of the Supreme Court from that of a second instance appeal court to an appeal court which is primarily third instance in nature

**(2014):** 2014: Variation: The significant increase in the number of resolved civil (and commercial) litigious cases between 2012 and 2014 reflects a significant exercise undertaken by the Supreme Court in reviewing its caseload in preparation for the establishment in 2014 of the new Court of Appeal (which has assumed the previous second instance jurisdiction of the Supreme Court), which resulted in the striking out or withdrawal of a significant number of appeals then pending before the Supreme Court.

## Italy

**(General Comment):** - With regard to the administrative cases (which number is provided only since 2014), the appeals are dealt with by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body ensuring the legality of public administration in Italy. The Council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law. Figures referring to the activity of the Council of State are inserted in the frame of question 99 and not question 97. - In Italy, non-litigious enforcement cases are not heard by the highest instance court. The latter only hears litigious enforcement cases.

**(2022):** Within the framework of the National Plan for Recovery and Resilience (PNRR), Italy has taken a number of measures to reduce both disposition times and backlogs. The main objective is an overall reduction of 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together). More information on the reform is available at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>. A monitoring system is also in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>.

**(2021):** "Other cases" represent residual cases, such as those concerning the competence or jurisdiction of the courts, or those concerning the correction of the so-called material errors committed by the Supreme Court.

**(2019):** Other cases represent residual cases, such as cases regarding the competence or jurisdiction of the courts, correction of material errors.

**(2018):** The increase of the incoming civil litigious cases is ascribed to proceedings related to immigration matters. There is no specific explanation for the increase of resolved administrative cases. Other cases represent residual cases, such as cases regarding the competence or jurisdiction of the courts, correction of material errors.

**(2017):** The category "other cases" at Q.99 (Supreme Court) represents residual cases such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc. The 25% variation (in terms of number of resolved cases) has no particular explanation. Please also note that this category do not exist at first and second instance.

**(2016):** "Other cases" represent residual cases such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc. In respect of this category, the numbers are small and the observed variations should be put into perspective.

**(2014):** · In the frame of the 2014 exercise, it has been indicated that figures subsumed within the category "other" represent really residual cases (such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc.).

· As to the increases observed in respect of the "total of other than criminal law cases" with regard to all the items (pending, incoming, resolved cases), it is noteworthy that in 2014 for the first time "administrative law cases" dealt with by the Council of State were considered. If looking only to "civil (and commercial) litigious cases", the differences are not that big. In general terms the Supreme Court of Cassation resolves fewer cases than incoming cases.

**(2012):** In the frame of the 2012 exercise, it has been specified that non-litigious enforcement cases are not heard by the highest instance court which hears only litigious enforcement cases. Before 2012, only litigious enforcement cases have been provided. For 2012, data related to litigious enforcement cases are the following: initially pending: 1090; incoming: 221; resolved: 413; finally pending: 898.

## Latvia

**(2022):** Number of incoming cases have diminished in general, therefore all indicators have been affected. For small numbers of cases, the indicator shows an impact although in general there is none.

**(2021):** Total number of incoming administrative cases and civil cases has decreased significantly; taken measures to handle backlog of administrative cases has resulted in increased turnover, this has resulted in falling numbers of pending cases. To handle backlog of administrative cases, two additional posts of judges were created for the years 2021 and 2022. For some type of listed cases the total numbers are so small, that even 2-3 cases give discrepancy ratio of 100 % or even more.

**(2020):** There has been gradual decrease of incoming cases: civil cases 1336 (2018), 1164 (2019), 1127 (2020) and administrative cases 850 (2018), 844 (2019), 826 (2020). There has been increase of examined cases per judge of the Administrative chamber (+4) and there was additional judge from the Civil chamber allocated to deal with administrative cases (February-September 2019) and substitute judge working at the Supreme Court (September-December 2020). As result the clearance rate for administrative cases in 2019 was 113% and in 2020 was 114%.

The clearance rate for civil cases (Civil chamber) was 120% which is explained by decrease of incoming cases and high number of examined cases per judge (97 cases). Decrease of non-litigious land registry cases is explained, first, by decrease of total numbers of transaction, for example according to the statistics published by the State Cadastre, total number of transaction of land with buildings was 21619 in 2019 and 18616 in 2020. And, second, because majority of land registry cases of previous years concerned aspects of transformation of property rights (privatization and restitution) and economic activity before economic crises of 2008/2009 which are solved by now. Starting from 2019 the Supreme Court uses the same categories of cases as it is used in the first and second instance courts. Therefore previously used category „other cases" disappears.

**(2019):** Starting from 2019 the Supreme Court has changed system of classification of cases under different categories for civil cases. During this change we encountered problem of reclassification of cases registered during previous years. This reclassification had as objective to introduce the detailed classification used for first and second instance courts. Statistics for the reference year 2019 encompasses results from both categories. Since 2015 number of unresolved administrative cases increased. During year 2018 additional recourses were allocated to the Administrative department (chamber) of the Supreme Court, including additional judges. As the result, number of resolved cases in 2019 increased. For next coming two years there are two additional judges envisaged for the Administrative department.

Other non-litigious cases (2.3) are specific enforcement procedures which are regarded as uncontested for our civil procedure. These have been received via the specific procedure of a protest submitted by the Prosecutors General Office. The number became available as the result of introduction of the detailed classification regime.

**(2018):** Supreme Court does not rely only on data in the Court Information System, they keep separate sheet for statistics

**(2017):** Supreme court has provided data for questions 1 & 2. As regards the decrease of Civil (and commercial) litigious cases, there was a major performance raise in 2016. Also, the Supreme court has only recently begun to collect statistics on their work performance and thus there was and still are some NA answers for CEPEJ questionnaire

**(2016):** Supreme court had accumulated too many unresolved cases and 1/3 of those are older than 2 years so they have made some changes and achieved progress.

**(2015):** An explanation for the rather large difference in case count for general civil and commercial non-litigious cases are changes in civil proceedings - while in 2014 undisputed compulsory execution cases were also heard by Supreme Court, in 2015 it was tasked with hearing decisions from Land registry, sworn bailiffs and notaries only.

**(2012):** In 2012, the decrease of the total of cases before the higher instance courts correlates with the general decrease of the number of civil cases.

## Lithuania

**(General Comment):** Other cases - jurisdictional cases and administrative offences cases.

**(2022):** The Supreme Court of Lithuania hears only those cassation requests that have been selected as meeting the requirements of the law by a special panel of three judges of the Civil Cases Division. Only those cases that are significant in terms of the interpretation and application of equal law come before this court. The judges of the Supreme Court of Lithuania can devote more time and attention to the most important cases in the state. In addition, this ensures the promptness of the court process.

in the Supreme Court of Lithuania in 2022 the duration of civil cases was shortened by 2 days, but the longer duration of cases was also influenced by the fact that not all the posts of judges were filled in this court.

**(2020):** In 2019, the Supreme Court of Lithuania examined fewer cases than were received, therefore the number of pending cases increased at the end of the year. However, it should be noted that in 2019 the Supreme Court of Lithuania has provided a number of important and particularly socially sensitive interpretations in both civil, criminal and administrative offences cases. The decrease in the number of resolved civil and commercial litigious cases and accordingly the increase in the number for pending cases at the end of 2020 are due to the reduction in the number of judicial posts and the lengthy appointment by Parliament procedures for vacancies.

**(2019):** Other cases - jurisdictional cases and administrative offences cases.

Over the last five years, there has been an almost consistent decline in cases, including cassation appeals. In 2019, as compared to 2015, 20 percent less civil cassation appeals were filed and 17 percent fewer civil cassation cases were accepted, 43 percent fewer civil cassation cases were examined. In 2019, the Supreme Court of Lithuania examined fewer cases than were received, therefore the number of pending cases increased at the end of the year. However, it should be noted that in 2019 the Supreme Court of Lithuania has provided a number of important and particularly socially sensitive interpretations in both civil, criminal and administrative offences cases.

**(2018):** The number of civil (and commercial) litigious cases (1.) of the cassation instance court (Supreme Court) pending at the end of the year decreased due to the general decrease of resolved cases at first instance. In 2018 the number of civil cases resolved at first instance courts decreased by 10.89% compared to 2017 and was 15.03 % lower than in 2016. This led to the slightly lower inflow and larger number of resolved cases, therefore, to the decreased number of pending cases at the end of the year.

**(2016):** NA was changed to NAP only for calculation purpose -situation hasn't changed.

**(2014):** In the frame of the 2014 exercise, it has been indicated that the Supreme Court of Lithuania received 1369 appeals (cassation) in criminal cases and 2794 appeals (cassation) in civil cases. 677 appeals in criminal cases and 2038 in civil cases were returned to the complainants.

2014: Different category of cases as in Q91, 97 and 99 exist in Lithuania, but they are all under the category 1. Civil (and commercial) litigious cases and it is not possible at this point to distinguish them from other cases.

The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category "other cases" since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

## Luxembourg

**(General Comment):** The pending files are now detailed between criminal and civil/commercial cases, thus this additional information is now available. There is no cassation possibility against the decisions of the administrative court of appeal.

**(2022):** In civil (and commercial) litigious cases, it should be noted that for incoming cases, although the relative variation of -29.63% in figures between 2020 and 2022 is significant compared to 2021, the number has decreased from 82 to 76 cases, representing an -11% change. The commentary provided last year remains relevant. The number of new cases depends on appeals filed over which the Court has no influence and is, among other factors, a function of decisions made at other levels. The legislation has not changed since the previous reference period.

Furthermore, the decrease in pending cases as of December 31st can be attributed to the decline in new cases in 2022 since the number of decisions made remained stable between 2020 and 2022.

**(2021):** The number of incoming cases depends on the appeals lodged which the Court has no influence on and which is, among other things, a function of the number of decisions taken at the level of the other instances. In 2020, the number of decisions taken by the different instances has decreased compared to the previous years, which can explain the decreased number of incoming cases before the Court of Cassation. The legislation has not changed since the previous reference period.

**(2019):** Pending cases at the beginning of the year have been restated in relation to those available at the time of the 2018-2020 evaluation cycle. The introduction of a new case management application at the Court of cassation (JUCIV) has made it possible to identify a number of cases, still listed as pending, which were in fact completed.

**(2018):** Comparing 2016 to 2018, the increase in pending cases at the end of the period is 40.73%. However, there was already a clear increase in cases pending at the end of the period between 2016 and 2017, which is largely explained by a larger number of new cases in 2017. Between 2017 and 2018, the variation in cases pending at the end of the period is + 5%, which does not seem excessive, especially taking into account the low numbers.

**(2017): Q99:** total and civil and commercial litigation cases: the slight increase in the number of incoming cases in 2017 and the relatively stable number of resolved cases explain the increase in the number of pending cases at the end of 2017 to 109 .

**(2014):** 2014: several categories are in NAP because the Court of Cassation has no jurisdiction over these categories.

## Malta

**(2017):** In Malta the 2nd instance courts are the highest instance. Hence the NAP answer to this section.

**(2016):** In Malta the 2nd instance courts are the highest instance. Hence the NAP answer to this section.

## Netherlands

**(General Comment):** The formula for pending cases on 31 December might not work satisfactory – there will be a gap between pending cases at the end of the year and the number of pending cases at the beginning of the year + incoming cases - /- resolved cases. Furthermore, the number of resolved cases only includes cases resolved with a decision of a judge. Cases in which the appeal in cassation has been withdrawn or annulled, cases that have been administratively resolved by the clerk, cases in which the processing of the appeal in cassation has been suspended, and cases that have been discharged upon objection cannot be counted separately. Therefore, their number is not included. 2 – Non-litigious cases: in theory, it might possible these cases get to the Supreme Court, but the numbers are not specified for the courts.

3 – Administrative law cases: please note that the Dutch Supreme Court only handles tax cases and some social security cases. There is not third instance court for other administrative cases in the Netherlands, so these are not included in the numbers given. 4 – Other cases: There might be other cases in separate courts, but these numbers are not nationally available.

**(2021):** The formula for pending cases on 31 December might not work satisfactory – there will be a gap between pending cases at the end of the year and the number of pending cases at the beginning of the year + incoming cases -/- resolved cases. The gap is caused by cases that are labelled 'outflow other'. These are cases that do not get resolved because of administrative reasons (for instance, the appeals is filed to late, or mandatory court fees have not been paid and there is no dispensation).

2 – Non-litigious cases: in theory, it might possible these cases get to the Supreme Court, but the numbers are not specified for the courts.

3 – Administrative law cases: please note that the Dutch Supreme Court only handles tax cases and some social security cases. There is not third instance court for other administrative cases in the Netherlands, so these are not included in the numbers given. 4 – Other cases: There might be other cases in separate courts, but these numbers are not nationally available. Regarding discrepancy: There are always factors that might influence the number of cases the SC handles in a year. There are no published numbers identifying the various types of cases the tax chamber handles. As mentioned before, we can provide a more general explanation for an increase in SC cases and/or disposition time. For example, delays or catch up in lower courts (increasing/lowering the number of incoming cases), new laws or changes in law that the SC must answer, cases may become more complex due to increasing complexity of laws and differences (and thus, cases may take longer), or cases that are connected are grouped to deal with in clusters (meaning more cases for a longer time). While a specific cause cannot be clearly pinpointed, all these factors might influence the numbers.

**(2020):** With regard to 2. Non litigious cases: In theory, it is possible these cases get to the Supreme Court, but these cases are not specified in available numbers for the courts.

With regard to 3. Administrative law cases: Please note that the Dutch Supreme Court only handles tax cases and some social security cases. There is no third instance court for other administrative cases in the Netherlands, so these are not represented in this number.

With regard to 4. Other cases: There might be other cases in separate courts (Kamers), but these numbers are not available nationally.

With regard to the discrepancies: there are always some factors that might be of influence on the number of cases the Supreme Court handles in a year. It might be due to delays or catch ups in lower courts (so incoming cases are lower/higher), new laws or changes in law that the SC must answer (like covid-regulations), cases may become more complex because laws and differences are more complex (as a result cases may take longer), or cases that are connected that are grouped to deal with in clusters (meaning more cases for a longer time). While we cannot clearly pinpoint a 'cause' of the discrepancies, all these factors mentioned might influence the numbers.

**(2019):** Reason for discrepancies: discrepancies seem higher, as absolute values are lower. When asked, the High Court explains that there is always an eb and flow of cases due to several factors.

**(2018):** Cases handled by the High Court are 'litigious' by nature (= cases are settled at first instance if one party remains inactive)

**(2017):** the answer to this question is still not available.

**(2016):** At the moment the Supreme Court has not the data available to answer this question. The National Correspondent is consulting the Supreme Court to improve this situation.

## **Poland**

**(General Comment):** The Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics and identify the number of second instance cases on the one hand, and the number of third instance cases, on the other hand. The total number of administrative law cases dealt with by the Supreme Administrative Court is provided within the frame of Q97, while Q99 is replied by NA.

While the Supreme Court considers non-contentious cases, there is no inclusion of this category of cases in the internal statistics. Accordingly, the reply is NA.

**(2022):** Compared to previous years, the number of pending cases on 31 December of the reference year has increased, but it should be noted that the number of incoming cases has increased significantly.

In the Civil Chamber, for example, the number of incoming cases doubled compared to the cases received in 2020 (4360 incoming cases in 2020, while 8176 incoming cases in 2023).

Another factor that significantly affects the statistics of case recognition is the new measure introduced by the amendment to the Supreme Court Act of 9 June 2022, which entered into force on 15 July 2022 - the motion to examine the fulfilment of the requirements of independence and impartiality of a Supreme Court judge, taking into account the circumstances of his or her appointment and his or her post-appointment. Article 29(6) of the Supreme Court Act, which provides an additional procedural guarantee for the parties, on the other hand affects the length of the proceedings before the Supreme Court. It can be noted that this measure is widely used by the parties, which can be particularly observed in disciplinary proceedings. Furthermore, it has an impact on other Chambers of the Supreme Court, including the Civil Chamber.

It should also be noted that the Supreme Court has not had all of its legally stipulated Supreme Court judge positions filled for years (as at 31 December 2021, 90 of the 125 positions stipulated in Section 2 of the Supreme Court Rules were filled), which, combined with the increasing number of incoming cases each year, has resulted in an increasing number of pending cases. Even taking the abovementioned problems into account, it should be noted that the number of cases decided by the Supreme Court is increasing year-on-year.

In the Civil Chamber, 5785 resolved cases (compared to 4926 resolved cases in 2021);

In the Extraordinary Review and Public Affairs Chamber, 1617 resolved cases (compared to 1120 resolved cases in 2021);

In the Criminal Chamber, 4161 resolved cases (compared to 4003 resolved cases in 2021);

Only the Labour and Social Security Law Chamber has recorded a slight decrease in the number of resolved cases - 2286 in 2022 (compared to 2299 resolved cases in 2021).

**(2021):** \*1. They include cases conducted in the Civil Chamber, the Labor and Social Insurance Chamber Chamber and the Chamber for Extraordinary Control and Public Affairs, including those with the reference NSNc

\*4)The data includes cases conducted in the Chamber for Extraordinary Control and Public Affairs with the references NSK, NSKP, NZP, NZ, NSW, NSP NKRS, NWW, and NO signatures. These are cases that fall under the jurisdiction of the Extraordinary Control and Public Affairs Chamber mainly in the field of public law public, i.e., other than extraordinary complaints in both civil and criminal cases (which have been assigned to civil and criminal cases shown in boxes 99 and 100, respectively),

For example, cases in the field of telecommunications regulation, energy, competition protection, but also appeals against resolutions of the National Judicial Council.

\*4)Other cases are also disciplinary cases resolved in the Disciplinary Chamber of the Supreme Court.

In the case statistics of the Chamber Civil, Labor and Social Security Chamber, as well as in the statistics of civil cases (extraordinary complaints) of the Extraordinary Control and Public Affairs Chamber, there was an increased receipt in 2021 compared to 2020. This was an increase so significant that the statistics of cases handled declined compared to 2020. It should be assumed that - similar to previous years previous years, the general reason for the less favorable statistics are further organizational changes within the Supreme Court and the impact of the dispute over judicial reform on the efficiency of the work of Supreme Court judges. In addition, following the assumption of the post of President of the Civil Chamber of the Supreme Court by prof. Joanna Misztal-Konecka, there has been a review of the observance of the order in which cases are received in their allocation to individual judges. The Office Instruction was then modified in the part concerning the system of case numbers. Some cases were then assigned new case numbers, which could lead to an artificial overestimation of the number of cases with an unchanged rate of their handling.

**(2020):** \*Civil cases :- litigious cases heard by the civil chamber and the labour and social insurance chamber: Civil Chamber - pending cases on 1 Jan - 2596, incoming cases - 4360, resolved cases - 5518, pending cases on 31th Dec - 1438; Labour and social insurance chamber - pending cases on 1 Jan - 2161, incoming cases - 1535, resolved cases - 1938, pending cases on 31th Dec - 1758; \*Other cases: - cases pertaining to public law, decided by the Chamber for Extraordinary Control and Public Issues and disciplinary cases resolved in the Disciplinary Chamber of the Supreme Court: the Chamber for Extraordinary Control and Public Issues - pending cases on 1 Jan - 149, incoming cases - 6696, resolved cases - 6710, pending cases on 31th Dec - 135; the Disciplinary Chamber of the Supreme Court: pending cases on 1 Jan - 105, incoming cases - 312, resolved cases - 395, pending cases on 31th Dec - 22; Other cases: \*These increases must be explained by the election year, in which the Chamber of Extraordinary Control and Public Affairs dealt with numerous protests. This has resulted in a substantial increase in the dynamics of cases in this Chamber.

Discrepancies - Administrative law cases - see data in Q97 and general comment to that question.

**(2019): 1.** Civil cases = civil cases + labour and social security cases;

4. Other cases = public law cases + disciplinary cases;

3. Data from Supreme Administrative Court; "1. Civil and commercial litigious cases": Pending cases on 1 Jan. ref. year : 2586 (civil cases) + 2010 (labour and social security cases); Incoming cases :5105 (civil cases) + 2480 (labour and social security cases); Resolved cases: 5095 (civil cases) + 2329 (labour law and social security cases); Pending cases on 31 Dec. ref. year: 2596 (civil cases) + 2161 (labour and social security cases);

"4. Other cases": Pending cases on 1 Jan. ref year: 117 (disciplinary cases) + 215 (public law cases); Incoming cases: 269 (disciplinary cases) + 894 (public law cases); Resolved cases: 281 (disciplinary cases) + 955 (public law cases); Pending cases on 31 Dec. ref. year: 105 (disciplinary cases) + 154 (public law cases).

Public law cases and disciplinary cases were not entered in the table in 2018. Public law cases in 2018: Pending cases on 1 Jan. ref. Year – no data; Incoming cases – 293; Resolved cases – 81; Pending cases 31th December – 212; Disciplinary cases in 2018 : In 2018 the Disciplinary Chamber of the Supreme Court received a total of 161 cases, of which 52 to the First Department and 109 to the Second Department. In the First Department, in 2018, 11 cases were resolved. In the Department of the Second Disciplinary Chamber, 17 cases were considered and completed in terms of content, and 16 cases formally (data from the Supreme Court activity report for 2018).

**(2016):** In 2014 the Administrative Supreme court cases were not included and they are reintroduced in this cycle. In regard to administrative law cases we kindly indicate that administrative cases are excluded from the jurisdiction of the common courts. Administrative cases are proceeded by the Voivodship Administrative Courts and Supreme Administrative Court, which are only competent to proceeded such cases.

**(2012):** In the frame of the 2012 exercise, it has been indicated that the Supreme Court provided the Ministry of Justice with data set that allowed summing up non-criminal cases with administrative cases of the Supreme Administrative Court. Therefore it was possible to include both data-sets.

## Portugal

**(General Comment):** In Portugal, there are not non-litigious cases in superior courts.

The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

**(2022): 1** - 1st column

The increase in the number of pending cases on January 1, 2022 compared to January 1, 2020 is related to the fact that in the period from 2020 to 2021 the number of incoming cases was higher than the number of outgoing cases. In our view, this behavior reflects the effects of the Covid-19 pandemic and the resulting lockdown, which had an impact on the functioning of the courts in 2020 and 2021, considering that in certain periods face-to-face services were interrupted or conditioned.

3 - 1st column

The decrease in the number of cases pending on January 1, 2022 compared to January 1, 2020 is related to the fact that in the period 2020 to 2021 the number of cases closed was higher than the number of cases admitted.

**(2021):** The increase in the number of cases pending on 1 January 2021 is related to the fact that in 2020 the number of cases brought was slightly higher than the number of cases completed. There is no specific explanation for these values.

**(2020):** There was an increase in the number of cases pending from 2018 to 2020 at the Supreme Court of Justice, considering that the number of cases that ended from 2018 to 2020 was relatively lower than the number of cases brought in those years. The rise in the number of pending cases in the year 2020 is also partly explained by the decrease in court activity in the year 2020 due to the Covid-19 pandemic situation.

**(2019):** 99 (total) - the increase on the number of pending cases vis a vis 2018 is explained by the fact that the closed cases from 2018 to 2019 were relatively inferior to the number of incoming cases in those years. There were no legislative changes that could explain these numbers.

99.1 - the increase on the number of pending cases vis a vis 2018 is explained by the fact that the closed cases from 2018 to 2019 were relatively inferior to the number of incoming cases in those years. There were no legislative changes that could explain these numbers.

**(2018):** Regarding the slight decrease in the number of pending civil and commercial litigious cases at the beginning of the year 2018, comparing to 2016, there were no legislative changes or others that could explain this decrease

**(2017):** Q99.1 - The decrease in the number of pending civil and commercial litigious cases on 31 december 2017 is explained by the fact that the number of resolved cases in 2017 was superior to the number of incoming cases in the same year. There were no legislative changes or other that can explain this decrease.

**(2016):** In Portugal, there are not non-litigious cases in superior courts.

The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

The question 99.3 "Administrative law cases", includes administrative and tax cases.

The number of Pending cases on 1Jan. that correspond only to tax cases is 783

The number Incoming cases that correspond only to tax cases is 1.039

The number of Resolved cases that correspond only to tax cases is 946

The number of Pending cases on 31 Dec. that correspond only to tax cases is 876

**(2015):** The question 99.3 "Administrative law cases", includes administrative and tax cases.

## Romania

**(2022):** There are no explanations for the discrepancies, anyway for volumes of cases in the order of hundreds no conclusions can be drawn regarding statistical trends.

**(2021):** The increase in Pending cases older than 2 years for administrative cases could be explained both by the significant increase in 2017 of the number of incoming cases of this type and by the limited capacity for resolving cases during the pandemic crises (from 30038 in 2019 to 26800 in 2020); therefore, the effect shall be seen in terms of statistics after 3 years in the number of pending cases (according to our statistical application the pending cases are registered in the category cases pending for more than 3 years).

**(2019):** In 2017 there was a significant increase in the number of incoming administrative cases explained by the modifications in terms of procedure, namely amendments regarding the jurisdiction for administrative cases brought in 2013 that might have generated later effects in terms of number of "second appeals" (peculiarity of our system). Since 2017 and the described peak, the number of incoming administrative cases is decreasing.

**(2018):** The differences compared to the previous cycle are due to changes brought by the Constitutional Court's decisions to the interpretation given by the High Court of Cassation and Justice to the legislation regarding the increasing number of incoming civil litigious cases and the decreasing number of civil litigious cases pending for more than 2 years.

**(2017):** In the national Statis system, the cases are recorded on different categories of pending cases. So, for the last column, there are mentioned the numbers for cases pending for more than 3 years. The increase in the number of incoming administrative cases may be explained by the modifications in terms of procedure, namely modifications regarding the jurisdiction for administrative cases brought in 2013 that might have generated later effects in terms of number of "second appeals" (peculiarity of our system); moreover, there should be mentioned that the number of second appeals in this question, refers to both the second appeals judged by the supreme court (High Court of Cassation and Justice) and by the courts of appeals, aspect that is valid even for the previous cycles.

**(2016):** In the national Statis system, the cases are recorded on different categories of pending cases. So, for the last column, there are mentioned the numbers for cases pending for more than 3 years. As result of the changes in the procedural provisions in the new codes; the jurisdiction of the courts on judging appeals and second appeals has changed and some of the cases that were under the jurisdiction of the High Court are now under the jurisdiction of the courts of appeal Consequently the number of cases in Supreme court shows significant decrease in all categories.

**(2014):** By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators and offers data with greater value for 2014. This partly explains the considerable increase of the number of pending administrative cases on 1st January between 2012 and 2014. Besides, the number of incoming cases in 2013 was higher than in 2014.

**(2013):** In respect of the administrative law cases, until 2013, there was only a second appeal that is encompassed in the answers to question 99.

### **Slovak Republic**

**(General Comment):** The collected statistical data for the Supreme Court do not distinguish the litigious and non-litigious cases. In the civil and commercial matters the Supreme court decides primarily on the applications for appellate review on legal questions. In the commercial cases it decides also in the appellate procedure against the decisions of the Regional courts as the courts of first instance.

**(2022):** The collected statistical data for the Supreme Court do not distinguish the litigious and non-litigious cases. Information delivered by the Supreme Court of the Slovak Republic available on internet <https://www.nsud.sk/data/att/f59/688231.22d3e0.pdf>. The new Supreme Administrative Court of the Slovak Republic took over the Administrative law cases from the Supreme Court .

Data for new Supreme Administrative Court of the Slovak Republic are not mentioned in the table, since the table is only for the Supreme Court of the Slovak Republic.

The data for new Supreme Administrative Court of the Slovak Republic in 2022 were:

Pending cases on 1 Jan. ref. year - 2106

Incoming cases - 2015

Resolved cases - 1889

Pending cases on 31 Dec. ref. year - 2232

Pending cases older than 2 years from the date the case came to the Supreme Court - 103

Source: [https://www.nssud.sk/web\\_object/stat\\_2022.pdf](https://www.nssud.sk/web_object/stat_2022.pdf)

**(2021):** As to the number of administrative law cases, in August 2021, the Supreme Administrative Court of the Slovak Republic was established as a separate institution and it took over all the administrative law cases of the Supreme Court of the Slovak Republic. Therefore, the above-mentioned figures of the administrative law cases cover only the period from January to July 2021.

**(2020):** Decline of incoming cases and resolved cases as well in the Supreme court as a result of a pandemic situation.

**(2019):** No cases in the category other cases

Line 1: A significant drop in the number of cases for 2019 compared to 2018 has been caused by a massive decrease of incoming cases of a certain plaintiff - Pohotovost' s. r. o., a legal person which back then overwhelmed the Supreme Court's Civil and Commercial law divisions with thousands of appeals and caused an abnormal caseload. Therefore, the indicators for 2019 should be considered as regular average numbers. Compared to e.g. 2018 and previous years which were rather exceptional.

**(2018):** The decrease in numbers of both incoming and resolved other than criminal cases may be explained by two important issues. First of all this is the complex change of the Civil and Administrative court procedure by introducing the new procedural rules which came into force since 1 July 2016. The other reason is the decrease of the caseload at the lower courts which naturally influence the number of cases at the Supreme court level.

**(2017):** The decrease in numbers of both incoming and resolved cases must be understood in connection with the data for previous years. As we explained in previous cycles (data 2014, 2015, 2016), at the level of the Supreme Court of the Slovak Republic there was the enormous increase of incoming (and resolved) cases related to consumer protection in civil and enforcement procedure. We recorded in previous years thousands of recurring submissions of several private loans' companies. These submissions started to be processed quicker and subsequently, its number dropped. The similar explanation is relevant also for the administrative cases.

As regards the variations, some inconsistencies in data between the old and new system persist, and they can be explained as the transition between the old system of collecting the statistical data to new one is more complicated than was expected, with the setting up of Analytical centre of the MoJ, application of CEPEJ methodology and its tools is one of the targets in the on-going project between CEPEJ and Ministry of justice of the Slovak republic.

There are still two different IT tools used to collect the statistical data from the courts to Analytical centre. The Analytical centre makes every effort to complete the transition between two systems as soon as possible to get reliable data as soon as possible.

As to administrative cases, in the year 2017 there were some appeal procedures pending at Regional courts as the courts of appeal as the result of application of the previous procedural rules described in point 1. All appeals against the decisions of Regional court (as the courts of first instance) were always tried by the Supreme court and we are presenting this data for all evaluation cycles in this table.

**(2016):** The enormous increase of the incoming cases is related to consumer protection in civil and enforcement procedure.

**(2013):** For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

## Slovenia

**(General Comment):** The Supreme court has Criminal, Civil, Commercial, Labour and Social and Administrative department, The categories 1., 2.1 and 2.2.1 include corresponding cases from Civil, Commercial and Labour and Social departments registers. Category 3. includes registers of the Administrative department. The distribution of cases for Q99 is the same as for Q91.

Inconsistences noticed are due the Data Warehouse system explained in Q91.

**(2022):** Total of other than criminal law cases/1. Civil (and commercial) litigious cases - Pending cases on 1 Jan. - decrease: A trend of decrease of pending cases is observable.

Total of other than criminal law cases/1. Civil (and commercial) litigious cases/3. Administrative cases - Pending cases older than 2 years - decrease: Please note the small (absolute) number of cases at the Supreme Court instance.

2. Non litigious cases (all discrepancies): Please note the small (absolute) number of cases at the Supreme Court instance.

2.2 Registry cases (all discrepancies): Please note the small (absolute) number of cases at the Supreme Court instance.

**(2021):** 1. Civil (and commercial) litigious cases - Pending cases on 1 Jan.: decrease by approx. 40%

In 2020, the functioning of first instance courts was limited due to Covid-19 restrictions (and the number of resolved cases at first instance courts decreased). As the Supreme Court deals with the majority of cases without hearing of parties, its functioning was not affected as much and it managed to resolve more cases than it had received.

2. Non litigious cases (2.1+2.2+2.3); 2.1 General civil (and commercial) non-litigious cases; 2.2 Registry cases; 2.2.1 Non litigious land registry cases Please note the small (absolute) number of cases at the Supreme Court instance.

**(2020):** Please note, the procedure of manifested inadmissibility cases are included in figures above. The decrease in the number of (all) pending cases is due to the efficient work of the court in 2019 and 2020. Discrepancies in sub categories (form 1. through 3) are due to a small absolute number of cases).

**(2019):** The differences are due to a small (absolute) number of cases in some legal areas. The decrease in pending cases at the end of 2019 is due to more efficient work of the Supreme court (changes in criteria for manifested inadmissibility in 2017).

**(2018):** Administrative cases - in 2017, the procedure of manifested inadmissibility was introduced in administrative cases, reducing the number of incoming (as well as resolved and pending) cases. As for other categories and Total, the difference is due to more efficient work of the Supreme court and due to aforementioned reason. Please note, the procedure of manifested inadmissibility cases are included in figures above.

**(2017):** Administrative cases: the higher number of pending administrative law cases older than two years is partially a result of higher workload of the court. Partially this is the consequence of the fact that some older cases are waiting on the decision of the Constitutional court regarding laws in question (mainly taxes and public access to information issues).

**(2015):** Differences in pending, incoming and resolved cases Non litigious and administrative cases are mainly due to the small absolute number of cases and the nature of the cases (most complicated cases).

**(2014):** 2014: Variations: The numbers in that almost all categories for 2014 deviates more than +/- 20% from the 2012 data. This is due to a small (absolute) number of cases but also because the number of judges is smaller when compared to first and second instance and a single absence due to prolonged illness has a significant impact on the solving of some types of cases. We also believe that changes in economy (financial crisis), as well as in legislation, had impact on the overall statistics, but since cases at the Supreme Court level are "filtered" through courts of first and second instance, a direct connection cannot be established.

**(2012):** 2012: The decrease of the number of pending cases at the Supreme Court of the Republic of Slovenia can be attributed to different factors. On one hand procedural legislation has changed. Following the changes to the Administrative Dispute Act (2007) and the Civil Procedure Act (2008) the Supreme Court has now the right to decide in these types of cases whether to review a case or not. With the reform the admissibility criteria have changed and revision is now a remedy that depends mainly on the discretion of the Supreme Court. Now revision is admissible only, if the case raises a question of law of fundamental significance or if the development of law or the preservation of uniformity of case law requires a decision by the Supreme Court. The number of all incoming cases for the whole Supreme Court has dropped considerably from more than 5 000 in 2008 to less than 4000 in 2012). On the other hand this is the consequence of changes in human resources management. Firstly, the number of judicial advisers has risen and secondly, several judicial advisers were transferred from less burdened departments to those with more pending cases and consequently the productivity has risen and the number of pending cases decreased.

## Spain

**(2022):** 2020 was a year marked by the pandemic, the reduction of work in judicial bodies, despite digitalization, and by mobility restriction measures. The increase in the pace of work in 2022 is logical and it explains the increase of incoming and resolved cases compared to 2020.

**(2021):** The recovery of activity, after the most severe restrictions of the pandemic, may have contributed to the entry of more cases, as well as to greater efficiency and increased number of resolved cases. The comparison is with 2020, the year in which the pandemic forced mobility restrictions.

**(2020):** In administrative law cases, judgements based on the unified doctrine related Tax on the Retail Sales of Certain Hydrocarbons facilitated the resolution of cases in previous years and partly caused the good clearance rate of the Supreme Court Administrative Room in 2019. However, there were fewer of these cases in 2020, so the number of resolved cases decreased.

**(2019):** In respect of administrative law cases, the very positive clearance rate in 2018, added to the trend that continues being positive in 2019, explains the decrease in pending cases.

**(2018):** The Administrative Procedural Law allows the inadmissibility of the cassation appeal by resolution of a lower level than Civil Procedural Law. This explains partially the different clearance rate between this two rooms.

In relation to the good resolution rate in Administrative is due in part to this cause: In previous years, a Judgement of the Court of Justice of the European Union declared Spanish law contrary to Community law authorizing the tax on retail sales of certain hydrocarbons. This fact meant the massive presentation of claims for the patrimonial responsibility of the State for the undue payment of the so-called "sanitary cent". Once the Supreme Court established jurisprudence, many of these cases were resolved more quickly.

**(2017):** The cause of the raise of administrative cases (pending at the beginning of 2017 and resolved) in the Supreme Court is the reform of the cassation appeal by the Final Disposition Third of the Organic Law 7/2015, and, on the other hand, a new organisation of the Third Courtroom.

**(2016):** As concerns the variations observed between 2014 and 2016 regarding the categories "total of other than criminal law cases"; "civil and commercial litigious cases"; "administrative law cases", it should be noted that:

- the increase in the number of cases in civil matters is due to the increase in conflicts of competence entered and resolved as well as the increase in the number of resolutions of appeals for unification of doctrine.

- the high increase in administrative matters is due to the massive presentation of claims for the State's patrimonial responsibility for the undue payment of the called "sanitary cent", because of the Judgement of the Court of Justice of the European Union that declared contrary to the Community law the Spanish law that authorized the Tax on Retail Sales of Certain Hydrocarbons.

**(2015):** Regarding administrative cases in 2015, there was a significant flow of incoming cases related with tax on retail sales of certain hydrocarbons. But before that, since 2011, the incoming administrative cases dropped due to the Law of courts' fees.

**(2014):** For the 2014 exercise, the decreases observed in respect of the number of pending administrative law cases in the beginning of the year and the number of resolved administrative law cases, are the result of the decreases observed and explained in fist instance.

The increase in the number of pending civil and commercial litigious cases on 31 December between 2012 and 2014 is due to the economic crisis which resulted in the increase of the number of cases in the civil jurisdiction.

**(2012):** For the 2012 evaluation cycle, the category of civil and commercial litigious cases includes data on labour matters, special matters and military matters.

## Question 100

### Austria

**(2022):** The total figure includes data on administrative criminal cases before the Supreme Administrative Court.

**(2021):** The total figure includes data on administrative criminal cases before the Supreme Administrative Court.

**(2020):** The total figure includes data on administrative criminal cases before the Supreme Administrative Court.

**(2016):** The big variation is due to the fact that this cycle the administrative cases were included.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

### Belgium

**(2021):** Remarks on the evolution of criminal cases:

While the number of incoming criminal cases brought before the Court of Cassation each year remained relatively stable between 2016 and 2020, this number increased sharply in 2021, with 345 additional units compared to 2020. This is an increase of 25.50% in one year. At present, it is not clear whether this increase is a one-off and attributable to rather occasional circumstances or whether it is the harbinger of a period of significant growth in the number of criminal cases. It goes without saying that this sudden development will have to be monitored closely in the years to come. Of necessity, the Court of Cassation has succeeded in significantly increasing the number of final judgments handed down in criminal cases in 2021 compared to 2020 (+237 units). This is an increase of 17.27%. However, these efforts could not prevent the criminal caseload at the end of 2021 from increasing for the first time in years, especially with 89 units compared to the criminal caseload at the end of 2020.

**(2016):** Cases on the 'p' list of the Court of Cassation

the downward trend in the input of criminal cases is due to the tightening of access conditions: stricter time limits, obligation to serve notice of appeal, compulsory intervention by a lawyer trained in the cassation technique, abolition of immediate appeal against interlocutory judgments, abolition of the Court of Cassation's review of pre-trial detention, except for the first confirmation of the arrest warrant. To all this it must be added the introduction of a rapid and non-adversarial procedure allowing appeals that are not substantiated or manifestly inadmissible or unfounded to be refused.

## Bulgaria

**(General Comment):** The software of the Supreme Court of Cassation for extracting statistics is different from the product used for other courts. The division of criminal cases according to the criteria set out in Question 100 was made on the basis of the definitions of the CEPEJ.

In the category "other criminal cases" are included: cases with charges on corpus delicti which doesn't have independently application; cases on Chapter XXXIII Criminal Procedure Code (re-opening of criminal cases); private cassation proceedings (change of local jurisdiction, jurisdiction disputes, proceedings on returning of cassation claim/protest etc.); procedures regarding execution of judicial acts that are entered into force; proceedings regarding administration and/or movement of cases etc.

**(2022): 1.** In the category "Other criminal cases" are included: cases with charges on corpus delicti which doesn't have independently application; cases on Chapter XXXIII Criminal Procedure Code (re-opening of criminal cases); private cassation proceedings (change of local jurisdiction, jurisdiction disputes, proceedings on returning of cassation claim/protest etc.); procedures regarding execution of judicial acts that are entered into force; proceedings regarding administration and/or movement of cases etc.

2. A comparison of the 2022 data with the 2021 data reveals a greater than 20% difference for five of the indicators noted in the table with comments. For four of the five indicators, the obvious reason is that the numbers for all indicators are small, so the differences are small in absolute value and do not reflect a significant change in the performance of the Criminal Division of the Supreme Court of Cassation, but are recalculated into a large percentage difference.

For example in one indicator – "Pending cases older than 2 years from the date the case came to the Supreme Court", a difference of 1 case is converted into a 20% difference. Only the indicator – "Incoming cases – Severe criminal cases" has a significant difference in absolute value. It is due to the reduction by 10% in the total number of admissions to the Criminal Division of the Supreme Court of Cassation in 2022 compared to 2021. This decrease is entirely in severe criminal cases – 23.15%, while in cases for minor crimes and in other cases the number almost does not change and even increases slightly (by 5.88% and 4.96%, respectively). The decrease is due to the natural dynamics of admissions over the years, which is unpredictable within a narrow range.

**(2021):** Explanation related to all differences reported under item 2 "Misdemeanors and/or minor criminal cases" (31.8%, 22.73%, -20.69%) and item 3 "Other criminal cases" (-45 % and 54.55%): the reasons for the differences in percentages for the above types of cases compared to 2020 are mathematical. The figures for all the listed indicators for the reference years 2020 and 2021 are small, respectively, and the differences are small as an absolute value and do not reflect a significant change in the work on criminal cases in the Supreme Court of Cassation, but are recalculated in a large percentage difference. A more detailed mathematical explanation is obtained if each of these indicators is calculated, what percentage it represents in relation to the total number of cases for examination for the corresponding year, received by the Criminal Board of the Supreme Court. In 2020, there were 1 328 cases for consideration, while in 2021 - 1 407 cases. Taking into account the total number of cases for consideration in 2020 and 2021, the difference for which an explanation is due varies in absolute value from 0.76% to -1.79%. It is too small to be an indication of a significant change in the work of the Supreme Court of Cassation in criminal cases.

**(2018):** The "Other cases" group are: cases where the punishment for a committed crime depends on the punishment for other crime, that is established in the main text of the Criminal Code – it could be an offence of more severe or lightly punishment; cases on procedures related to the main case; cases on claims for re-establishment of criminal case; cases on jurisdiction disputes; cases on interpretation of a judicial act; cases on rehabilitation; cases that were instituted on a private appeal, etc. Some cases which were previously counted in misdemeanour/minor are now indicated under "other" which explains the decrease in the number of misdemeanour/minor criminal cases in respect of all categories – pending, incoming and resolved cases.

**(2016):** Comment on question 100

Till 2015 only the Supreme Court of Cassation was hearing the requests for resumption of criminal cases. In 2015 the Criminal Procedure Code was amended with the Law For Amendment and Supplementation of Criminal Procedure Code /SG, 42/2015/. According to the amendment the request for resumption of the criminal case grounded on art. 422, par. 1, p. 5 of the Criminal Procedure Code shall be heard by the respective court of appeal, when the judgments under art. 419 of the Criminal Procedure Code were decreed by a regional or district court, except of the new verdicts.

As a result of the legislative amendment, a significant part of the requests under Chapter Thirty-three of Criminal Procedure Code are heard by the courts of appeal in the state.

The above led to reduction in the number of cases related to the resumption of criminal cases heard by the Supreme Court of Cassation. This is also the reason for the presence of more than 20% deviation from the total number of criminal cases heard by the Supreme Court of Cassation during 2016 than those from previous years.

**(2014):** In the annual report of the Supreme Court of Cassation in 2012 (criminal division) the cases pending at the end of the reporting period were 260. In the report for 2013 the pending cases at the beginning of the period were 602 and the pending cases at the end of the reporting period were 671. Under Table 1 of the report for 2012, there is a note that the pending cases which are not included in the number of adjourned and private proceedings were filed in December 2012 at the registry of the Supreme Court of Cassation and are scheduled for consideration in January and February 2013. As a result, the total number of pending cases in 2014 appears much higher than in 2012.

## Croatia

**(General Comment):** The Supreme Court of the Republic of Croatia distinguishes only if the case is civil or criminal, but does not classify case types in specific categories beyond that classification. The main classification in the Case management system is based on the instance of the procedure in the sense that there are some instances when the Supreme Court acts as a second instance appellate court. When the criminal procedure is regarding a very serious criminal offense (charges for which the jail sentence is more than 10 years), the County courts act as a first instance court, and all appeals are decided upon by the Supreme Court as a second instance court. In that sense, the classification of cases of the Supreme Court in the Case management system distinguishes only those cases which are from the position of the second instance or from the position of the third instance court. Since the recently established High Criminal Court of the Republic of Croatia has overtaken the role of the appellate court for the County courts in aforementioned instances, the Supreme Court has retained only the competency of a third instance court in criminal cases, but the cases are still distinguished in the same classification as before.

**(2022):** The Supreme Court of the Republic of Croatia distinguishes only if the case is civil or criminal, but does not classify case types in specific categories beyond that classification. The main classification in the Case management system is based on the instance of the procedure in the sense that there are some instances when the Supreme Court acts as a second instance appellate court. When the criminal procedure is regarding a very serious criminal offense (charges for which the jail sentence is more than 10 years), the County courts act as a first instance court, and all appeals are decided upon by the Supreme Court as a second instance court. In that sense, the classification of cases of the Supreme Court in the Case management system distinguishes only those cases which are from the position of the second instance or from the position of the third instance court. Since the recently established High Criminal Court of the Republic of Croatia has overtaken the role of the appellate court for the County courts in aforementioned instances, the Supreme Court has retained only the competency of a third instance court in criminal cases, but the cases are still distinguished in the same classification as before.

**(2021):** There has been a decrease of incoming criminal law cases between 2020 and 2021 following the establishment of the High Criminal Court on 1st of January 2021, which took over part of the previous Supreme Court's jurisdiction.

**(2018):** The table shows cases under the jurisdiction of the Supreme Court of the Republic of Croatia, as the highest judicial authority in the Republic of Croatia.

**(2016):** The table shows cases under the jurisdiction of the Supreme Court of the Republic of Croatia, as the highest judicial authority in the Republic of Croatia. We are not able to present the data separately for "Severe criminal cases" and "Misdemeanour and/or minor criminal cases" due to the fact that the implementation of the Integrated Case Management System at the Supreme Court of the Republic of Croatia is underway. It will enable the track record of the cases by type. The significant decrease of the number of pending cases at the beginning of 2016 in the Supreme Court is due to the fact that since beginning of 2014 this court continuously solves more cases than it receives and also because in 2015 there was a further reduction in inflow of cases.

**(2014):** For 2014, the table shows cases under the jurisdiction of the Supreme Court, as the highest judicial authority in the Republic of Croatia. Data on "severe criminal cases" and "misdemeanour and/or minor criminal cases" could not be presented separately due to the fact that the implementation of the Integrated Case Management System at the Supreme Court of the Republic of Croatia is underway. It will enable the track record of the cases by type. When comparing 2012, 2013 and 2014 data, it can be noticed a trend of decrease of the total number of incoming criminal cases, which is a result of legislative amendments, suspension of extraordinary legal remedy (request for extraordinary mitigation of penalty), as well as the decrease of the number of cases in which the decision about an appeal to investigative imprisonment needs to be decided on.

## Cyprus

**(General Comment):** The peculiarity of the judicial system of Cyprus is that the Supreme Court is the appeal and the final instance court.

**(2020):** The Supreme Court is also the appeal court

**(2018):** Cyprus only has a two tier system. The Court of Appeal is also the Supreme Court, therefore the relevant data could be found in the section on second instance cases.

**(2016):** The supreme court is the appeal court

## Czech Republic

**(General Comment):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases"

**(2020):** Total of criminal cases: The variations should be put into perspective due to small absolute values.

**(2018):** We are not able distinguish between serious offences and minor offences. Thus only total number of cases is reported. There are no cases that could be reported in "Other cases"

## Denmark

**(2018):** Data are from the yearly report 2018 from the Supreme Court, <http://www.hoejesteret.dk/hoejesteret/embedsregnskab/Documents/Årsberetning2018.pdf>

**(2016):** Based on the data the Danish Court Administration got, it is not possible to show pending criminal cases.

**(2014):** For 2014, the number of pending criminal cases was not available.

The number of received criminal cases has fallen all the years since 2010, except from 2014 where it went up with 7 cases and the same number of criminal cases were received as in 2012. It is worth mentioning that the Danish Court Administration differentiates between cases that are fully appealed and cases in respect of which a specific point is appealed (i.e. should the person being charged stay in custody while the case is on-going). The number of cases fully appealed has varied between 27 and 14 over the period 2010-2012-2013-2014 (in 2013 and 2014 there were 14 received cases). Completed "full cases" have varied between 32 and 12 cases (in 2014 there were 12 completed criminal cases). The rest of the cases were related to specific questions.

Therefore, and due to the instance reform as well, the Supreme Court has over the years dealt with fewer and fewer cases.

## Estonia

**(General Comment):** The Supreme Court is the court of cassation, therefore only those cases are heard which have been given leave to appeal (i.e. that have been declared admissible for proceedings in the Supreme Court). The data presented shows the number of cases which have been actually heard by the Supreme Court and not the number of appeals. The Supreme Court is not required to give reasons in its ruling on the admissibility of the appeals.

**(2021):** The Supreme Court did not provide a specific explanation with regard to the decrease in the number of resolved criminal cases, but if we look the overall reasons, they are Covid-19 related.

**(2020):** The pandemic has affected the courts activity in criminal matters in general. The criminal procedure law was not as flexible when judges had to work online. the complete revision of the criminal procedure law is ongoing and will come into force next year.

**(2016):** Numbers are quite small. No special reason for discrepancies. Because the distinction between severe and minor criminal cases is not the same with the CEPEJ, data for subcategories can be found below :

Severe criminal cases : Pending cases on 1 Jan. ref. year : 18

Incoming cases : 82

Resolved cases : 73

Pending cases on 31 Dec. ref. year: 27

Pending cases older than 2 years from the date the case came to the first instance court : NA

Misdemeanour and / or minor criminal cases :

Pending cases on 1 Jan. ref. year : 6

Incoming cases : 26

Resolved cases : 29

Pending cases on 31 Dec. ref. year: 3

Pending cases older than 2 years from the date the case came to the first instance court : NA

**(2014):** The variations observed in 2014 are not of importance, since the numbers are small.

**(2012):** In 2012, the higher number of criminal cases compared to 2010 was a result of the higher number of cases where the decision of the lower court was appealed. As regards the number of misdemeanour cases before the Supreme Court, the number of appeals was not much lower compared to 2010 but the number of cases accepted by the Supreme Court was lower (in 2010 the Supreme Court declared admissible 35% of the appeals, while in 2012 only 21% of the appeals were accepted).

## Finland

**(2021):** Variations observed in respect of criminal cases are due to yearly fluctuations.

**(2020):** The case management systems from which the data is collected are not static reporting tool but a dynamic and constantly changing system. So the exact number depends on the day the data is taken from the system. Part of the data here is collected on 12.1.2021 and reflects the situation on that day. The data available is: 1) Incoming cases 2) Resolved cases 3) Cases pending on the data collection date. The number of pending cases as of 1 January has been calculated based on the available data. Because of the dynamic nature of the system, the previously announced number of cases on 31 December and the now announced number of cases in 1 Jan will differ.

## France

**(General Comment):** The total number of resolved cases corresponds to judgments of cassation, cassation without referral and dismissal of the appeal. The other judgments handed down by the criminal chamber of the Court of Cassation are not counted. It is not possible to distinguish the litigation of the Court of Cassation by type of offence. The item "serious criminal cases" includes all appeals before the Court of cassation. It should be noted that the appeals mainly concern crimes and offences. The share of minor criminal cases is residual. The data are taken from the annual activity report of the Court of Cassation. Priority questions of constitutionality are not taken into account.

**(2022):** The statistical system does not allow for distinguishing between appeals related to serious and minor offenses.

The caseload includes the enforcement litigation not accounted for in the 2020 and 2021 caseloads.

The category of "other criminal cases" encompasses requests for opinions, priority constitutional questions, and principal petitions.

Source: Court of Cassation.

**(2021):** Source SDSE

**(2020):** The health crisis and the lockdown may have had an impact on TAs (completed cases) (by reducing the capacity of courts to process cases) but also on NAs (new cases) (fewer offenses committed, fewer cases brought to court). Prior to this, a major lawyers' strike and a transport strike had mainly influenced TAs.

## Germany

**(General Comment):** In alignment with the categorisation of cases in questions 94 and 98, "severe criminal cases" include criminal proceedings according to the Criminal Code and ancillary criminal laws. The category "misdemeanour and/or minor criminal cases" includes regulatory fine proceedings before criminal courts. In the annual statistic of the Federal Court of Justice, criminal proceedings according to criminal laws and regulatory fine proceedings are not reported separately.

**(2022):** The annual statistic of the Federal Court of Justice does not differentiate between "severe criminal cases" and "minor criminal cases". The total number of cases represents the number of appeals, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels of the Federal Court of Justice (including antitrust panel).

**(2021):** It is not possible to differentiate between "severe criminal cases" and "minor criminal cases" (NA). The total number of cases represents the number of appeals, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels (including antitrust panel).

There were more incoming cases in 2021 than 2020 and also more pending cases at the beginning of the year 2021 than 2020. As a result, the number of pending criminal cases on 31 December 2021 increased. No special reason could be identified for this development. The annual report of the Federal Court of Justice doesn't provide any information on this matter.

**(2020):** It is not possible to differentiate between "severe criminal cases" and "minor criminal cases" (NA). The total number of cases means the number of appeals on points of law, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels (including antitrust panel).

**(2018):** It is not possible to differentiate between "severe criminal cases" and "minor criminal cases" (NA). The total number of cases means the number of appeals on points of law, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels (including antitrust panel).

**(2016):** It is not possible to differentiate between "severe criminal cases" and "minor criminal cases" (NA). The total number of cases means the number of appeals on points of law, including referrals and regulatory offences pursuant to the Act on Regulatory Offences (OWiG) as well as regulatory offences pursuant to the Act Against Restraints of Competition (GWB) and the Energy Act (EnBW) before the criminal panels (including antitrust panel).

**(2014):** The 2014 data reflects an overview of the case workflow processed by the Senates for Criminal Matters of the Federal Court of Justice (statistics for the year 2014). For 2014, it was not possible to distinguish between categories of "severe criminal cases" and "minor criminal cases". The total number of criminal proceedings concerns appeals on points of law, including matters submitted to the Federal Court of Justice for its review of the principle of the matter and misdemeanour cases pursuant to the Act on Regulatory Offences. It also includes misdemeanours pursuant to the Act on Restraints of Competition that are pending before the Senates for Criminal Matters of the Federal Court of Justice (including the Senate for Anti-Trust Matters).

It is noteworthy that as there were only very few "minor criminal cases" in the previous cycles, the figures remain comparable for the last three evaluations.

## **Greece**

**(2022):** It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting statistical data. The content of the categories of criminal cases in the table are the same as for the previous evaluation cycle, but the services now monitor and record these cases better so discrepancies in data can be observed. This is especially the case for the Misdemeanour and / or minor criminal cases.

**(2021):** There are no Other criminal cases at the level of the Supreme Court, these proceedings appear only at First instance and Appeals courts and prosecutors' offices, therefore category 3. should be NAP.

**(2020):** There were no data collected for this question.

**(2016):** With regard to the category "pending cases on 1 January 2016", the abnormality of the figures is due to the fact that the postponed cases because of the abstention of the lawyers in 2015 were not considered as pending to the backlog of the court.

In 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction of the number of resolved criminal law cases. Accordingly, the number of pending criminal law cases increased.

## Hungary

**(2021):** In case of severe criminal cases, the fallback of the clearance rate can be explained on one hand by the pandemic situation; on the other hand, by the fact that in years 2020 and 2021, almost 50% of the judges of the Criminal Chamber retired. The vacant judicial positions were already filled. The increase in the number of motions for review can be explained by an increased activity of defendants and their defence counsels. Any objective reason for that increased activity cannot be established.

## Ireland

**(2022):** The number of cases pending in the Supreme Court has decreased between 2020 and 2022.

**(2020):** Reduced cases due to COVID-19 pandemic. During the most restrictive lockdowns, only essential proceedings could be dealt with, but as guidance allowed, case volume increased. Urgent and essential cases continued to be heard throughout. All written judgments were delivered electronically and published on the Courts Service website, courts.ie. Both the Supreme Court and Court of Appeal quickly adopted the use of video technology and made greater use of electronic documentation to facilitate their continued work. Procedures were introduced to ensure that justice was administered in public. Both jurisdictions delivered their judgments electronically. Waiting times for a hearing in both Courts were improved, to a certain extent, by a net reduction in the numbers of new cases coming into their lists from other jurisdictions. By year end in both Courts, there was a net improvement in the numbers of cases waiting to be dealt with compared to 2019.

**(2018):** The increase in incoming and resolved caseload reflects arrangements on foot of the establishment of the Court of Appeal and the new appellate jurisdiction of the Supreme Court.

**(2016):** The increase in incoming and resolved caseload reflects arrangements on foot of the establishment of the Court of Appeal and the new appellate jurisdiction of the Supreme Court.

## Italy

**(General Comment):** "Minor criminal cases" represent cases against justice of peace's decisions and cases against first and second instance judges' decisions, regarding minor offences that are punished with fines. "Other cases" may relate to procedures pending in first or second instances (jurisdiction or competence conflicts between other courts), or pending in other countries (rogatory or capture instances); "Other cases" may also relate to decisions regarding the execution of imposed punishments (for example regarding the end or a change (home detention) of the imprisonment), or to the correction of material errors on Highest Court's sentences.

**(2022):** Within the framework of the National Plan for Recovery and Resilience (PNRR), Italy has taken a number of measures to reduce both disposition times and backlogs. The main objective is an overall reduction of 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together). More information on the reform is available at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>. A monitoring system is also in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>.

**(2021):** \* Most discrepancies between 2021 and 2021 data are due to the fact that in 2020 the activity of the courts was hugely affected by the pandemic.

\*\*Moreover, small number often lead to large percentage variations.

**(2020):** 2. "minor criminal cases" represent cases against justice of peace's decisions and cases against first and second instance judges' decisions, regarding minor offences that are punished with fines. 3. "Other cases" Can be related to procedures pending in first or second instances (jurisdiction or competence conflicts between other courts), or pending in other countries (rogatory or capture instances); "Other cases" can be also related to decisions regarding the execution of imposed punishments (for example regarding the end or a change (home detention) of the imprisonment), or can be related to the correction of material errors on Highest Court's sentences.

**(2018):** Following the introduction of the new item "other" at Q100, the Supreme Court has revised and ameliorated their classification of cases. The misdemeanour category now includes not only the proceedings coming from the justice of peace offices but also all those minor offences which are punished with fines. "Other cases" (point 3) can be related to procedures pending in first or second instances (jurisdiction or competence conflicts between other courts), or pending in other countries (rogatory or capture instances); "Other cases" can be also related to decisions regarding the execution of imposed punishments (for example regarding the end or a change (home detection) of the imprisonment), or related to the correction of material errors on Highest Court's sentences.

**(2016):** In respect of minor criminal cases, the numbers are small and the observed variations should be put into perspective.

#### Latvia

**(2022):** Several judges have retired and new judges have started to work at the Supreme Court. This has made an impact on the case flow. Year 2021 the case flow was slow. Year 2022 the number of resolved cases allowed to diminish the backlog.

**(2021):** Total number of pending cases has significantly increased. Measures to handle this problem have been adopted and are under implementation. There are amendments to the Criminal Procedure Law adopted (<https://likumi.lv/ta/id/336542-grozijumi-kriminalprocesa-likuma> , in force since 3.11.2022.) to transfer competence to review specific agreement process cases to the regional courts. Some internal case management arrangements have been put into action.

**(2020):** During last two years 3 out of 8 judges (after increase of number of judges – 9 judges) have retired. Some additional time was needed to replace them (competition and appointment). There was significant decrease of examined cases in 2020 (clearance rate was 102% in 2019 and 95% in 2020) and increase of received cases in 2019: 734 (2018), 764 (2019) and 686 (2020).

**(2018):** Supreme Court does not rely only on data in the Court Information System, they keep separate sheet for statistics

#### Lithuania

**(2022):** In the Supreme Court of Lithuania, not all the posts of judges were filled, which led to a longer duration of hearing cases.

**(2020):** general decrease of number of cases

**(2016):** The number of admitted cassation claims decreased in 2015 and in 2016 was almost the same as in 2015. Besides, the number of resolved cases increased in 2015 due to the aim to comply with the timeliness.

#### Luxembourg

**(General Comment):** The Court of cassation makes a legality control, independant from the severity of the infraction. The pending files are now detailed between criminal and civil/commercial cases, thus this additional information is now available.

**(2022):** Pending cases as of 1st January refer to the data provided in 2021. This decrease had been elucidated as follows: 'The decline in pending cases can be attributed to the reduction in new cases in 2020, as the number of decisions made remained stable between 2018 and 2020.

**(2020):** "The number of new cases depends on the appeals filed, on which the Court has no influence, and which is, among other things, a function of the number of decisions taken by the other courts. In 2020, the number of decisions taken by the different instances has decreased compared to the previous years, which can explain the decrease of new cases at the Court of Cassation. The legislation has not changed since the previous reference period. The decrease in pending cases can be explained by the decrease in new cases in 2020, since the number of decisions taken remained stable between 2018 and 2020.  
"

## Malta

**(2018):** NA

## Netherlands

**(General Comment):** No distinction is made between severe criminal cases, misdemeanors and/or minor criminal cases in the numbers and accounts kept by the Dutch SC. Pending cases at the end of the year are not equal to the number of pending cases at the beginning of the year + incoming cases - solved cases

**(2021):** No distinction is made between severe criminal cases, misdemeanors and/or minor criminal cases in the numbers and accounts kept by the Dutch SC. Pending cases at the end of the year are not equal to the number of pending cases at the beginning of the year + incoming cases - solved cases

**(2020):** In the numbers and accounts that are kept by the Dutch Supreme Court, no distinction is made between severe criminal cases and misdemeanours and/or minor criminal cases. With regard to the discrepancies: there are always some factors that might be of influence on the number of cases the Supreme Court handles in a year. It might be due to delays or catch ups in lower courts (so incoming cases are lower/higher), new laws or changes in law that the SC must answer (like covid-regulations), cases may become more complex because laws and differences are more complex (as a result cases may take longer), or cases that are connected that are grouped to deal with in clusters (meaning more cases for a longer time). While we cannot clearly pinpoint a 'cause' of the discrepancies, all these factors mentioned might influence the numbers. The gap of 213 is caused by cases that are labeled as 'outflow other' (in Dutch: uitstroom overig). These are cases that do not get resolved because of administrative reasons (for instance: the appeal is filed too late, or mandatory court fees have not been paid and there is no dispensation).

## Poland

**(General Comment):** The Supreme Court does not divide its statistics into categories corresponding to those defined and used by the CEPEJ.

**(2020):** The dynamics of the movement of cases of 2020 in the work of the Criminal Chamber of the Supreme Court was due to changes of a personnel nature. In addition, some of the disciplinary cases of advocates were submitted for consideration to the Criminal Chamber on the basis of decisions of the First President of the Supreme Court made in the period until May 2020 or decisions of the President of the Supreme Court directing the work of the Criminal Chamber at a later date, as the Disciplinary Court of the Polish Bar Association refers files of disciplinary cases with cassation appeals to the Criminal Chamber, recognizing that the Disciplinary Chamber should refrain from examining them. At the same time, the above-standard involvement in the work of judges, assistants and all other employees of the Criminal Chamber allowed for an increase in the number of cases dealt with.

**(2018):** Number of incoming cases has increased due to implemented law changes in Code of Criminal Procedure. On 15 April 2016 entered into force regulations about complaints against appellate court judgments. Parties may complain to the Supreme Court of the Republic of Poland against an appellate court judgment revoking a judgment of the court of the first instance and referring the case for reconsideration. In the first period of functioning of mentioned regulations there were not many incoming cases. The situation changed in 2018. We have observed that many cases incoming on the base of regulations implemented in 2016. Moreover, in 2018 were carried on some organisational changes e.g. Military Chamber of Supreme Court has been closed and all cases were moved to Criminal Chamber.

## Portugal

**(General Comment):** The communicated data reflects the case-flow of criminal cases before the highest instance courts. "Misdemeanor cases" are never taken to high instance courts.

**(2020):** The increase in the number of criminal cases pending on January 1, 2020 compared to the number of cases pending on January 1, 2018, at the Supreme Court is justified by the fact that the number of cases completed from 2018 to 2019 was relatively lower than the number of cases entered in those years.

**(2016):** In Portugal, misdemeanour/minor criminal cases may not be dealt in the Supreme Court of Justice.

**(2012):** The number of pending cases has decreased between 1 January 2010 and 1 January 2012 due to the fact that the number of resolved cases in that period was superior to the number of incoming cases. Conversely, in the period between 31 December 2010 and 31 December 2012, the number of incoming cases was superior to the number of resolved cases, which resulted in the increase of the number of pending cases. In addition, the number of pending cases at 1 January 2010, as well as the number of incoming cases in 2010 benefited from the effect of the change of the Criminal Procedure Code (Law n.48/2007) that narrowed the access to the High Judicial Superior Council. In the years 2011 and 2012, this effect was diluted, leading to a slight increase of the pending cases on 31 December 2012.

## Romania

**(2022):** according to the application for statistics

**(2021):** according to the application for statistics

**(2018):** The increase in the total of criminal law cases incoming between 2016 and 2018 can be explained by the retrial / re-examination of a high important number of cases (to be noted that none of these cases were new) according to the Constitutional Court's decision that brought changes to the interpretation given by the High Court of Cassation and Justice in the matter of judicial organisation.

**(2016):** The jurisdiction of the courts on judging appeals and second appeals has changed and some of the cases that were under the jurisdiction of the High Court are now under the jurisdiction of the courts of appeal Consequently the number of cases in Supreme court shows significant decrease in all categories.

In the national Statis system, the cases are recorded on categories of pending cases as follows: - 0-1/2 years;

- 1/2-1 year;

- 1 - 1 and 1/2 years;

- 1 and 1/2 - 3 years;

- 3 - 5 years;

In the table above, last column, there are mentioned the numbers for cases pending for more than 3 years.

**(2014):** The significant decrease between 2012 and 2014 of the total of criminal cases in respect of the following categories – incoming, resolved and pending on 31st December, is due to the entry into force of the new Codes and the changes of jurisdiction.

**(2012):** The important increase of the total of criminal cases pending on 1 January 2012 is the consequence of the entry into force of Law n° 202/2010. Consequently, the legal remedy of appeal (appeal on the merit) has been abolished in several criminal matters, remaining only the “recurs” (“appeal on law”). It resulted in an increase of the number of “recurs”.

## **Slovak Republic**

**(General Comment):** The collected statistical data does not distinguish between the two types of criminal offences.

**(2022):** Information delivered by Supreme Court of the Slovak Republic available on internet  
<https://www.nsud.sk/data/att/f59/688231.22d3e0.pdf>

**(2018):** The decrease in incoming and resolved cases is influenced by the decrease of the caseload at the lower courts

**(2016):** During 2015 there were more pending cases created

## **Slovenia**

**(General Comment):** For explanation on severe criminal cases and minor offences please see comment to Q94.

Figures for severe criminal law cases at the highest instance include:

- Kp – appeals in criminal cases,
- Ips – requests for protection of legality in criminal cases, against a decision ordering or prolonging a detention, extraordinary mitigation of punishment,
- I Kr – other criminal cases – delegations, jurisdiction disputes, prolongation of detention, other.

Figures for minor offences cases at the highest instance include:

- IV Ips – requests for protection of legality in minor offences cases.

**(2022):** Total of criminal law cases/ 1. Severe criminal cases - Pending cases on 1 Jan/ Pending cases on 31 Dec – decrease by approx. 30-40%: In last 5 years, number of incoming and resolved cases was relatively stable. Clearance rate has been above 100% since 2020. In 2021, the number of resolved cases increased (by 15%; clearance rate 111%), hence the decrease in pending cases.

2. Misdemeanour and / or minor criminal cases (all discrepancies): Please note the small (absolute) number of cases.

**(2021):** Discrepancies: Please note the small (absolute) number of cases at the Supreme Court instance.

**(2020):** The discrepancies are due to a small absolute number of cases.

**(2018):** Discrepancies are due to small (absolute) of cases which fluctuate between years.  
For distinction see general comment.

**(2016):** The observed decreases can be attributed to the decrease in the number of cases, processed by the police and the state prosecution (see Q107).

**(2014):** According to 2012 and 2014 data, figures for “severe criminal law cases” at the highest instance include: appeals in criminal cases (Kp); requests for protection of legality in criminal cases (I Ips); requests for protection of legality against a decision ordering or prolonging a detention (XI Ips); extraordinary mitigation of punishment (IX Ips); other criminal cases – delegations, jurisdiction disputes (I Kr); other criminal cases – prolongation of detention (II Kr); other criminal cases (III Kr). Figures for “minor offences cases” at the highest instance include requests for protection of legality in minor offences cases (IV Ips).

**(2012):** The decrease of the number of “misdemeanour and/or minor criminal cases” before courts in 2012 is the result of the reform in law on minor offenses which transferred some of the jurisdiction in cases previously tried by courts to other authorities.

According to 2012 and 2014 data, figures for “severe criminal law cases” at the highest instance include: appeals in criminal cases (Kp); requests for protection of legality in criminal cases (I Ips); requests for protection of legality against a decision ordering or prolonging a detention (XI Ips); extraordinary mitigation of punishment (IX Ips); other criminal cases – delegations, jurisdiction disputes (I Kr); other criminal cases – prolongation of detention (II Kr); other criminal cases (III Kr). Figures for “minor offences cases” at the highest instance include requests for protection of legality in minor offences cases (IV Ips).

## Spain

**(General Comment):** The Criminal Procedure Law was amended by Law 41/2015, and thus the scope of the cassation appeal that reach the Supreme Court in Criminal Matters was broadened. The objective of the Law was to try to homogenize the doctrine in criminal matters, since previously, in cases that had not criteria of Supreme Court, the criteria of the Provincial Courts could be different.

**(2021):** In 2021, the recovery of greater activity (after the restrictions of the pandemic) has been able to contribute to greater efficiency and increased number of resolved cases.

**(2020):** Considering the broadening the scope of the cassation appeal that reach the Supreme Court, the number of cases has been increasing. Already in 2018, the final pending cases were higher than the initial. In 2019, those incoming also increased. All this resulted in significant increase in the number of pending cases at the end of 2020.

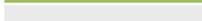
**(2014):** The number of total criminal pending cases on 31 December has decreased of 30% between 2012 and 2014. It has to be noted that both in 2013 and 2014, the Supreme Court has resolved more cases than the number of incoming cases.

# **Indicator 4: Public prosecution services - Case flow**

**Table 4.1.1a: Public prosecution: Case flow in 2022**  
**Absolute values (Q107 and Q109)**

States	Public prosecution: Total number of first instance criminal cases in 2022											Figures provided include traffic offence cases
	1. Pending cases on 1 Jan.	2. Incoming/ received cases	3. Processed cases (3.1+3.2+3.3+3.4)	3.1. Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	3.1.1 Discontinued by the public prosecutor because the offender could not be identified	3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	3.1.3 Discontinued by the public prosecutor for reasons of opportunity	3.1.4 Discontinued for other reasons	3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	3.4. Cases brought to court	4. Pending cases on 31 Dec.	
Austria	19 430	462 223	461 103	380 687	210 118	99 756	NA	70 813	34 444	45 972	20 550	
Belgium	202 140	564 495	581 714	480 160	81 832	139 142	132 433	126 753	65 486	36 068	184 921	
Bulgaria	4 205	96 968	161 905	133 466	NAP	98 306	NAP	35 160	NAP	28 439	4 208	
Croatia	53 009	41 613	39 720	21 241	NAP	NAP	540	NAP	NAP	18 479	54 800	
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Czech Republic	36 086	201 948	194 112	91 559	NA	NA	NA	NA	2 315	57 405	43 922	
Denmark	52 164	238 451	470 857	245 011	93 622	144 328	4 497	2 564	55 071	167 768	54 743	
Estonia	2 088	25 584	7 596	3 406	NA	NA	NA	NA	NA	4 190	2 220	
Finland	18 011	85 053	84 195	32 827	NAP	119	21 977	10 731	9	51 359	18 869	
France	NA	4 370 413	3 084 035	2 079 022	1 303 723	604 447	170 852	NAP	422 762	582 251	NA	
Germany	743 078	5 232 064	5 114 533	2 822 642	NA	1 580 330	1 238 133	4 179	158 336	894 201	860 613	
Greece	244 034	403 577	434 123	186 539	97 684	54 571	3 364	30 920	3 567	244 017	238 920	
Hungary	NA	79 346	144 125	23 682	80	9 144	12 332	2 126	3 726	116 717	NA	
Ireland	NA	11 390	NA	3 573	57	NA	NA	3 516	NA	NA	NA	
Italy	1 389 907	2 689 769	2 602 179	1 790 211	1 080 019	704 902	5 290	0	7 641	453 728	1 477 497	
Latvia	623	10 787	10 498	1 341	7	47	566	721	4 742	4 415	556	
Lithuania	24 439	45 762	43 809	19 644	1 943	16 011	1 676	14	NAP	24 165	25 001	
Luxembourg	NA	65 201	37 965	24 958	3 492	4 756	16 561	149	1 002	12 005	NA	
Malta	15 806	NA	NA	NA	NA	NA	NA	NA	NAP	12 317	16 499	
Netherlands	64 506	187 600	186 800	58 400	NAP	39 100	15 400	3 900	48 600	79 800	55 760	
Poland	123 182	1 093 318	1 150 227	823 473	169 874	56 958	115 903	480 738	49 926	276 828	116 199	
Portugal	252 200	454 379	427 664	NA	NA	NA	NA	NA	NA	44 371	278 915	
Romania	1 142 974	615 057	618 265	486 377	NA	NA	NA	NA	81 709	50 179	1 139 406	
Slovak Republic	NA	56 097	NA	NA	NA	2 380	2 439	NA	5 866	24 246	NA	
Slovenia	282 862	59 851	54 361	44 093	NAP	41 525	2 559	NAP	1 587	7 875	289 460	
Spain	NA	2 077 465	NAP	NA	NA	NA	NAP	NA	NA	NA	NA	
Sweden	108 581	425 341	433 050	223 940	NA	30 456	35 234	158 250	41 297	167 813	108 062	
<b>Average</b>	238 966	783 750	742 856	453 466	253 538	201 460	104 692	58 158	54 894	141 859	249 556	
<b>Median</b>	58 758	201 948	310 888	112 513	87 727	48 048	12 332	4 040	21 043	48 076	55 280	
<b>Minimum</b>	623	10 787	7 596	1 341	7	47	540	0	9	4 190	556	
<b>Maximum</b>	1 389 907	5 232 064	5 114 533	2 822 642	1 303 723	1 580 330	1 238 133	480 738	422 762	894 201	1 477 497	
<b>% of NA</b>	26%	7%	15%	19%	37%	30%	30%	30%	19%	11%	26% #	0%
<b>% of NAP</b>	0%	0%	4%	0%	19%	4%	7%	11%	15%	0%	0% #	0%

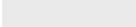
The structure and organization of public prosecution services differ considerably among states resulting in different internal classifications of cases. For that reason, analysis based on data collected for this question should consider specific national legal framework and peculiarities related to the functioning of each state prosecution system. For example, if they include or not the suspended cases or if they count by case, perpetrator or by crime. Details are provided in the comments of the question 107.

Legend  
Yes   
No 

**Table 4.1.1b: Public prosecution: Case flow in 2022**  
Per 100 inhabitants (Q107 and Q109)

States	Public prosecution: Total number of first instance criminal cases per 100 inhabitants in 2022												Figures provided include traffic offence cases
	1. Pending cases on 1 Jan.	2. Incoming/ received cases	3. Processed cases (3.1+3.2+3.3+3.4)	3.1. Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	3.1.1 Discontinued by the public prosecutor because the offender could not be identified	3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	3.1.3 Discontinued by the public prosecutor for reasons of opportunity	3.1.4 Discontinued for other reasons	3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	3.3. Cases brought to court	4. Pending cases on 31 Dec.		
Austria	0,21	5,08	5,06	4,18	2,31	1,10	NA	0,78	0,38	0,50	0,23		
Belgium	1,73	4,83	4,97	4,10	0,70	1,19	1,13	1,08	0,56	0,31	1,58		
Bulgaria	0,07	1,50	2,51	2,07	NAP	1,52	NAP	0,55	NAP	0,44	0,07		
Croatia	1,38	1,08	1,03	0,55	NAP	NAP	0,01	NAP	NAP	0,48	1,42		
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA		
Czech Republic	0,33	1,86	1,79	0,84	NA	NA	NA	NA	0,02	0,53	0,40		
Denmark	0,88	4,02	7,94	4,13	1,58	2,43	0,08	0,04	0,93	2,83	0,92		
Estonia	0,16	1,93	0,57	0,26	NA	NA	NA	NA	NA	0,32	0,17		
Finland	0,32	1,53	1,51	0,59	NAP	0,00	0,39	0,19	0,00	0,92	0,34		
France	NA	6,42	4,53	3,06	1,92	0,89	0,25	NAP	0,62	0,86	NA		
Germany	0,88	6,20	6,06	3,35	NA	1,87	1,47	0,00	0,19	1,06	1,02		
Greece	2,29	3,78	4,07	1,75	0,91	0,51	0,03	0,29	0,03	2,29	2,24		
Hungary	NA	0,83	1,50	0,25	0,00	0,10	0,13	0,02	0,04	1,22	NA		
Ireland	NA	0,22	NA	0,07	0,00	NA	NA	0,07	NA	NA	NA		
Italy	2,36	4,57	4,42	3,04	1,84	1,20	0,01	0,00	0,01	0,77	2,51		
Latvia	0,03	0,57	0,56	0,07	0,00	0,00	0,03	0,04	0,25	0,23	0,03		
Lithuania	0,86	1,60	1,53	0,69	0,07	0,56	0,06	0,00	NAP	0,85	0,87		
Luxembourg	NA	9,87	5,75	3,78	0,53	0,72	2,51	0,02	0,15	1,82	NA		
Malta	3,04	NA	NA	NA	NA	NA	NA	NA	NAP	2,37	3,17		
Netherlands	0,36	1,05	1,05	0,33	NAP	0,22	0,09	0,02	0,27	0,45	0,31		
Poland	0,33	2,89	3,05	2,18	0,45	0,15	0,31	1,27	0,13	0,73	0,31		
Portugal	2,41	4,34	4,09	NA	NA	NA	NA	NA	NA	0,42	2,66		
Romania	6,00	3,23	3,25	2,55	NA	NA	NA	NA	0,43	0,26	5,98		
Slovak Republic	NA	1,03	NA	NA	NA	0,04	0,04	NA	0,11	0,45	NA		
Slovenia	13,36	2,83	2,57	2,08	NAP	1,96	0,12	NAP	0,07	0,37	13,67		
Spain	NA	4,32	NAP	NA	NA	NA	NAP	NA	NA	NA	NA		
Sweden	1,03	4,04	4,12	2,13	NA	0,29	0,33	1,50	0,39	1,59	1,03		
Average	1,9	3,2	3,3	1,9	0,9	0,8	0,4	0,4	0,3	0,9	1,9		
Median	0,9	2,9	3,1	2,1	0,6	0,6	0,1	0,1	0,2	0,6	1,0		
Minimum	0,0	0,2	0,6	0,1	0,0	0,0	0,0	0,0	0,0	0,2	0,0		
Maximum	13,4	9,9	7,9	4,2	2,3	2,4	2,5	1,5	0,9	2,8	13,7		
% of NA	26%	7%	15%	19%	37%	30%	30%	30%	19%	11%	26%		
% of NAP	0%	0%	4%	0%	19%	4%	7%	11%	15%	0%	0%		

The structure and organization of public prosecution services differ considerably among states resulting in different internal classifications of cases. For that reason, analysis based on data collected for this question should consider specific national legal framework and peculiarities related to the functioning of each state prosecution system. For example, if they include or not the suspended cases or if they count by case, perpetrator or by crime. Details are provided in the comments of the question 107.

Legend  
Yes   
No 

**Table 4.1.2: Public prosecution: Distribution of different categories of processed cases within all processed cases in 2022 (Q107)**

States	Public prosecution: Distribution in % of different categories of processed cases within all processed cases						
	% of discontinued cases within all processed cases	Distribution in % of different categories of dismissed cases within all dismissed cases				% of concluded cases by a penalty or a measure imposed or negotiated by the public prosecutor within all processed cases	% of cases brought to court within all processed cases
		% of discontinued cases because the offender could not be identified within all discontinued cases	% of discontinued cases due to the lack of an established offence or a specific legal situation within all discontinued cases	% of discontinued cases for reasons of opportunity within all discontinued cases	% of discontinued cases for other reasons within all discontinued cases		
Austria	83%	55%	26%	NA	19%	7%	10%
Belgium	83%	17%	29%	28%	26%	11%	6%
Bulgaria	82%	NAP	74%	NAP	26%	NAP	18%
Croatia	53%	NAP	NAP	3%	NAP	NAP	47%
Cyprus	NA	NA	NA	NA	NA	NA	NA
Czech Republic	47%	NA	NA	NA	NA	1%	30%
Denmark	52%	38%	59%	2%	1%	12%	36%
Estonia	45%	NA	NA	NA	NA	NA	55%
Finland	39%	NAP	0%	67%	33%	0%	61%
France	67%	63%	29%	8%	NAP	14%	19%
Germany	55%	NA	56%	44%	0%	3%	17%
Greece	43%	52%	29%	2%	17%	1%	56%
Hungary	16%	0%	39%	52%	9%	3%	81%
Ireland	NA	2%	NA	NA	98%	NA	NA
Italy	69%	60%	39%	0%	0%	0%	17%
Latvia	13%	1%	4%	42%	54%	45%	42%
Lithuania	45%	10%	82%	9%	0%	NAP	55%
Luxembourg	66%	14%	19%	66%	1%	3%	32%
Malta	NA	NA	NA	NA	NA	NAP	NA
Netherlands	31%	NAP	67%	26%	7%	26%	43%
Poland	72%	21%	7%	14%	58%	4%	24%
Portugal	NA	NA	NA	NA	NA	NA	10%
Romania	79%	NA	NA	NA	NA	13%	8%
Slovak Republic	NA	NA	NA	NA	NA	NA	NA
Slovenia	81%	NAP	94%	6%	NAP	3%	14%
Spain	NA	NA	NA	NAP	NA	NA	NA
Sweden	52%	NA	14%	16%	71%	10%	39%
Average	56%	28%	39%	24%	26%	9%	33%
Median	53%	19%	29%	15%	18%	4%	31%
Minimum	13%	0%	0%	0%	0%	0%	6%
Maximum	83%	63%	94%	67%	98%	45%	81%
% of NA	22%	37%	33%	33%	30%	22%	19%
% of NAP	0%	19%	4%	7%	11%	15%	0%

# Ratios of public prosecution cases

**Table 4.1.3: Public prosecution: Ratio of processed cases and pending cases with incoming cases in 2022 (Q107)**

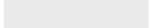
States	Public prosecution cases in 2022	
	Ratio between processed and incoming cases	Ratio between Pending cases 31 Dec and incoming cases
Austria	1,00	0,04
Belgium	1,03	0,32
Bulgaria	1,67	0,03
Croatia	0,95	1,38
Cyprus	NA	NA
Czech Republic	0,96	0,23
Denmark	1,97	0,12
Estonia	0,30	0,29
Finland	0,99	0,22
France	0,71	NA
Germany	0,98	0,17
Greece	1,08	0,55
Hungary	1,82	NA
Ireland	NA	NA
Italy	0,97	0,57
Latvia	0,97	0,05
Lithuania	0,96	0,57
Luxembourg	0,58	NA
Malta	NA	NA
Netherlands	1,00	0,30
Poland	1,05	0,10
Portugal	0,94	0,65
Romania	1,01	1,84
Slovak Republic	NA	NA
Slovenia	0,91	5,32
Spain	NAP	NA
Sweden	1,02	0,25
<b>Average</b>	1,04	0,68
<b>Median</b>	0,98	0,29
<b>Minimum</b>	0,30	0,03
<b>Maximum</b>	1,97	5,32
<b>% of NA</b>	15%	30%
<b>% of NAP</b>	4%	0%

The structure and organization of public prosecution services differ considerably among states resulting in different internal classifications of cases. For that reason, analysis based on data collected for this question should consider specific national legal framework and peculiarities related to the functioning of each state prosecution system. For example, if they include or not the suspended cases or if they count by case, perpetrator or by crime. Details are provided in the comments of the question 107.

Table 4.1.4: Public prosecution: Evolution of the total number of first instance criminal cases per first instance prosecutor between 2021 and 2022 (Q55, Q107 and Q109)

States	Public prosecution: Total number of first instance criminal cases per first instance prosecutor								Other persons have similar duties to those of public prosecutors in 2022	Figures provided include traffic offence cases in 2022
	Incoming/ received cases			Variation	Processed cases			Variation		
	2020	2021	2022	2021-2022	2020	2021	2022	2021-2022		
Austria	1 137,3	1 104,9	1 302,0	18%	1 156,2	1 108,0	1 298,9	17%		
Belgium	911,6	834,0	767,0	-8%	851,8	845,9	790,4	-7%		
Bulgaria	113,7	111,3	109,8	-1%	161,0	186,5	183,4	-2%		
Croatia	90,9	94,7	94,8	0%	77,0	92,6	90,5	-2%		
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Czech Republic	221,3	202,6	241,6	19%	229,1	202,0	232,2	15%		
Denmark	NA	327,5	360,2	10%	NA	692,5	711,3	3%		
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
France	2 569,6	2 698,3	2 707,8	0%	1 654,7	1 749,7	1 910,8	9%		
Germany	896,2	869,4	900,8	4%	899,8	863,9	880,6	2%		
Greece	NA	958,9	1 056,5	10%	NA	790,3	1 136,4	44%		
Hungary	62,3	43,3	45,7	6%	114,3	84,7	83,0	-2%		
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Italy	1 291,0	1 332,6	1 374,4	3%	1 283,1	1 295,5	1 329,7	3%		
Latvia	42,2	39,1	35,3	-10%	40,6	37,8	34,3	-9%		
Lithuania	80,5	76,6	85,9	12%	88,3	77,8	82,2	6%		
Luxembourg	1 321,6	1 214,9	1 358,4	12%	756,7	758,6	790,9	4%		
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Netherlands	217,5	214,4	204,4	-5%	211,2	208,6	203,5	-2%		
Poland	281,4	294,4	288,4	-2%	288,6	308,8	303,4	-2%		
Portugal	328,2	299,2	322,5	8%	303,6	NA	303,5	NA		
Romania	499,6	515,5	564,8	10%	493,1	531,4	567,7	7%		
Slovak Republic	94,3	81,6	82,0	1%	NA	NA	NA	NA		
Slovenia	409,2	360,1	404,4	12%	188,6	376,5	367,3	-2%		
Spain	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Sweden	NA	NA	NA	NA	NA	NA	NA	NA		
<b>Average</b>	587,1	583,7	615,3	4,9%	517,5	567,3	594,7	4,5%		
<b>Median</b>	304,8	313,3	341,3	4,6%	288,6	454,0	367,3	2,3%		
<b>Minimum</b>	42,2	39,1	35,3	-9,8%	40,6	37,8	34,3	-9,2%		
<b>Maximum</b>	2 569,6	2 698,3	2 707,8	19,2%	1 654,7	1 749,7	1 910,8	43,8%		
<b>% of NA</b>	11%	4%	4%	4%	15%	11%	7%	11%	0%	0%
<b>% of NAP</b>	22%	22%	22%	22%	22%	22%	22%	22%	22%	22%

The structure and organization of public prosecution services differ considerably among states resulting in different internal classifications of cases. For that reason, analysis based on data collected for this question should consider specific national legal framework and peculiarities related to the functioning of each state prosecution system. For example, if they include or not the suspended cases or if they count by case, perpetrator or by crime. Details are provided in the comments of the question 107.

Legend  
 Yes   
 No 

**Table 4.1.5: Public prosecution: Evolution of the ratio of processed cases as well as pending cases with incoming cases from 2021 to 2022 (Q107)**

States	Ratio between processed and incoming cases			Variation	Ratio between Pending cases 31 Dec and incoming cases			Variation
	2020	2021	2022	2021-2022	2020	2021	2022	2021-2022
Austria	1,02	1,00	1,00	-1%	0,74	0,74	0,83	11%
Belgium	0,93	1,01	1,03	2%	0,57	0,55	0,83	50%
Bulgaria	1,42	1,68	1,67	0%	0,52	0,60	0,82	37%
Croatia	0,85	0,98	0,95	-2%	0,43	0,42	0,53	27%
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	1,04	1,00	0,96	-4%	0,51	0,57	0,47	-17%
Denmark	1,88	2,11	1,97	-7%	0,49	0,51	0,52	3%
Estonia	0,36	0,34	0,30	-12%	0,42	0,42	0,45	6%
Finland	0,96	1,00	0,99	-1%	0,30	0,31	0,39	24%
France	0,64	0,65	0,71	9%	0,62	0,62	0,67	9%
Germany	1,00	0,99	0,98	-2%	0,54	0,54	0,55	3%
Greece	NA	0,82	1,08	31%	NA	0,47	0,43	-9%
Hungary	1,83	1,96	1,82	-7%	0,13	0,14	0,16	17%
Ireland	NA	NA	NA	NA	NA	NA	NA	NA
Italy	0,99	0,97	0,97	0%	0,67	0,67	0,69	2%
Latvia	0,96	0,97	0,97	1%	0,13	0,13	0,13	0%
Lithuania	1,10	1,02	0,96	-6%	0,48	0,44	0,45	1%
Luxembourg	0,57	0,62	0,58	-7%	0,66	0,66	0,66	0%
Malta	NA	NA	NA	NA	NA	NA	NA	NA
Netherlands	0,97	0,97	1,00	2%	0,31	0,29	0,31	6%
Poland	1,03	1,05	1,05	0%	0,36	0,35	0,72	104%
Portugal	0,92	NA	0,94	NA	NA	NA	NA	NA
Romania	0,99	1,03	1,01	-2%	0,78	0,78	0,79	1%
Slovak Republic	NA	NA	NA	NA	NA	NA	NA	NA
Slovenia	0,46	1,05	0,91	-13%	1,36	0,80	0,81	1%
Spain	NAP	NAP	NAP	NAP	NA	NA	NA	NA
Sweden	1,04	1,03	1,02	-1%	0,38	0,39	0,52	34%
<b>Average</b>	1,00	1,06	1,04	-1%	0,52	0,50	0,56	15%
<b>Median</b>	0,99	1,00	0,98	-1%	0,50	0,51	0,53	6%
<b>Minimum</b>	0,36	0,34	0,30	-13%	0,13	0,13	0,13	-17%
<b>Maximum</b>	1,88	2,11	1,97	31%	1,36	0,80	0,83	104%
<b>% of NA</b>	19%	19%	15%	19%	26%	22%	22%	22%
<b>% of NAP</b>	4%	4%	4%	4%	0%	0%	0%	0%

The structure and organization of public prosecution services differ considerably among states resulting in different internal classifications of cases. For that reason, analysis based on data collected for this question should consider specific national legal framework and peculiarities related to the functioning of each state prosecution system. For example, if they include or not the suspended cases or if they count by case, perpetrator or by crime. Details are provided in the comments of the question 107.

# **Evolution of the number of cases in public prosecution services**

**Table 4.1.6: Public prosecution: Evolution of the incoming/received, processed, discontinued cases as well as cases brought to court from 2021 to 2022 (Q107)**

States	Incoming/received cases			Variation	Processed cases			Variation	Discontinued cases			Variation	Cases brought to court			Variation
	2020	2021	2022	2021-2022	2020	2021	2022	2021-2022	2020	2021	2022	2021-2022	2020	2021	2022	2021-2022
Austria	4,56	4,34	5,08	17%	4,63	4,36	5,06	16%	4,63	4,36	5,06	16%	0,50	0,46	0,50	9%
Belgium	5,58	5,30	4,83	-9%	5,21	5,37	4,97	-7%	5,21	5,37	4,97	-7%	0,41	0,48	0,31	-36%
Bulgaria	1,45	1,47	1,50	2%	2,06	2,47	2,51	2%	2,06	2,47	2,51	2%	0,40	0,42	0,44	4%
Croatia	0,99	1,06	1,08	2%	0,84	1,04	1,03	-1%	0,84	1,04	1,03	-1%	0,46	0,50	0,48	-4%
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	1,70	1,61	1,86	16%	1,76	1,60	1,79	12%	1,76	1,60	1,79	12%	0,53	0,52	0,53	2%
Denmark	3,83	3,31	4,02	21%	7,20	7,00	7,94	13%	7,20	7,00	7,94	13%	2,83	2,61	2,83	9%
Estonia	1,94	1,95	1,93	-1%	0,71	0,66	0,57	-13%	0,71	0,66	0,57	-13%	0,41	0,38	0,32	-17%
Finland	1,65	1,61	1,53	-5%	1,58	1,60	1,51	-6%	1,58	1,60	1,51	-6%	1,02	1,02	0,92	-9%
France	6,12	6,37	6,42	1%	3,94	4,13	4,53	10%	3,94	4,13	4,53	10%	0,79	0,87	0,86	-1%
Germany	5,99	5,92	6,20	5%	6,02	5,88	6,06	3%	6,02	5,88	6,06	3%	1,16	1,06	1,06	0%
Greece	NA	3,48	3,78	8%	NA	2,87	4,07	42%	NA	2,87	4,07	42%	NA	1,44	2,29	59%
Hungary	0,76	0,77	0,83	7%	1,39	1,51	1,50	-1%	1,39	1,51	1,50	-1%	1,13	1,23	1,22	-1%
Ireland	0,25	0,25	0,22	-10%	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	4,22	4,35	4,57	5%	4,20	4,23	4,42	5%	4,20	4,23	4,42	5%	0,73	0,78	0,77	-1%
Latvia	0,67	0,61	0,57	-7%	0,65	0,59	0,56	-6%	0,65	0,59	0,56	-6%	0,43	0,32	0,23	-27%
Lithuania	1,66	1,52	1,60	6%	1,82	1,54	1,53	0%	1,82	1,54	1,53	0%	0,93	0,86	0,85	-1%
Luxembourg	9,79	9,04	9,87	9%	5,60	5,64	5,75	2%	5,60	5,64	5,75	2%	1,82	1,79	1,82	1%
Malta	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	2,15	2,25	2,37	5%
Netherlands	1,06	1,07	1,05	-1%	1,03	1,04	1,05	1%	1,03	1,04	1,05	1%	0,43	0,46	0,45	-2%
Poland	2,77	2,92	2,89	-1%	2,84	3,06	3,05	-1%	2,84	3,06	3,05	-1%	0,72	0,75	0,73	-3%
Portugal	4,22	4,01	4,34	8%	3,91	NA	4,09	NA	3,91	NA	4,09	NA	0,39	0,44	0,42	-3%
Romania	2,98	3,12	3,23	3%	2,94	3,22	3,25	1%	2,94	3,22	3,25	1%	0,24	0,27	0,26	-2%
Slovak Republic	1,05	0,98	1,03	6%	NA	NA	NA	NA	NA	NA	NA	NA	0,42	0,39	0,45	13%
Slovenia	2,93	2,46	2,83	15%	1,35	2,57	2,57	0%	1,35	2,57	2,57	0%	0,43	0,40	0,37	-7%
Spain	3,89	4,21	4,32	3%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA
Sweden	4,79	4,45	4,04	-9%	4,96	4,57	4,12	-10%	4,96	4,57	4,12	-10%	1,93	1,76	1,59	-9%
<b>Average</b>	3,12	3,05	3,19	4%	3,08	3,09	3,27	3%	3,08	3,09	3,27	3%	0,88	0,89	0,92	-1%
<b>Median</b>	2,85	2,92	2,89	3%	2,84	2,87	3,15	1%	2,84	2,87	3,15	1%	0,53	0,64	0,63	-1%
<b>Minimum</b>	0,25	0,25	0,22	-10%	0,65	0,59	0,56	-13%	0,65	0,59	0,56	-13%	0,24	0,27	0,23	-36%
<b>Maximum</b>	9,79	9,04	9,87	21%	7,20	7,00	7,94	42%	7,20	7,00	7,94	42%	2,83	2,61	2,83	59%
<b>% of NA</b>	11%	7%	7%	7%	19%	19%	15%	19%	0,19	0,19	0,15	19%	0,15	0,11	0,11	11%
<b>% of NAP</b>	0%	0%	0%	0%	4%	4%	4%	4%	0,04	0,04	0,04	4%	0,00	0,00	0,00	0%

The structure and organization of public prosecution services differ considerably among states resulting in different internal classifications of cases. For that reason, analysis based on data collected for this question should consider specific national legal framework and peculiarities related to the functioning of each state prosecution system. For example, if they include or not the suspended cases or if they count by case, perpetrator or by crime. Details are provided in the comments of the question 107.

**Greece:** In 2022, measures have been taken to improve the system for collecting statistical data. Consequently, comparisons with previous cycles should be made with care.

**Table 4.1.7: Public prosecution: Evolution of the pending cases at the beginning and at the end of the reference year from 2021 to 2022 (Q107)**

States	Pending cases 1 Jan.			Variation	Pending cases 31 Dec.			Variation
	2020	2021	2022	2021-2022	2020	2021	2022	2021-2022
Austria	0,31	0,23	0,21	-7%	0,23	0,22	0,23	4%
Belgium	1,64	1,98	1,73	-13%	2,01	1,91	1,58	-17%
Bulgaria	0,07	0,06	0,07	8%	0,06	0,06	0,07	6%
Croatia	1,20	1,35	1,38	2%	1,29	1,37	1,42	4%
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	0,39	0,34	0,33	-2%	0,33	0,34	0,40	18%
Denmark	1,04	1,04	0,88	-15%	1,04	0,89	0,92	4%
Estonia	0,18	0,18	0,16	-13%	0,18	0,16	0,17	6%
Finland	0,25	0,32	0,32	1%	0,32	0,32	0,34	5%
France	NA	NA	NA	NA	NA	NA	NA	NA
Germany	0,88	0,85	0,88	3%	0,86	0,89	1,02	14%
Greece	NA	0,41	2,29	463%	NA	0,58	2,24	285%
Hungary	NA	NA	NA	NA	NA	NA	NA	NA
Ireland	NA	NA	NA	NA	NA	NA	NA	NA
Italy	2,68	2,48	2,36	-5%	2,71	2,60	2,51	-3%
Latvia	0,03	0,02	0,03	71%	0,02	0,03	0,03	-10%
Lithuania	0,91	0,83	0,86	3%	0,82	0,85	0,87	3%
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA
Malta	2,31	3,08	3,04	-1%	3,09	3,06	3,17	4%
Netherlands	0,42	0,30	0,36	19%	0,34	0,37	0,31	-15%
Poland	0,33	0,32	0,33	1%	0,32	0,32	0,31	-5%
Portugal	2,11	2,38	2,41	1%	2,43	2,45	2,66	9%
Romania	5,97	6,10	6,00	-2%	6,05	6,00	5,98	0%
Slovak Republic	0,38	NA	NA	NA	0,37	NA	NA	NA
Slovenia	13,07	13,35	13,36	0%	13,34	13,73	13,67	0%
Spain	NA	NA	NA	NA	NA	NA	NA	NA
Sweden	1,15	1,07	1,03	-4%	1,08	1,04	1,03	-1%
<b>Average</b>	1,77	1,83	1,90	26%	1,84	1,86	1,95	15%
<b>Median</b>	0,89	0,84	0,88	0%	0,84	0,87	0,97	4%
<b>Minimum</b>	0,03	0,02	0,03	-15%	0,02	0,03	0,03	-17%
<b>Maximum</b>	13,07	13,35	13,36	463%	13,34	13,73	13,67	285%
<b>% of NA</b>	26%	26%	26%	26%	26%	26%	26%	26%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%

The structure and organization of public prosecution services differ considerably among states resulting in different internal classifications of cases. For that reason, analysis based on data collected for this question should consider specific national legal framework and peculiarities related to the functioning of each state prosecution system. For example, if they include or not the suspended cases or if they count by case, perpetrator or by crime. Details are provided in the comments of the question 107.

**Greece:** In 2022, measures have been taken to improve the system for collecting statistical data. Consequently, comparisons with previous cycles should be made with care.

# **Number of cases concluded with the guilty plea procedure**

**Table 4.2.1 Number of cases concluded with the guilty plea procedure in 2022 (Q107-1)**

States	Number of cases concluded with guilty plea procedure								
	Total			Before the main trial			During the main trial		
	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Austria	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	21 326	NA	NA	10 785	NA	NA	10 541	NA	NA
Croatia	612	294	318	NA	NA	NA	NA	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	1 514	NA	NA	NA	NA	NA	NA	NA	NA
Denmark	27 224	NAP	NAP	27 224	NAP	NAP	0	NAP	NAP
Estonia	NA	NA	NA	NA	NA	NA	NA	NA	NA
Finland	NA	NA	NA	NA	NA	NA	NA	NA	NA
France	107 005	NAP	NAP	NAP	NAP	NAP	107 005	NAP	NAP
Germany	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Greece	1 441	19	1 422	717	10	707	724	9	715
Hungary	11 825	NA	NA	10 761	NA	NA	1 064	NA	NA
Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	NA	NA	NA	1 334	NA	NA	NA	NA	NA
Lithuania	15 181	NA	NA	15 181	NA	NA	NAP	NAP	NAP
Luxembourg	70	NAP	70	70	NAP	70	0	NAP	0
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Poland	NA	96 189	NA	NA	49 926	NA	NA	46 263	NA
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	1 848	NAP	NAP	1 848	NAP	NAP	NAP	NAP	NAP
Slovak Republic	1 961	NA	NA	NA	NA	NA	NA	NA	NA
Slovenia	294	294	NAP	NA	NA	NAP	NA	NA	NAP
Spain	NA	NA	NA	NA	NA	NA	NA	NA	NA
Sweden	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
<b>Average</b>	15 858	24 199	603	8 490	24 968	389	19 889	23 136	358
<b>Median</b>	1 905	294	318	6 305	24 968	389	894	23 136	358
<b>Minimum</b>	70	19	70	70	10	70	0	9	0
<b>Maximum</b>	107 005	96 189	1 422	27 224	49 926	707	107 005	46 263	715
<b>% of NA</b>	30%	44%	48%	41%	52%	52%	44%	48%	48%
<b>% of NAP</b>	26%	41%	41%	30%	41%	41%	33%	44%	44%

**Table 4.2.2 Evolution of the number of cases concluded with the guilty plea procedure from 2020 to 2022 (Q107-1)**

States	Number of cases concluded with guilty plea procedure											
	Total			Variation	Severe criminal cases			Variation	Misdemeanour and / or minor criminal cases			Variation
	2020	2021	2022	2021-2022	2020	2021	2022	2021-2022	2020	2021	2022	2021-2022
Austria	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	19 155	21 346	21 326	0%	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	504	521	612	17%	238	279	294	5%	266	242	318	31%
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	222	1 593	1 514	-5%	NA	NA	NA	NA	NA	NA	NA	NA
Denmark	28 468	20 941	27 224	30%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Finland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
France	78 600	101 706	107 005	5%	NA	NA	NAP	NAP	NA	NA	NAP	NAP
Germany	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Greece	NA	3 102	1 441	-54%	NA	728	19	-97%	NA	2 374	1 422	-40%
Hungary	9 675	10 978	11 825	8%	NA	NA	NA	NA	NA	NA	NA	NA
Ireland	NA	29 259	NA	NA	NA	10 583	NA	NA	NA	18 676	NA	NA
Italy	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Lithuania	16 672	14 365	15 181	6%	NA	NA	NA	NA	NA	NA	NA	NA
Luxembourg	32	64	70	9%	NAP	NAP	NAP	NAP	32	64	70	9%
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Poland	NA	NA	NA	NA	NA	NA	96 189	NA	NA	NA	NA	NA
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	2 175	2 171	1 848	-15%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovak Republic	1 356	1 422	1 961	38%	NA	NA	NA	NA	NA	NA	NA	NA
Slovenia	255	342	294	-14%	NA	342	294	-14%	NAP	NAP	NAP	NAP
Spain	152 254	204 177	NA	NA	149 904	201 286	NA	NA	2 350	2 891	NA	NA
Sweden	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
<b>Average</b>	25 781	29 428	15 858	2%	75 071	42 644	24 199	-35%	883	4 849	603	0%
<b>Median</b>	5 925	7 040	1 905	5%	75 071	728	294	-14%	266	2 374	318	9%
<b>Minimum</b>	32	64	70	-54%	238	279	19	-97%	32	64	70	-40%
<b>Maximum</b>	152 254	204 177	107 005	38%	149 904	201 286	96 189	5%	2 350	18 676	1 422	31%
<b>% of NA</b>	30%	22%	30%	30%	56%	44%	44%	48%	52%	44%	48%	48%
<b>% of NAP</b>	26%	26%	26%	26%	37%	37%	41%	41%	37%	37%	41%	41%

# **Budget of the public prosecution services**

**Table 4.3.1 (a) Evolution of the approved budget of public prosecution from 2012 to 2022 (Q1, Q13)**

States	Evolution of the approved budget of public prosecution										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	263 148 000 €
Bulgaria	81 248 370 €	83 191 279 €	93 698 490 €	95 590 817 €	103 474 815 €	111 702 235 €	117 132 394 €	137 635 835 €	152 917 818 €	168 983 884 €	180 015 668 €
Croatia	42 040 323 €	40 667 128 €	40 820 393 €	40 018 315 €	45 315 977 €	46 536 649 €	48 037 039 €	57 035 536 €	58 737 144 €	55 773 565 €	55 976 788 €
Cyprus	17 971 759 €	16 600 696 €	15 798 704 €	18 562 103 €	21 953 972 €	18 184 425 €	20 478 203 €	22 640 515 €	21 117 635 €	34 446 594 €	62 341 935 €
Czech Republic	84 706 722 €	83 826 142 €	85 213 339 €	93 199 782 €	93 217 029 €	110 580 595 €	115 530 744 €	126 534 122 €	133 683 358 €	136 195 988 €	138 055 286 €
Denmark	94 400 000 €	94 400 000 €	97 116 986 €	99 140 896 €	99 406 787 €	110 570 966 €	93 961 349 €	111 398 062 €	121 432 125 €	134 145 358 €	122 677 280 €
Estonia	9 256 322 €	9 798 246 €	10 627 825 €	11 042 407 €	11 533 359 €	11 525 880 €	12 936 652 €	14 146 518 €	15 159 770 €	16 002 372 €	18 312 029 €
Finland	45 312 000 €	45 947 000 €	46 223 000 €	43 800 000 €	46 243 000 €	44 000 000 €	45 042 000 €	48 848 000 €	51 540 000 €	57 320 000 €	56 577 000 €
France	729 425 027 €	742 704 493 €	780 762 888 €	774 262 280 €	809 515 806 €	816 441 201 €	848 000 592 €	886 722 963 €	894 309 558 €	744 155 981 €	925 997 116 €
Germany	523 346 503 €	510 067 405 €	NA								
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	125 851 993 €	128 848 473 €	119 744 000 €	126 336 480 €	128 900 776 €	139 697 479 €	134 304 383 €	131 117 610 €	137 313 106 €	154 484 011 €	156 186 293 €
Ireland	40 528 000 €	38 389 000 €	37 813 000 €	37 834 000 €	38 886 000 €	41 094 000 €	43 502 000 €	43 502 000 €	44 813 000 €	44 704 000 €	51 277 000 €
Italy	1 435 025 477 €	1 302 805 287 €	1 460 367 057 €	1 582 477 640 €	1 400 480 991 €	1 490 299 039 €	1 556 454 804 €	1 552 866 070 €	1 599 418 728 €	1 675 736 480 €	1 837 859 138 €
Latvia	20 495 958 €	20 498 625 €	21 771 366 €	22 491 558 €	22 557 706 €	24 121 346 €	26 921 451 €	32 256 193 €	35 924 143 €	39 947 984 €	42 389 284 €
Lithuania	26 101 135 €	25 428 485 €	28 563 485 €	28 810 734 €	34 962 778 €	31 042 246 €	31 620 164 €	35 043 782 €	37 323 466 €	36 818 727 €	40 542 711 €
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	1 828 559 €	1 757 000 €	1 900 000 €	2 116 000 €	2 200 000 €	2 500 000 €	2 630 000 €	2 750 000 €	2 500 000 €	2 250 000 €	3 400 000 €
Netherlands	636 924 000 €	627 057 000 €	568 734 000 €	525 593 000 €	549 596 000 €	NA	566 176 000 €	576 365 000 €	535 469 000 €	557 302 000 €	582 473 000 €
Poland	424 128 567 €	-	437 424 395 €	-	480 141 000 €	588 482 409 €	566 825 248 €	623 467 890 €	631 630 571 €	687 218 210 €	699 380 849 €
Portugal	97 551 326 €	96 640 967 €	88 786 150 €	96 054 391 €	110 412 452 €	106 000 000 €	109 000 000 €	111 132 465 €	113 728 078 €	114 613 180 €	115 613 038 €
Romania	148 321 292 €	169 122 126 €	238 801 232 €	228 155 155 €	194 760 300 €	263 489 280 €	269 902 871 €	293 276 421 €	322 119 974 €	385 786 430 €	364 383 312 €
Slovak Republic	60 309 536 €	65 324 149 €	70 099 751 €	76 888 494 €	83 121 003 €	95 273 918 €	98 894 576 €	106 705 475 €	113 790 569 €	115 422 855 €	119 509 809 €
Slovenia	17 655 253 €	17 086 402 €	16 730 967 €	18 276 528 €	19 383 835 €	20 309 563 €	21 348 447 €	22 418 592 €	22 442 890 €	23 933 518 €	24 204 262 €
Spain	211 352 960 €	-	270 480 209 €	-	272 791 497 €	288 087 745 €	293 102 752 €	297 010 077 €	305 162 654 €	353 544 607 €	365 266 042 €
Sweden	144 485 809 €	142 719 691 €	138 456 474 €	151 769 003 €	156 090 472 €	154 793 265 €	149 975 424 €	NA	232 518 046 €	250 676 000 €	248 743 236 €
<b>Average</b>	218 185 517 €	202 994 266 €	212 269 714 €	203 620 979 €	214 770 253 €	214 987 250 €	235 080 777 €	249 184 435 €	253 775 074 €	263 157 352 €	281 492 569 €
<b>Median</b>	84 706 722 €	83 191 279 €	86 999 745 €	85 044 138 €	96 311 908 €	106 000 000 €	103 947 288 €	111 132 465 €	117 611 347 €	124 784 107 €	122 677 280 €
<b>Minimum</b>	1 828 559 €	1 757 000 €	1 900 000 €	2 116 000 €	2 200 000 €	2 500 000 €	2 630 000 €	2 750 000 €	2 500 000 €	2 250 000 €	3 400 000 €
<b>Maximum</b>	1 435 025 477 €	1 302 805 287 €	1 460 367 057 €	1 582 477 640 €	1 400 480 991 €	1 490 299 039 €	1 556 454 804 €	1 552 866 070 €	1 599 418 728 €	1 675 736 480 €	1 837 859 138 €
<b>% of NA</b>	15%	16%	19%	20%	19%	22%	19%	22%	19%	19%	15%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Spain: the figure provided represents the estimations, and it includes only the salaries of prosecutors.

**Table 4.3.1 (b) Evolution of the approved budget of public prosecution per inhabitant from 2012 to 2022 (Q1, Q13)**

States	Evolution of the approved budget of public prosecution per inhabitant										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	22,50 €
Bulgaria	11,15 €	11,48 €	13,01 €	13,36 €	14,57 €	15,84 €	16,73 €	19,80 €	22,11 €	24,71 €	27,92 €
Croatia	9,86 €	9,58 €	9,66 €	9,55 €	10,91 €	11,34 €	11,78 €	14,05 €	14,55 €	14,40 €	14,54 €
Cyprus	20,76 €	19,35 €	18,41 €	21,88 €	25,88 €	21,27 €	23,38 €	25,50 €	23,57 €	38,08 €	67,71 €
Czech Republic	8,06 €	7,98 €	8,10 €	8,83 €	8,81 €	10,44 €	10,85 €	11,86 €	12,49 €	12,95 €	12,72 €
Denmark	16,85 €	16,79 €	17,16 €	17,37 €	17,29 €	19,13 €	16,18 €	19,13 €	20,79 €	22,84 €	20,69 €
Estonia	7,20 €	7,45 €	8,09 €	8,39 €	8,77 €	8,76 €	9,81 €	10,68 €	11,40 €	12,03 €	13,78 €
Finland	8,35 €	8,43 €	8,45 €	7,98 €	8,40 €	7,98 €	8,16 €	8,84 €	9,31 €	10,33 €	10,17 €
France	11,12 €	11,28 €	11,77 €	11,62 €	12,08 €	12,15 €	12,66 €	13,22 €	13,27 €	11,00 €	13,61 €
Germany	6,52 €	6,31 €	NA								
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	12,70 €	13,04 €	12,15 €	12,85 €	13,16 €	14,14 €	14,00 €	13,42 €	13,88 €	15,94 €	16,27 €
Ireland	8,83 €	8,34 €	8,17 €	8,11 €	8,32 €	8,57 €	8,96 €	8,84 €	9,00 €	8,73 €	9,96 €
Italy	24,04 €	21,83 €	24,02 €	26,09 €	23,11 €	24,64 €	25,79 €	25,78 €	26,99 €	28,41 €	31,23 €
Latvia	10,02 €	10,13 €	10,88 €	11,42 €	11,46 €	12,37 €	14,02 €	16,91 €	18,98 €	21,30 €	22,51 €
Lithuania	8,69 €	8,64 €	9,78 €	9,97 €	12,28 €	11,05 €	11,32 €	12,54 €	13,35 €	13,12 €	14,19 €
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	4,33 €	4,09 €	4,32 €	4,70 €	4,78 €	5,26 €	5,53 €	5,57 €	4,86 €	4,36 €	6,54 €
Netherlands	37,96 €	37,26 €	33,65 €	30,96 €	32,17 €	NA	32,76 €	33,11 €	30,64 €	31,83 €	32,70 €
Poland	11,01 €	-	11,36 €	-	12,49 €	15,31 €	14,76 €	16,23 €	16,52 €	18,04 €	18,52 €
Portugal	9,30 €	9,27 €	8,56 €	9,29 €	10,71 €	10,30 €	10,61 €	10,79 €	11,05 €	11,07 €	11,05 €
Romania	6,96 €	8,48 €	10,72 €	11,55 €	9,92 €	13,50 €	13,91 €	15,11 €	16,79 €	20,26 €	19,13 €
Slovak Republic	11,15 €	12,06 €	12,93 €	14,17 €	15,29 €	17,50 €	18,14 €	19,55 €	20,84 €	21,24 €	22,01 €
Slovenia	8,58 €	8,29 €	8,12 €	8,85 €	9,38 €	9,83 €	10,26 €	10,70 €	10,64 €	11,36 €	11,43 €
Spain	4,59 €	-	5,82 €	-	5,86 €	6,17 €	6,24 €	6,26 €	6,45 €	7,45 €	7,60 €
Sweden	15,12 €	14,80 €	14,20 €	15,41 €	15,62 €	15,30 €	14,66 €	NA	22,40 €	23,98 €	23,64 €
<b>Average</b>	11,88 €	12,14 €	12,24 €	13,12 €	13,24 €	12,90 €	14,11 €	15,14 €	15,90 €	17,43 €	19,58 €
<b>Median</b>	9,86 €	9,58 €	10,80 €	11,48 €	11,77 €	12,15 €	13,28 €	13,42 €	14,22 €	15,17 €	16,27 €
<b>Minimum</b>	4,33 €	4,09 €	4,32 €	4,70 €	4,78 €	5,26 €	5,53 €	5,57 €	4,86 €	4,36 €	6,54 €
<b>Maximum</b>	37,96 €	37,26 €	33,65 €	30,96 €	32,17 €	24,64 €	32,76 €	33,11 €	30,64 €	38,08 €	67,71 €
<b>% of NA</b>	0,15 €	0,16 €	0,19 €	0,20 €	0,19 €	0,22 €	0,19 €	0,22 €	0,19 €	0,19 €	0,15 €
<b>% of NAP</b>	0,00 €	0,00 €	0,00 €	0,00 €	0,00 €	0,00 €	0,00 €	0,00 €	0,00 €	0,00 €	0,00 €

Spain: the figure provided represents the estimations, and it includes only the salaries of prosecutors.

**Table 4.3.2 (a) Evolution of the implemented budget of public prosecution from 2014 to 2022 (Q13)**

States	Evolution of the implemented budget of public prosecution								
	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NA	NA	NA	NA	NA	243 867 402 €	260 579 044 €
Bulgaria	93 356 800 €	94 966 603 €	102 876 460 €	110 387 845 €	116 412 630 €	136 392 502 €	149 281 332 €	166 149 076 €	178 508 426 €
Croatia	40 782 068 €	39 923 058 €	45 263 844 €	46 524 690 €	48 003 998 €	57 004 436 €	58 715 444 €	55 703 867 €	55 677 431 €
Cyprus	NA	NA	36 139 641 €	31 872 434 €	19 706 797 €	13 807 046 €	20 126 033 €	33 317 620 €	59 087 055 €
Czech Republic	85 249 102 €	107 147 762 €	107 167 590 €	110 483 428 €	116 129 722 €	130 137 857 €	131 805 533 €	140 386 954 €	149 073 927 €
Denmark	115 870 009 €	101 749 306 €	110 435 917 €	108 228 822 €	112 402 737 €	120 724 723 €	133 276 866 €	142 722 702 €	133 111 033 €
Estonia	9 774 016 €	10 761 496 €	11 322 578 €	11 337 479 €	12 936 652 €	13 993 648 €	15 290 154 €	15 779 134 €	17 702 395 €
Finland	46 223 000 €	42 200 000 €	46 243 000 €	44 800 000 €	45 042 000 €	48 848 000 €	50 210 000 €	51 760 000 €	55 299 030 €
France	793 313 171 €	778 590 473 €	807 160 505 €	811 386 286 €	833 119 054 €	875 628 332 €	884 666 227 €	736 277 006 €	924 356 631 €
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	117 130 667 €	NA	133 882 353 €	NA	150 355 723 €	NA	143 320 003 €	153 468 293 €	156 626 566 €
Ireland	37 675 000 €	37 622 987 €	38 626 000 €	40 094 000 €	42 582 000 €	42 582 000 €	44 248 000 €	44 472 000 €	50 047 000 €
Italy	1 428 912 997 €	1 549 305 236 €	1 367 145 490 €	1 413 360 888 €	1 488 952 381 €	1 393 017 479 €	1 355 540 428 €	1 476 653 273 €	1 592 960 028 €
Latvia	21 393 412 €	22 478 776 €	22 533 408 €	24 053 679 €	26 860 729 €	31 714 248 €	34 357 696 €	37 234 561 €	36 664 603 €
Lithuania	28 622 712 €	28 810 734 €	34 948 538 €	30 980 453 €	31 607 079 €	34 994 181 €	37 129 523 €	36 451 943 €	39 818 386 €
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	NA	2 350 041 €	2 340 000 €	2 484 390 €	2 656 005 €	2 888 321 €	2 746 631 €	3 001 578 €	3 478 907 €
Netherlands	586 562 000 €	607 219 000 €	598 708 000 €	NA	610 915 000 €	636 963 000 €	603 770 000 €	621 331 000 €	671 324 000 €
Poland	441 872 463 €	-	478 772 000 €	587 923 359 €	563 400 019 €	623 440 944 €	631 595 690 €	687 121 234 €	699 330 175 €
Portugal	114 412 314 €	121 925 994 €	126 441 757 €	127 911 008 €	131 069 729 €	131 916 484 €	142 691 962 €	135 334 444 €	137 208 499 €
Romania	236 693 083 €	225 564 926 €	192 213 562 €	259 590 883 €	267 694 743 €	290 155 076 €	311 524 523 €	368 873 677 €	352 923 994 €
Slovak Republic	83 601 297 €	83 902 472 €	95 238 564 €	97 666 837 €	101 256 967 €	115 723 212 €	114 694 261 €	118 620 409 €	128 119 628 €
Slovenia	17 244 379 €	18 134 349 €	19 351 893 €	20 242 054 €	21 283 779 €	22 345 112 €	21 981 158 €	23 263 042 €	23 322 520 €
Spain	NA	-	NA	NA	NA	NA	309 499 786 €	336 445 888 €	373 399 744 €
Sweden	138 875 248 €	147 410 202 €	150 418 994 €	153 528 265 €	147 464 139 €	NA	232 692 480 €	248 433 000 €	241 015 126 €
<b>Average</b>	233 555 986 €	223 336 856 €	215 582 385 €	212 255 621 €	232 850 090 €	248 540 874 €	246 780 170 €	255 507 309 €	275 636 267 €
<b>Median</b>	93 356 800 €	89 434 538 €	102 876 460 €	97 666 837 €	112 402 737 €	115 723 212 €	132 541 200 €	140 386 954 €	137 208 499 €
<b>Minimum</b>	9 774 016 €	2 350 041 €	2 340 000 €	2 484 390 €	2 656 005 €	2 888 321 €	2 746 631 €	3 001 578 €	3 478 907 €
<b>Maximum</b>	1 428 912 997 €	1 549 305 236 €	1 367 145 490 €	1 413 360 888 €	1 488 952 381 €	1 393 017 479 €	1 355 540 428 €	1 476 653 273 €	1 592 960 028 €
<b>% of NA</b>	30%	28%	22%	30%	22%	30%	19%	15%	15%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%

Spain: the figure provided is an estimation, and it includes only the salaries of prosecutors.

**Table 4.3.2 (b) Evolution of the implemented budget of public prosecution per inhabitant from 2014 to 2022 (Q1, Q13)**

States	Evolution of the implemented budget of public prosecution per inhabitant								
	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	NA	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NA	NA	NA	NA	NA	21,08 €	22,28 €
Bulgaria	12,96 €	13,28 €	14,49 €	15,66 €	16,63 €	19,62 €	21,58 €	24,29 €	27,69 €
Croatia	9,65 €	9,53 €	10,90 €	11,33 €	11,78 €	14,05 €	14,55 €	14,39 €	14,46 €
Cyprus	NA	NA	42,60 €	37,29 €	22,50 €	15,55 €	22,46 €	36,83 €	64,18 €
Czech Republic	8,10 €	10,15 €	10,13 €	10,43 €	10,90 €	12,20 €	12,32 €	13,35 €	13,74 €
Denmark	20,47 €	17,83 €	19,21 €	18,72 €	19,36 €	20,73 €	22,82 €	24,30 €	22,45 €
Estonia	7,44 €	8,18 €	8,61 €	8,62 €	9,81 €	10,56 €	11,50 €	11,86 €	13,33 €
Finland	8,45 €	7,69 €	8,40 €	8,13 €	8,16 €	8,84 €	9,07 €	9,33 €	9,94 €
France	11,96 €	11,69 €	12,05 €	12,08 €	12,44 €	13,06 €	13,12 €	10,89 €	13,58 €
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	11,88 €	NA	13,66 €	NA	15,68 €	NA	14,49 €	15,84 €	16,32 €
Ireland	8,14 €	8,07 €	8,26 €	8,37 €	8,77 €	8,65 €	8,89 €	8,68 €	9,72 €
Italy	23,50 €	25,54 €	22,56 €	23,37 €	24,67 €	23,12 €	22,88 €	25,04 €	27,07 €
Latvia	10,69 €	11,42 €	11,44 €	12,33 €	13,99 €	16,62 €	18,15 €	19,85 €	19,47 €
Lithuania	9,80 €	9,97 €	12,27 €	11,03 €	11,31 €	12,52 €	13,28 €	12,99 €	13,94 €
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	NA	5,22 €	5,08 €	5,22 €	5,58 €	5,85 €	5,34 €	5,82 €	6,69 €
Netherlands	34,70 €	35,76 €	35,05 €	NA	35,35 €	36,59 €	34,55 €	35,49 €	37,69 €
Poland	11,48 €	-	12,46 €	15,30 €	14,67 €	16,23 €	16,51 €	18,04 €	18,52 €
Portugal	11,03 €	11,79 €	12,26 €	12,43 €	12,75 €	12,81 €	13,86 €	13,07 €	13,11 €
Romania	10,62 €	11,42 €	9,79 €	13,30 €	13,80 €	14,95 €	16,24 €	19,38 €	18,52 €
Slovak Republic	15,42 €	15,46 €	17,52 €	17,94 €	18,58 €	21,20 €	21,01 €	21,83 €	23,60 €
Slovenia	8,37 €	8,79 €	9,37 €	9,79 €	10,23 €	10,66 €	10,42 €	11,04 €	11,02 €
Spain	NA	-	NA	NA	NA	NA	6,54 €	7,09 €	7,77 €
Sweden	14,25 €	14,96 €	15,05 €	15,17 €	14,41 €	NA	22,42 €	23,77 €	22,91 €
<b>Average</b>	13,10 €	13,15 €	14,82 €	14,03 €	14,83 €	15,46 €	16,00 €	17,58 €	19,48 €
<b>Median</b>	11,03 €	11,42 €	12,26 €	12,33 €	13,80 €	14,05 €	14,52 €	15,84 €	16,32 €
<b>Minimum</b>	7,44 €	5,22 €	5,08 €	5,22 €	5,58 €	5,85 €	5,34 €	5,82 €	6,69 €
<b>Maximum</b>	34,70 €	35,76 €	42,60 €	37,29 €	35,35 €	36,59 €	34,55 €	36,83 €	64,18 €
<b>% of NA</b>	30%	28%	22%	30%	22%	30%	19%	15%	15%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%

Spain: the figure provided is an estimation, and it includes only the salaries of prosecutors.

# Indicator 4: Systems for measuring and evaluating the performance of courts

## Comments provided by the national correspondents

### organised by country

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

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

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

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

#### Austria

**Q107 (General Comment):** “3.1.3 Discontinued by the public prosecutor for reasons of opportunity”: discontinued investigations for reasons of opportunity are only counted by persons against which the investigation was discontinued. In one case, more than one person can be accused and the investigation can be discontinued for reasons of opportunity against more than one accused person. Therefore, the person-count was not delivered because it is inconsistent with the case-count (3.1.1, 3.1.2 and 3.1.4). The number of cases in which an investigation was discontinued for reasons of opportunity is included in the number provided for 3.1.1 and 3.1.2 but cannot be evaluated separately with the standard statistic tools of the Federal Ministry of Justice of Austria.

The provided number of cases discontinued for other reasons (3.1.4) contains cases discontinued because the offender is fugitive or an investigation may not be instituted or continued by law (e.g. because of diplomatic immunity of the offender), also cases (investigations) that were not instituted in the first place because of a lack of an initial suspicion and all other cases that were discontinued but can not be allocated to one of the above mentioned reasons or the other reasons under 3.1.

Under 3.3, closed cases against unidentified offenders were counted which were discontinued because of another reason than not identifying the offender in the end (mostly cases in which at least one formerly unidentified offender could be identified and therefore the case against the unidentified offender(s) is closed and another (new) case against the known offender(s) is opened).

Following a change in Question 107, starting from 2022, cases previously reported as "closed for other reasons" are included in "discontinued for other reasons".

**Q107 (2020):** The Austrian code of criminal procedure knows measures that the public prosecutor can take in cases of minor criminal offences (“Diversion”). Comparable measures have to be taken by the public prosecutor under certain circumstances under the addictive drug act (“Suchtmittelgesetz”). Until 2019, the last-mentioned cases were counted as files “discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation” (3.1.2). Since 2020, these cases are now counted as “concluded by a penalty or a measure imposed or negotiated by the public prosecutor” (3.2). These changes explain the higher number of cases under 3.1.2. Cases brought to court declined mainly because in 2020 there were far less incoming cases (-13 % compared to 2018).

The number of persons against which an investigation was discontinued by the public prosecutor for reasons of opportunity in 2020 is 9 672.

**Q107-1 (General Comment):** There is no guilty plea procedure in Austria.

**Q109 (General Comment):** The courts only deal with damages to property and negligent bodily injuries caused by traffic accidents in civil and criminal proceedings; offences which do not lead to damages or injuries are punished by administrative bodies (e.g. speeding, having worn-out tires, drunk-driving).

**Q013 (General Comment):** In Austria the budget for courts cannot be separated from the budget of the prosecution services. With regard to the sub-category "annual public budget allocated to training of public prosecution services" an answer is not possible because the costs for trainings for judges, public prosecutors, judicial officers ("Rechtspfleger") and other staff working within courts or public prosecution services are summarized in one figure.

**Q013 (2019):** In Austria the budget for courts cannot be separated from the budget of the prosecution services. With regard to the sub-category "annual public budget allocated to training of public prosecution services" an answer is not possible because the costs for trainings for judges, public prosecutors, judicial officers ("Rechtspfleger") and other staff working within courts or public prosecution services are summarized in one figure.

**Q013 (2018):** See Nr. 7.

**Q013 (2016):** A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget for payment to the bar for "pro bono" representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

**Q013 (2015):** The total sum in Question 6 includes the Public Prosecution services and legal aid. The presidents of the higher regional court administrate the budget of the public prosecution services."

"Other: e.g. postal services (35.571.000 € approved / 35.790.326 € implemented), „Sachwalter- und Patientenrechtschaff“ (32.284.000 € approved / 34.756.627 € implemented), „Opferhilfe“ (5.589.000 € approved / 5.998.449 € implemented).

## Belgium

**Q107 (General Comment):** "Since the reform of the judicial landscape that came into effect on April 1, 2014, our country has 15 "first degree" public prosecutors' offices (14 public prosecutors' offices + federal prosecutor's office). The data of the federal prosecutor's office are not included here.

The data only concern correctional offenses committed by persons of legal age and persons who are not (yet) identified.

Proceedings against minors are handled by the youth section of the public prosecutor's office. The unit of account is a criminal case: a case can have none, one or more defendants and/or one or more offences.

Dismissals for 'other reasons' refer only to cases in which it was possible to determine in the database that they had been closed by a dismissal for which the reason was not entered or was not correctly registered. In fact, when the reason is correctly recorded, the case is then entered under headings 3.1.1, 3.1.2 or 3.1.3. Therefore, the 'other reasons' heading is for 'unknown reasons' and therefore does not include 'special' reasons." "

**Q107 (2022):** Annual statistics of the Public Ministry – Investigation and prosecution of criminal cases by the public prosecutor's offices near the courts of first instance (<http://www.om-mp.be/stat>): tables 1, 6, 9 and 11. Useful notes for interpreting the data: Point: 3.2. Concluded with a sanction or measure imposed or negotiated by the prosecutor: out of 65,486 (see table 9): 20,799 cases were closed following praetorian probation, 24,881 cases were closed following an administrative settlement chain process, 2,130 cases were closed following another settlement chain process, 15,025 cases were closed following a payment of money, 2,651 cases were closed due to successful mediation and measures procedure. Due to changes in the questionnaire "Please note that line 3.3. 'Cases concluded by the prosecutor for other reasons' is removed from evaluation cycle starting from year assessment cycle 2024: Cases previously reported under line 3.3 should be added to those at line 3.1.4." The total number of matters in section 'Classified during reference year' no longer corresponds to our website's total in Table 11 : Outflow streams on matters handled without criminal prosecutions during 2022 : Reasons for processed matters without criminal prosecutions. Out of 126753 matters in section 'Classified for other reasons', they are: 6,697 cases where a suspect has been reported. Once a suspect is identified, the case may be reopened 45,327 cases which have been referred for disposition to another instance. A case referred for disposition is a matter closed for the prosecutor making this decision. The recipient will then open a new matter and commence judicial inquiry 74,526 cases that were joined with another matter. In the case of joining one or more matters with a master matter all subsequent decisions are recorded at the level of the lead case. The daughter case will receive a joining decision 203 cases were settled following processing without criminal prosecutions for unknown/error reasons To count the matters taken before the courts (36,068 matters), we have counted, on the one hand all the matters that have been closed by direct citation (21,679 matters) and on the other hand all the matters that take place under judicial instruction (14,389). Indeed all these issues are also considered as cases closed by the public prosecutors in the public ministry's annual statistics (see table 9)

**EXPLANATION OF THE DECREASE IN FIGURES FOR POINTS 32 AND 33:** this arises from the decrease in the outflow streams COVID19 files (CORONA). The relaxation of Corona measures has reduced entry and exit COVID19 files. Since COVID19 issues have been closed mainly in pursuance COL62020 by payment or direct summons we note a notable decrease in cases closed by payment or direct summons This decrease in cases closed by payment or direct summons is directly related to the decrease in COVID-19 files. As the pandemic measures have been relaxed, there has been a reduction in both entry and exit of COVID-19 related cases, leading to fewer closures through payment or direct summons. This trend reflects the impact of the pandemic on legal proceedings and highlights its influence on case closure statistics for the public ministry's annual report.

**Q107 (2021):** Annual statistics of the Public Prosecution services - Search and prosecution of criminal cases by the public prosecutor's offices at the courts of first instance (<http://www.om-mp.be/stat>): tables 1, 6, 9 and 11. The figures in the table have been extracted from the database of the College of General public prosecutors, which is fed by the records of the correctional sections of the public prosecutors' offices at the courts of first instance (MaCH system). The unit of account is a criminal case: a case can have none, one or more defendants and/or one or more offences. For point 3.4: In order to count the number of cases brought to courts (55 585 cases), we counted on the one hand all the cases that were closed as a result of a direct summons (41 324 cases) and on the other hand all the cases that were closed as a result of a first fixation before the council chamber in the framework of the settlement of the proceedings (14 261 cases). Indeed, all these cases are also counted as cases closed by the prosecution in the annual statistics of the Public Prosecution services (see table 9).

Additional information on point 3.2:  
Of the 100 567 cases closed by a sanction or a measure imposed or negotiated by the King prosecutor (see table 9), 55 167 cases were closed following the payment of a penal transaction; 23 743 cases were closed following an administrative sanction; 19 169 cases were closed as a result of pre-trial probation; 2 446 cases were closed following a successful mediation procedure and measures; 42 cases were closed after referral to the head of the corps.

**Q107 (2020):** "The figures in the table have been extracted from the Data Bank of the College of Public Prosecutors, which is fed by the records of the correctional sections of the Public Prosecutor's Offices at the first instance courts (MaCH system). The data presented below correspond to the status of the database as of January 9, 2021. Useful notes for the interpretation of the data:

Of the 88,614 cases that ended with a sanction or a measure imposed or negotiated by the public prosecutor

- 48,205 cases were closed following the payment of a penal transaction, - 22,091 cases were closed following an administrative sanction

- 15,969 cases were closed as a result of pre-trial probation,

- 2,308 cases were closed following a successful criminal mediation procedure, - 41 cases were closed after referral to the head of the corps.

Of the 122,581 cases closed by the public prosecutor for other reasons. These are :

- 6,249 cases in which the suspect is the subject of an alert. Once the suspect has been discovered, the case can be reopened.

- 40,748 cases that were referred for disposition. A case that has been sent for disposal is a closed case for the prosecutor's office (its division) that made the decision. The recipient of this case will open a new case and start the judicial investigation.

- 75,584 cases were joined. If one or more cases are joined to a parent case, all subsequent decisions are registered in the parent case. The daughter case receives the joinder decision.

In order to count the number of cases brought before the courts (47,274 cases), in contrast to previous years, we counted on the one hand all cases that were closed as a result of a direct summons (33,105 cases) and on the other hand all cases that were closed as a result of a first determination before the council chamber within the framework of the settlement of the proceedings (14,169 cases). In fact, all these cases are also counted as cases closed by the public prosecutor's office in the annual statistics of the public prosecutor's office.

In the previous questionnaires we only counted direct summonses from the Public Prosecutor's Office to the correctional chambers (31,737 cases in 2020), summonses via accelerated procedure (1,159 cases in 2020) and correctionalizations (78 cases in 2020) and referrals to the correctional chambers of the courts following a first fixation before the council chamber within the framework of the settlement of the procedure (7,592 cases in 2020). A part of these referrals relates to cases that were initiated as a result of a civil action. Therefore, these cases were not initiated by the prosecution.

The numbers of incoming, processed and pending cases have all increased for the same reason. Indeed, in 2020, the health crisis due to the outbreak of COVID-19 began. The government took measures to combat this crisis, including several periods of containment. The Public Prosecutor's Office was responsible for taking criminal action against non-compliance with these measures, which explains the sharp increase in the number of new cases and the fact that, at the same time, the flow of other types of cases did not decrease in the same proportions.

Pending cases are cases that are being processed at a given time. If the inflow increases significantly, the number of pending cases will increase accordingly and reach a higher level.

The increase in the "terminated with penalty" and "brought to court" headings is also related to the health crisis. The primary response to a COVID-19 non-compliance violation was a settlement (recorded under "terminated by penalty"). In the case of

**Q107 (2016):** 2016 statistical data are not (yet) available due to the change in ITC applications used in Public Prosecution.

**Q107 (2014):** In 2014, on top of the 447 132 discontinued cases listed in Q107 and Q108, 36 914 other discontinued cases have to be added (administrative fine, pretorian probation, identification of the offender, unknown reason). Actually, in 2014, 484 046 cases were discontinued. Out of the 10 126 cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor, 7 363 cases were concluded by the payment of a criminal transaction and 2 763 cases - by a successful criminal mediation procedure.

**Q107 (2012):** In 2012, on top of the 478 505 discontinued cases listed in Q107 and Q108, 37 471 other discontinued cases have to be added (administrative fine, pretorian probation, identification of the offender, unknown reason). Actually, in 2012, 515 976 cases were discontinued. Out of the 9 477 cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor, 6 677 cases were concluded by the payment of a criminal transaction and 2 800 cases - by a successful criminal mediation procedure.

**Q107-1 (General Comment):** The guilty plea procedure was introduced by the law of February 5, 2016 (Article 216 of the Code of Criminal Investigation), which entered into force on February 29, 2016.

According to Article 216 of the CIC, §1, al.1 "For acts that do not appear to be of a nature to be punishable by a main correctional imprisonment of more than five years, the public prosecutor may, either ex officio or at the request of the suspect or defendant or his/her lawyer, propose the application of the "procedure of prior acknowledgement of guilt" defined in this article, if the suspect or defendant admits to being guilty of the acts attributed to him/her".

**Q109 (General Comment):** The data do not include traffic law cases, cases handled by the labor auditorates, or appeals against police decisions handled by the correctional prosecutor's office.

**Q109 (2021):** The data do not include traffic law cases, cases handled by the labor auditorates, or appeals against police decisions handled by the correctional prosecutor's office.

**Q013 (General Comment):** At present, Belgium is not able to distinguish between the budget allocated to the public prosecution services and that allocated to the courts. The public prosecution services do not provide training for their staff. The training is ensured by the Judicial training Institute - Instituut voor Gerechtelijke Opleiding, Av. Louise 54, 1050 Bruxelles, <https://www.igo-ifj.be>. Data on training budget allocated to the public prosecution services are not available.

**Q013 (2021):** Approved budget (total €721 493 690): this budget represents the total budget allocated to the Court of Cassation, all ordinary courts except administrative courts, and the public prosecution services. It is not possible to isolate the approved budget of the Public Prosecutor's Office from the aforementioned total amount. Implemented budget (total €243 867 402): this total includes the operating costs of the public prosecution services (including staff costs, equipment) but excludes the budget for training.

**Q013 (2017):** Belgium currently does not have separate budgets for public prosecution services and the functioning of courts.

**Q013 (2016):** Belgium is currently unable to make the distinction between Public Prosecution and Courts in the budget.

**Q013 (2015):** In 2015, the judicial budget has been allocated several million euros following the transfer of competence, for example from the houses of justice (75 million euro in 2014) from the national level to the federated states (Flemish, French and German-speaking)

## Bulgaria

**Q107 (General Comment):** "1. Pending cases on 1 January of the reference year" – The pre-trial proceedings (PTP) pending with the prosecutor as of 1 January of the reference year for which the investigation has been completed by an investigative body and sent to the prosecutor. This indicator does not include PTPs not closed by an investigating authority, which as of 1 January of the reference year.

2. Received/Incoming cases" – pre-trial proceedings in which an investigation by an investigative body was completed during the reference year and sent to the prosecutor for adjudication (the so-called closed PTP).

"3. Processed cases" – PTP decided on merits by the prosecutor (by act of bringing the cases to court or by act of termination the pre-trial proceedings), and PTP decided by the prosecutor by act of suspending them or sending by competence during the reporting period to another prosecutor's office. Cases suspended and sent by competence are reported as resolved by the prosecution, but temporarily, not on the merits (the work on them is only temporarily suspended, i.e. they are not investigated by the investigating authority). Therefore, their number is included under the indicator "Processed cases", but not under the indicator " Received cases".

"3.1.2. Terminated by the prosecutor due to the lack of an established offence or a specific legal situation": PTP terminated because the act was not committed or did not constitute an offence, pursuant to Art. 243(1), in conjunction with Art. 1(1) of the CPC, and PTPs terminated due to the statute of limitations. "3.1.4 Discontinued for other reasons": suspended PTPs and the PTP sent by competence during the reporting period.

"3.3. Cases brought to court" – PTP brought to court with a prosecutor's report in the reference year.

"4. Pending cases on 31 December of the reference year" – PTP pending with the prosecutor on 31 December of the reference year where the investigation has been completed by an investigating authority and sent to the prosecutor. The indicator does not include PTPs pending with an investigating authority.

Regarding the cases sent by competence, the mathematical calculation for collecting the values is not applicable for the two prosecutor's offices - one that sent it by competence (according to the rules of local, functional or special competence), for which the case was decided "discontinued case for other reasons" and the other, which accepted it within its competence, if at the end of the year the same case remained pending, the latter is included in the above data.

**Q107 (2022):** "1. Pending cases on 1 January of the reference year" – pre-trial proceedings (PTP) pending with the prosecutor as of 1 January of the reference year (4 205) for which the investigation has been completed by an investigative body and sent to the prosecutor (PTPs closed by an investigating authority (47 969) are not included). "2. Received/Incoming cases" – PTP in which an investigation by an investigative body was completed during the reference year and sent to the prosecutor for adjudication. In the Prosecutor's Office the term closed PTP refers to cases with a completed investigation by an investigative body, not cases resolved by a prosecutor "3. Processed cases" – the figure of 161,905 PTP is the sum of the number of PTP decided on merits by the prosecutor (by act of bringing the cases to court or by act of termination the pre-trial proceedings), and the number of pre-trial proceedings decided by the prosecutor by act of suspending them or sending by competence during the reporting period to another prosecutor's office. Cases suspended and sent by competence are reported as resolved by the prosecution, but temporarily, not on the merits. The prosecutor's act of suspension of PTP does not constitute a decision on the merits, as it does not put an end to the criminal proceedings and the work on them is only temporarily suspended, i.e. they are not investigated by the investigating authority. "3.1. The number of PTPs discontinued during the reference year" is 133 466, the figure being formed by the sum of the data submitted under indicator "3.1.2. Terminated by the prosecutor due to the lack of an established offence or a specific legal situation" (98 306), including pre-trial proceedings terminated because the act was not committed or did not constitute an offence, pursuant to Art. 243(1), in conjunction with Art. 1(1) of the CPC, (31 302) and PTPs terminated due to the statute of limitations (67 004), and the data submitted under indicator "3.1.4 Discontinued for other reasons" (35 160), taking into account the suspended PTPs and the pre-trial proceedings sent by competence during the reporting period Indicators "3.1.1 Discontinued by the public prosecutor because the offender could not be identified", "3.1.3 Discontinued by the public prosecutor for reasons of opportunity" and 3.2. "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor" are not applicable to the decisions of prosecutors according to the CCP, as indicated in the Questionnaire. "3.3. Cases brought to court" – PTP brought to court with a prosecutor's report in the reference year – 28 439. "4. Pending cases on 31 December" – PTP pending with the prosecutor on 31 December of the reference year (4 208), where the investigation has been completed by an investigating authority and sent to the prosecutor. The indicator does not include PTPs pending with an investigating authority, which total 52 423 as of 31 December 2022.

**Q107 (2021):** 3.1. Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)

The number of discontinued cases in the reference year (in the case of 2021) is 101626. This number includes all discontinued criminal proceedings by the prosecutor in the year on the basis of Art. 24 of the Criminal Procedure Code, including those terminated due to the expiration of the statute of limitations on the basis of Art. 24, para. 1, item 3 of the Criminal Procedure Code (criminal liability is extinguished due to the expiration of the statute of limitations).

The number of cases terminated on statute of limitations grounds is a fact of objective reality, which does not depend on the prosecution. This number is a function of the number of the pending pre-trial proceedings, incl. suspended (predominantly due to failure to establish the perpetrator of the crime during the investigation), as well as the specific crime on which the case is being prosecuted, as the absolute statute of limitations for seeking criminal liability is different and depends on the amount of the penalty provided for in the Criminal Code for the relevant crime (according to Art. 81 of the Criminal Code).

The increase in the number of dismissed cases for 2021 compared to those dismissed in 2020 is mainly due to the greater number of dismissed cases by the prosecutor on the grounds of absolute statute of limitations for prosecution, which obliges the prosecutor to dismiss the case on the basis of Art. 24, para. 1, item 3 of the Criminal Procedure Code. This conclusion is supported by the statistical data for the two years - in 2021, the dismissed cases, on grounds other than the statute of limitations, are relatively similar: 32,400 for 2021 compared to 32,002 for 2020. However, those dismissed on statute of limitations grounds in 2021 are 69,226, and in 2020 - 42565. It can be seen that in 2021 the terminated pre-trial proceedings were significantly more than in the previous year. There is no evidence that this increase is due to any special or extraordinary circumstance that occurred in 2021. Each year the number of cases dismissed on statute of limitations grounds is different and this is due to the above reasons.

**Q107 (2020):** Question 107:

- 1) "Pending cases on 1 Jan. ref. year" the unresolved pre-trial proceedings (PTPs) by a prosecutor as of 1 January of the reference year are reported.
  - 2) "Incoming/received cases" are reported the closed PTPs (analogous to the previous questionnaires);
  - 3) "Processed cases" are reported the decided PTPs by a prosecutor and is the total value of the data from four indicators (3.1 + 3.2 + 3.3 + 3.4), with reflected types of decisions under the PTPs;
    - 3.1. "Discontinued during the reference year" the terminated PTPs (including those by prescription) are reported and is the total value of the data from the next four indicators (3.1.1 + 3.1.2 + 3.1.3 + 3.1.4.), with reflected types of terminations;
      - 3.1.1) "Discontinued by the public prosecutor because the offender could not be identified" indicates NAP (similar to the previous questionnaire);
      - 3.1.2 "Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation" are reported the terminated PTPs, incl. those by prescription (similar to the previous questionnaires);
      - 3.1.3) "Discontinued by the public prosecutor for reasons of opportunity " the NAP is indicated (analogous to the previous questionnaires);
      - 3.1.4) the indicator "Discontinued for other reasons" indicates NAP (similar to the previous questionnaire);
    - 3.2) "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor " is indicated NAP (analogous to the previous questionnaires);
    - 3.3) "Cases closed by the public prosecutor for other reasons" the suspended PTPs are reported, as well as the PTPs sent by competence (for the respective prosecutor's office, although these cases are essentially unresolved they are closed). It is not obligatory for the prosecutor's office, which sent the case within its competence, to conduct a full investigation. If a ground for the competence of another prosecutor's office is established under the rules of local, functional or special competence, the case shall be sent to the respective prosecutor's office for continuation of the investigation. The grounds for determining the competence are exhaustively specified in the CPC (Chapter Four, Section II of the CPC, Article 35 et seq. Of the CPC, Article 195 of the CPC, Articles 396-398 of the CPC, Article 411a of the CPC);
    - 3.4) in the indicator "Cases brought to court" the submitted PDs in the court are reported (analogous to the previous questionnaires);
  - 4) in the indicator "Pending cases on 31 Dec. ref. year" the unresolved PDs by a prosecutor as of December 31 of the reference year are reported;
- Concerning the increase in the number of processed cases between 2018 and 2020, the number of "cases closed by the prosecutor for other reasons", taken into consideration for this cycle, makes the difference.

- Q107 (2018):**
- 1) The number of the terminated pre-trial proceedings has been given under indicator 'Received during the reference year' (similar to previous questionnaires);
  - 2) The number of the terminated pre-trial proceedings, including those on limitation has been given under indicator "Discontinued during the reference year (see Q108 below)";
  - 3) NAP has been indicated under indicator "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor" (similar to previous questionnaires);
  - 4) The number of the pre-trial proceedings that have been brought to court is given under indicator "Cases brought to court" (similar to previous questionnaires).

**Q107 (2014):** In 2014, prosecutors dealt with 139153 pre-trial proceedings for which cases were transferred to court; 75834 were terminated on account of the absence of a crime or other grounds provided for by law. A prosecutor may not terminate the pre-trial proceeding on the ground the perpetrator cannot be identified, unless the limitation period for prosecution has expired (42 588). A prosecutor cannot impose punishment without the approval of a judge. The parties can conclude an agreement (approved by the judge) for some crimes before the case is sent to court (11561), or during the trial (data is not available). Court proceedings can be reduced if during the preliminary hearing, the defendant fully admits the facts stated in the indictment (3505 cases).

**Q107 (2012):** In 2012, prosecutors dealt with 144950 pre-trial proceedings for which the investigation has been completed and the cases were transferred to court. 91523 pre-trial proceedings were terminated on account of the absence of a crime or other grounds explicitly provided for by the law. A prosecutor may not terminate the pre-trial proceeding on the ground the perpetrator cannot be identified, unless the prescribed limitation period for prosecution has expired. Terminated pre-trial proceedings conducted against an unknown perpetrator due to the expiration of the statutory limitation period were 59 063, and are part of the total of terminated cases. A prosecutor cannot impose punishment without the approval of a judge.

**Q107-1 (2022):** - in the "Total number of guilty plea procedures" indicator, the total value of the following two indicators is indicated;

- in the indicator "Before the main trial" the agreements submitted to the court by the prosecutor on the basis of Art. 381 et seq. of the Criminal Procedure Code.

- in the indicator "During the main trial" a value is indicated, which is the sum of the number of agreements under Art. 384 of the Criminal Procedure Code (with a person or for any of the crimes), concluded by the prosecutors in a court phase (after the indictment has been filed), as well as the number of procedures under reduced court investigation under Art. 371, item 2 of the Criminal Procedure Code (under Chapter Twenty-Seven of the Criminal Procedure Code, pursuant to Art. 373, paragraph 3, article 372, paragraph 4, article 371, item 2 of the Criminal Procedure Code), under which convictions and acquittals have been handed down (analogous to the previous questionnaires). Out of 10 541 procedures for admission of guilt during the trial, 9 113 were the agreements concluded under Art. 384 of the Criminal Procedure Code.

**Q107-1 (2020):** Question 107–1:

– the indicator "Total number of guilty plea procedures" indicates the total value of the next two indicators;

– in the indicator "Before the main trial" the agreements submitted by a prosecutor to the court are taken into account (analogous to the previous questionnaires);

– in the indicator "During the main trial" a value is indicated, which is the sum of the number of agreements under Article 384 of the Criminal Procedure Code (with a person or for any of the crimes), concluded by the prosecutors in a court phase (after an indictment has been filed), as well as by the number of procedures under the abbreviated court investigation under Article 371, item 2 of the CPC (under Chapter Twenty-eight of the CPC, pursuant to Article 373, para. 3, supra Article 372, para. 4, supra Article 371, item 2 CPC), under which there have been convictions and acquittals (similar to the previous questionnaires).

**Q107-1 (2018):** 1) The total amount of the following two indicators is given under indicator "Total number of guilty plea procedures";

2) The number of the agreements that were brought to court by a public prosecutor is given under indicator "Before the court case" (similar to previous questionnaires);

3) The indicated amount is sum of the number of the agreements under Art. 384 of the Criminal Procedure Code (with a person or for some offence) concluded by the prosecutors in the judicial phase (after an indictment), as well as the number of procedures under an expedited procedure by Art. 371, it. 2 of the Criminal Procedure Code (under Chapter Twenty Eight of the Criminal Procedure Code in accordance with Art. 373, Para. 3, in conjunction with Art. 372, Para. 4 and in conjunction with Art. 371, it. 2 of the Criminal Procedure Code) under which convictions and acquittals have been imposed, is given under indicator "During the court case".

**Q109 (2022):** Only the cases for violations that constitute a crime of a general nature under the Bulgarian Criminal Code are included.

**Q109 (2021):** Statistical reporting of the PORB. The data are derived from the statistical reporting of the PORB, according to indicators and order, approved by the Prosecutor General with the Instruction for the organization of the information activity in the PORB.

**Q013 (General Comment):** The Prosecutor's Office prepares a consolidated budget for all units, namely district, regional, military-regional, appellate, military-appellate prosecutor's offices, the administration of the European delegated prosecutors, training and rest bases and submits it to the Supreme Judicial Council (SJC). Pursuant to Article 36 of the Judicial System Act, the budget of the PRB includes all revenues from the activity, maintenance costs, relations with the central budget and other budgets.

The budget procedure is carried out in two stages. First stage - preparation of a medium-term forecast for a period of three years. Second stage - preparation of a draft budget for the relevant year and updated budget forecasts for the next two years. The Minister of Justice proposes a draft budget for the judiciary and submits it for discussion in the Plenum of the SJC. The draft budget of the judiciary is accompanied by estimates for the next two years. The Council of Ministers submits to the National Assembly the draft law on the state budget of the Republic of Bulgaria for the relevant year together with the draft annual budget of the judiciary, proposed by the plenary session of the SJC, with a detailed justification. When adopting the state budget, the National Assembly listens to a report of the plenary session of the SJC, presented by its representative. The National Assembly adopts the budget of the judicial power, allocated to the SJC, the Inspectorate of the SJC, the bodies of the judicial power, including PRB and the National Institute of Justice (NIJ).

The Plenum of the SJC organizes the execution of the budget of the judiciary through the Inspectorate of the SJC, the Supreme Court of Cassation, the Supreme Administrative Court, the courts, the Prosecutor General and the National Institute of Justice. The PRB is a second-level budget manager and all units of the PRB system are third-level budget managers. For third-level managers, the budget manager is the relevant manager.

1. Preparation and presentation of a draft budget for the current budget year. The Law on the State Budget of the Republic of Bulgaria adopts the budget of the judiciary, including the Prosecutor's Office of the Republic of Bulgaria. By decree of the Council of Ministers, the main parameters and Guidelines for the implementation of the budget are given.

2. Budget adjustments. Currently, during the calendar year, the Prosecutor General submits proposals for updating to the Budget and Finance Committee of the SJC

**Q013 (2022):** Supreme Judicial Council: The implemented budget differs from the approved due to unspent funds for major repairs, acquisition of long-lasting tangible and intangible assets, as well as current repairs due to unfinished procedures under the Law on Public Procurement (LPP).

The Prosecutor's Office:

The difference between the approved and the executed budget lies in the fact that the approved budget corresponds to the budget of the Judiciary, including the Prosecutor's Office of the Republic of Bulgaria, adopted by the State Budget Act for 2022 – SBRBA (as of 01.01.2022), while the executed budget corresponds to the actual expenditures as of 31.12.2022 – at the cash level.

Specifically, at the beginning of 2022, funds for training amounting to BGN 23 800 are planned. (EUR 12 169). The information is based on summary draft budgets for all structural units in PORB for 2022, prepared at the end of January 2022. At the end of the reference year (as at 31.12.2022), approximately BGN 14,129 had actually been spent at cash level (EUR 7 224). The lower implementation is to some extent due to both organisational (most of the training organised and delivered was conducted online) and financial reasons (in 2022, the SBARB was adopted later – on 4 March 2022).

A comparison of data for several consecutive years – 2020, 2021 and 2022 – shows an increase in the planned training funds for the respective years (given the increase in the cost of posting and services) and a decrease in the actual spent ones in relation to the restrictive measures introduced during the coronavirus pandemic and conducting online trainings instead of face-to-face ones, resulting in a decrease in spending.

**Q013 (2021):** The implemented budget differs from approvals due to unspent funds for major repairs, acquisition of durable tangible assets and current repairs due to unfinished procedures under the Public Procurement Law and restrictive measures related to COVID-19.

The source of the data for the approved and implemented budget, including for the Trainings in the Prosecutor's Office of the Republic of Bulgaria, is the Annual Financial Report of the Public Prosecutor's Office for 2021.

As to the annual public budget allocated to training of public prosecutors, it should be recalled that the significant reduction in 2020 of this budgetary component was the result of the declared in March 2020 extraordinary epidemic situation in Bulgaria, as well as the restrictive measures related to the spread of COVID-19.

**Q013 (2020):** The significant differences in the approved and implemented budget for 2020 compared to 2018 for the prosecution are due to the reasons set out in the remarks on question 6, namely - increase in funds for remunerations by 10% in 2019 and in 2020, increase the amount of the minimum wage, which is the basis for determining payments under contracts. There is also an increase in the compensations under the JSA and LC by EUR 786,870 compared to 2018, as well as the planned and paid funds for apparel. For detailed information - see question 6.

The implemented budget differs from the approved one due to unspent funds for major repairs, acquisition of tangible fixed assets and current repairs due to unfinished procedures under the Public Procurement Act and restrictive measures related to COVID 19.

The source of the data for approved and implemented budget, including for Trainings in the Prosecutor's Office of the Republic of Bulgaria is the Annual Financial Report of the Prosecutor's Office of the Republic of Bulgaria for 2020.

The probability of a significant reduction of the utilized budget for training of prosecutors is the declared in March 2020 extraordinary epidemic situation in Bulgaria, which continues to this day, as well as the restrictive measures related to the spread of COVID-19.

**Q013 (2019):** In 2019, the Prosecutor's Office of the Republic of Bulgaria conducted training for employees on "Centralized automated information system - electronic public procurement", which led to an increase in costs compared to 2018.

The Implemented Budget of the Prosecution of the Republic of Bulgaria differs from the Approved Budget due to the part of unused funds for major repairs, related to unfinished procedures under the Public Procurement Act. The source of the data for approved and implemented budget, incl. for Trainings in the Prosecutors' Office of the Republic of Bulgaria is the Annual Financial Report of the Prosecutors' Office for the 2019.

**Q013 (2018):** The Implemented Budget of the Prosecution of the Republic of Bulgaria differs from the Approved budget due to unused funds for major repairs and current repairs related to unfinished procedures under the Public Procurement Act.

**Q013 (2017):** The implemented budget for the Prosecution is different from the Approved budgets with more than 1 314 000 euros, because of the unabsorbed funds for major repairs (1,1 mln euro) and computerization (214 000 euros) in relation to unfinished procedures under the Public Procurement Act.

**Q013 (2014):** In 2014, to the Prosecutor's Office of the Republic of Bulgaria from the Ministry of Justice moved a new structure – Protection Bureau. Accordingly, the budget of the Prosecutor's Office for 2014 was increased by funds in connection with this structural change.

## **Croatia**

**Q107 (General Comment):** Discontinued for other reasons: cases can be discontinued for reasons such as circumstances which exclude guilt, the fact that there is no reasonable suspicion that the suspect committed particular criminal offence, in the case when criminal complaint is not credible. The reason for discontinue the case can be if the data in the criminal complaint indicate the conclusion that the complaint is not credible.

Cases closed by the public prosecutor for other reasons: cases can be closed for reasons such as the existence of circumstances that preclude the guilt of the defendant or there is no evidence that the defendant committed the offence. Other reasons: If the data in the criminal complaint indicate the conclusion that the application is not credible.

**Q107 (2022):** Data source: Report of the Attorney General of the Republic of Croatia on the work of state attorneys' offices in 2022.

\*3.1. the total number of cases are completed with the adoption of a decision on the dismissal of the criminal report or a decision on the suspension of the investigation, however statistical data are not recorded according to the categories requested in the table (15,414).

\*\*3.1.3. the data includes only juvenile offenders, as data in relation to other offenders is not available in the aforementioned Report.

For 2022, the data in section 3.1 (Discontinued during the reference year) also include data from section 3.1.4 (Discontinued for other reasons), which for 2021 were presented in section 3.3. (cases closed by public prosecutor for other reasons).

It is necessary to take into account the statistical specifics of the presentation of individual decisions, because the questionnaire asks for data in a way that is not harmonized with the statistical presentation of the work of the state attorney's office. This is why there are certain statistical deviations because the data is not compared in the annual report of the State Attorney's Office of the Republic of Croatia. Besides, due to the overloading of certain state attorney's offices, specifically for the Municipal Criminal State Attorney's Office in Zagreb, 1,060 cases were delegated to other state attorney's offices, which statistically for the Zagreb Municipal Criminal State Attorney's Office is shown as a transfer of cases and also included in the number of cases resolved by the state attorney's office to another method (that is, for 2022 in section 3.1.4, which is included in the total in section 3.1). So, in fact, the increase in the number of cases discontinued during the reference year is an increase that occurred due to the statistical method of presentation, and not a real increase.

**Q107 (2021):** Source of information: Report of the Chief State Attorney of the Republic of Croatia on the work of State Attorney's offices in 2021

3.1. the total number of cases completed by adopting a decision rejecting criminal charges or a decision terminating the investigation is presented, however, statistical data are not kept by categories requested in the table

3.1.3. There was 523 discontinued cases by the public prosecutor for reasons of opportunity (data covers juvenile perpetrators only because data in relation to other perpetrators is not available).

**Q107 (2020):** Reason for decreased number of incoming cases same as for the courts - pandemic of COVID-19.

Discontinued cases decreased - same as for the courts (COVID-19), please see comment in Q091.

For the category 3.1. Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.), PP is not able to differ categories 3.1.1., 3.1.2 and 3.1.4.

**Q107 (2018):** Compared with the data discrepancies from 2016 data, it is evident that the total number of cases received in the State Attorney's Office in 2018 decreased, which is why all other reported figures from 2018 are relatively smaller compared to the 2016 data.

**Q107 (2016):** Under discontinued cases we consider cases in which criminal charge was dismissed and cases that were suspended during criminal proceedings.

Data on the number of cases that were concluded by a penalty or a measure imposed or negotiated by the public prosecutor (conditional deferral and agreement) do not include cases against juveniles and persons aged between 18 and 21 (younger adults) because for these persons we do not have separate information on how many cases have been completed by a penalty or measure imposed or negotiated by the public prosecutor and how much by use of opportunistic principle. Therefore data on juvenile and younger adults are reported in cases that the State Attorney discontinued (dismissal by use of opportunistic principle).

**Q107 (2014):** Variations between 2012 and 2014 are due to amendments in criminal law. Namely, in 2013, the new Criminal Act entered into force by which some criminal acts are decriminalized. The legal understanding of the Criminal Department of the Supreme Court of 27 December 2012, on the amount of indeterminate values, prescribes that the legal characteristics of criminal offences such as theft, embezzlement, defraudation and fraud, described as a matter of small value, represent a matter whose value does not exceed HRK 2,000.00 (instead of the previously HRK 1,000.00). Thus, a large number of criminal proceedings on offences related to property matters, which were so far initiated by the State attorney, are now initiated upon a private complaint.

**Q107-1 (General Comment):** In criminal proceedings, the defendant is granted the right to plead guilty (for all or a number of the counts of the charge) and reach agreement on the sanction. If the defendant pleads guilty and no agreement on the sanction is reached, the panel shall confirm the indictment and a trial must be scheduled. The parties may negotiate on the conditions of pleading guilty and agreeing on a sanction. During these negotiations, the defendant shall have a defence counsel. If the president of the panel is served with a confirmed indictment to which the accused has pleaded guilty, the proposing of evidence for the trial shall be limited only to the evidence which concerns the decision on criminal-law sanctions. Where the accused pleads guilty to all counts of the charge, the president of the panel shall instruct him/her that he/she may immediately state his/her position on all the circumstances that incriminate him/her and present all the facts in his/her favour, after which the accused shall be interrogated. The guilty plea does not exempt the court from its duty to present other evidence as well. If the confession of the accused at the trial is complete and in accordance with the evidence already gathered, the court shall, in the course of evidentiary proceedings, present only those pieces of evidence that relate to the decision on punishment or other sanction. The State Attorney's Office keeps only a track record on the judgments rendered by the court in the guilty plea procedure and no distinction can be made between the number of guilty plea procedures "before the court case" and their number "during the court case".

**Q107-1 (2022):** Data source: Report of the Attorney General of the Republic of Croatia on the work of state attorneys' offices in 2022.

\* The data refer to cases under the jurisdiction of county state attorneys' offices and the Office for the Suppression of Corruption and Organized Crime

\*\*The data refer to cases under the jurisdiction of the municipal state attorney's offices, with a note that certain severe criminal cases are also under their jurisdiction, however, statistical data are presented in total for all criminal offenses under the jurisdiction of the municipal state attorney's offices without separating them into "lighter" and "serious" crimes.

The number of agreements from municipal jurisdiction was 318 in 2022, and 242 in 2021, which represents a true increase of 31%. There is no particular reason for this increase, as it is a number that varies depending on the specifics of each reporting period (for example, it was 190 in 2018, 2019 -315, 2020 -266, 2021 -242 and 2022 -318). In fact, it is about the decisions of the court that should accept the agreement proposal submitted jointly by the state attorney's office and the defence. The State Attorney's Office strives to increase the number of agreements concluded every year in order to shorten court proceedings and relieve the work of the State Attorney's Office and the court, which is why the number of judgments based on the parties' agreement is monitored and analysed. However, the state attorney's office tries to maintain an appropriate criminal policy and insists on compensation for damages for victims, which is why the state attorney's office's proposals for agreements are not acceptable for defence in conditions of slow trials due to the significant workload of the courts, and realistically the number of agreements is not high. For this reason, data on the number of verdicts based on agreements in the annual report of the State Attorney's Office of the Republic of Croatia are considered in relation to the total number of convictions. In 2022, agreements from municipal jurisdiction accounted for 2.19% of the total number of convictions from municipal jurisdiction, which is only a slight increase of 0.62% compared to 2021, when agreements accounted for 1.68% of the total number of convictions % which actually does not represent a significant difference and is therefore not commented on.

**Q107-1 (2021):** Source of information: Report of the Chief State Attorney of the Republic of Croatia on the work of State Attorney's offices in 2021

Data under Severe criminal cases refers to cases under the jurisdiction of county state attorney's offices and the Office for the Suppression of corruption and organised crime

Data under Misdemeanour and / or minor criminal cases refers to cases under the jurisdiction of municipal state attorney's offices, noting that certain severe criminal cases are also within their jurisdiction, however, statistical data are presented in total for all criminal offences under the jurisdiction of municipal state attorney's offices, without separating them into "lighter" and "more serious" criminal offences.

**Q107-1 (2016):** In total, in 2016, 440 judgements were given under the agreement of the parties in which the accused pleaded guilty (total number of guilty plea procedures is 440), but there is no data on how many cases it occurred before the court case or during the court case. Regarding the data from the previous cycle, there has been a decrease in the number of judgements by the agreement of the parties in which the defendant pleaded guilty because during the previous period in only one criminal case that was within the jurisdiction of the Office for the Suppression of Corruption and Organized Crime with over three hundred defendants, an agreement was reached with a large number of defendants, which ultimately affected a significant increase in the number of judgments given by the parties' agreement.

**Q109 (2022):** The data includes cases of criminal offenses committed in traffic.

**Q013 (2022):** The stated amount differs from the previously submitted data because of an increase in the base for civil servants and state employees, as well as an increase in the amount for holiday pay, Christmas bonus, and children's gift.

**Q013 (2021):** Between 2020 and 2021 there was a significant increase in the budget approved and implemented for the training of public prosecution services because during the Covid pandemic in 2020 trainings were not held.

**Q013 (2020):** There is a significant increasing of the total annual budget allocated to the public prosecution services due to the increasing of salaries of the public prosecutors.

The annual public budget allocated to training of public prosecution services is lower than in 2019 due to the fact that in 2019 the Judicial Academy conducted professional training of judicial officials and advisors and a foreign language education program for judicial officials, while in 2020 due to the COVID pandemic these trainings were not held.

**Q013 (2019):** There is a significant increasing of the total annual budget allocated to the public prosecution services due to the increasing of salaries of the public prosecutors.

## **Cyprus**

**Q013 (2022):** There was a major restructuring of the posts in the public prosecution service as a number of new posts were created. At the same time, there was an increase in the salaries of the counsels working at the Attorney General's Office. In the previous cycle, there were not many trainings as a result of covid.

**Q013 (2021):** In 2021 there was a massive increase in the compensation paid in action of 10 million, representing compensation awarded in actions against the state.

Less training seminars have been held in person due to covid.

**Q013 (2020):** In 2020, there was a significant increase in the salaries of the prosecutors of the office of the Attorney General.

**Q013 (2019):** Total implemented budget decreased due to a decrease in the services assigned to external lawyers.

**Q013 (2018):** Total annual public budget allocated to the public prosecution services, in € (including 13.1) (implemented budget discrepancy comment): decrease in the services rendered by private lawyers that were needed before as a result of the bail in cases.

**Q013 (2017):** The important difference between the implemented and the approved budgets allocated to prosecution services is attributed to the amount of compensations awarded by courts in actions filled against the Republic.

**Q013 (2016):** The difference between the approved budget in 2014 and 2016 was the fact that following the bail in 2013 the cases that were tried in 2016 had increased enormously. The reason for the difference between the approved budget and the implemented budget for 2016 was the increase in the services rendered to the prosecution service as well as the compensation and cost. In 2014 the amount for services rendered was 954,000 whereas in 2016 13,036,139. The amount for compensation in 2014 was 6431646 and in 2016 it was 14623187.

**Q013 (2012):** The indicated figure refers exclusively to the budget of the Law Office of the Republic headed by the Attorney General.

## **Czech Republic**

**Q107 (2022):** Two years ago, we have changed the methodology of reporting for CEPEJ.

In addition, the prosecutor can deal with the case in many ways. We tried to make the data work and the sums to make sense. E.g. Pending cases on 1 Jan. ref. year + .Incoming/received cases - Processed cases = Pending cases on 31 Dec. ref. year. However, we would like to state that data comes from various sources and may be sometimes tricky to deal with.

There are many reasons why the prosecution could be discontinued. It is difficult to say under which category they should be included (3.1.2 or 3.1.4). However, the reasons may include following: 1. If such prosecution concerns a person who is exempt from the competencies of the law enforcement authorities or a person for whom the law requires an official consent for their prosecution, if such consent was not awarded by an entitled authority, unless the exemption is temporary or unless the criminal prosecution of the person is inadmissible due to lack of consent only temporarily; 2. if it concerns a person who is below the age of criminal responsibility 3. if it is against a person whose mental illness that occurred after the criminal offence was committed makes it permanently impossible for them to understand the purpose of the criminal prosecution 4. and many others.

**Q107 (2021):** In 2019, we have changed the methodology of reporting for CEPEJ.

In addition, the prosecutor can deal with the case in many ways. We tried to make the data work and the sums to make sense. E.g. Pending cases on 1 Jan. ref. year + Incoming/received cases - Processed cases = Pending cases on 31 Dec. ref. year. However, we would like to state that data comes from various sources and may be sometimes tricky to deal with.

There are many reasons why the prosecution could be discontinued. It is difficult to say under which category they should be included (3.1.2 or 3.1.4). However, the reasons may include following: 1. If such prosecution concerns a person who is exempt from the competencies of the law enforcement authorities or a person for whom the law requires an official consent for their prosecution, if such consent was not awarded by an entitled authority, unless the exemption is temporary or unless the criminal prosecution of the person is inadmissible due to lack of consent only temporarily; 2. if it concerns a person who is below the age of criminal responsibility 3. if it is against a person whose mental illness that occurred after the criminal offence was committed makes it permanently impossible for them to understand the purpose of the criminal prosecution 4. and many others.

**Q107 (2020):** Last year, we have changed the methodology of reporting for CEPEJ.

In addition, the prosecutor can deal with the case in many ways. We tried to make the data work and the sums to make sense. E.g. Pending cases on 1 Jan. ref. year + Incoming/received cases - Processed cases = Pending cases on 31 Dec. ref. year. However, we would like to state that data comes from various sources and may be sometimes tricky to deal with.

There are many reasons why the prosecution could be discontinued. It is difficult to say under which category they should be included (3.1.2 or 3.1.4). However, the reasons may include following: 1. If such prosecution concerns a person who is exempt from the competencies of the law enforcement authorities or a person for whom the law requires an official consent for their prosecution, if such consent was not awarded by an entitled authority, unless the exemption is temporary or unless the criminal prosecution of the person is inadmissible due to lack of consent only temporarily; 2. if it concerns a person who is below the age of criminal responsibility 3. if it is against a person whose mental illness that occurred after the criminal offence was committed makes it permanently impossible for them to understand the purpose of the criminal prosecution 4. and many others.

**Q107 (2018):** This year, we have changed the methodology of reporting for CEPEJ, thus some number strongly differs from previous data.

Also, there are many other ways how the prosecutor can deal with the case. Thus sum of discontinued during the reference year + Concluded by a penalty or a measure imposed or negotiated by the public prosecutor + cases brought to court is smaller than number of cases received during the year.

**Q107 (2016):** The correct number of received cases for 2014 should be 313958.

**Q107-1 (2022):** There was a legislative change, which make several changes regarding the guilty pleas - it is easier to plead guilty and achieve guilty plea. The biggest change is that it is possible to get guilty plea for the most serious crimes. As a result, the number of guilty pleas is rapidly rising.

**Q107-1 (2021):** There was a legislative change which make several changes regarding the guilty pleas - it easier to plead guilty and achieve guilty plea. The biggest change is that it is possible to get guilty plea for the most serious crimes. As a result the number of guilty pleas is rapidly rising.

**Q107-1 (2020):** There was a legislative change which make it easier to plead guilty and achieve guilty plea. The biggest change is that it is possible to get guilty plea for the most serious crimes.

**Q013 (General Comment):** It is noteworthy that before 2014, the implemented budget was provided instead of the approved one.

**Q013 (2022):** There can be movement between the different categories of the budget during the year according to the current needs.

Desirable increasing of budget to training.

**Q013 (2021):** There can be movement between the different categories of the budget during the year according to the current needs. Moreover, there is also influence of exchange rate. The difference between approved and implemented budget allocated to training is mostly caused by pandemic situation.

**Q013 (2020):** There can be movement between the different categories of the budget during the year according to the current needs. Moreover, there is also influence of exchange rate.

**Q013 (2019):** There can be movement between the different categories of the budget during the year according to the current needs. Moreover, there is also influence of exchange rate.

## Denmark

**Q107 (General Comment):** The number of processed cases includes both cases dismissed by the police and cases dismissed by the public prosecutor. All prosecutors are subject to a recruitment procedure conducted by The Director of Public Prosecutions' Office on behalf of the Ministry of Justice. A prosecutor can serve within The Local Prosecution Service based in one of the 15 the police districts or within The Central Prosecution Service with one of the Regional State Prosecutors' offices or with The Director of Public Prosecutions' Office.

**Q107 (2022):** It is not possible to subtract numbers on discontinued cases in the format in Q 3.1.1. + 3.1.2 + 3.1.4, as the legal basis in Denmark (sections 721 and 749 of the Administration of Justice Act) is not divided in such subsectors. Regarding point 3.1.3 in question 107, it is not possible to account for one specific reason behind the increased number of discontinued cases for reasons of opportunity. However, during 2021 and 2022 we have had an increased effort in lowering the amount of pending cases. This can partly explain the surge of discontinued cases in 3.1.3. Regarding the increase in incoming cases, it should be noted, that the police is responsible for charging possible perpetrators and hence the number of incoming cases received by the prosecution service. An explanation of the increase in number of incoming cases should therefore be directed to the police. With that being said, the number of incoming cases varies from year to year and the amount in 2021 was lower than the previous years.

**Q107 (2021):** It is not possible to subtract numbers on discontinued cases in the format in Q 3.1.1. + 3.1.2 + 3.1.4, as the legal basis in Denmark (sections 721 and 749 of the Administration of Justice Act) is not divided in such subsectors. Regarding point 3.1.3 in question 107, it is not possible to account for one specific reason behind the increased number of discontinued cases for reasons of opportunity. However, during 2021 we have had an increased effort in lowering the amount of pending cases. This can partly explain the surge of discontinued cases in 3.1.3.

**Q107 (2020):** It is not possible to subtract numbers on discontinued cases in the format in Q 3.1.1. + 3.1.2 + 3.1.4, as the legal basis in Denmark (sections 721 and 749 of the Administration of Justice Act) is not divided in such subsectors. The data source used in points 1 and 4 (data that do not include post-registration of charges) are different from the data source used in points 2 and 3 (data that includes post-registration of charges). Hence, data does not fit the formula: (pending at the beginning of the year + incoming) – resolved = pending at the end of the year) due to post-registrations of further charges. The number of incoming charges has decreased considerably between 2018 and 2020. This is due to a change in the way we measure the number of incoming charges. The new way of measure incoming cases more correctly than the previous way of measuring as the new way contains all incoming charges and not all processed charges as the previous way did. The number of incoming cases in 2018 is 245.687 when using the new way of measuring.

**Q107 (2018):** Please note that there has been a mistake with the previous data collection for 2006, 2008, 2010, 2012, 2014 and 2016 concerning question 107 and 108. This is due to missing information and collection of data from the Danish Administration of Justice Act. In the future we will make sure that every information is incorporated.

**Q107 (2016):** Cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor include cases concluded by the police as these cases are indistinguishable in the case handling system.

**Q107 (2014):** The increase in the number of cases charged by the public prosecutor before the courts is a result of an increased preliminary charge rate (police) and an increased prosecution rate (public prosecutor). The conviction rate is unchanged over the period despite the increase in both the preliminary charge rate and the prosecution rate.

**Q107-1 (General Comment):** The guilty plea procedure including a main trial will always be concluded during the main trial, as it is a court decision whether or not a person can be convicted in court. Cases with accepted fines are not included in the answer above, as it is not part of a trial. Plea guilty procedure can only take place during the main trial.

**Q107-1 (2022):** Comments Denmark does not have a definition of "severe criminal cases" and "minor criminal cases". The answer covers the number of counts (measured by charges per person). In 2022, the number of complexes are 3.526. There has been an increase in the number of guilty plea procedures. The Director of Public Prosecutions has no explanation for this. In Denmark, a guilty plea procedure is concluded by a court hearing, not a main trial. Instead of an indictment, the Prosecution Service sends the case to the court with a charge sheet describing the offence. The court must in a court hearing ensure that the conditions for proceeding the case as a guilty plea procedure are present. The answer regarding whether the case was concluded before/during the main trial differs from last year's answer, as guilty plea procedures are correctly concluded before the main trial, as the confession must subsequently be validated by a judge. The data is registered through a case-filing tool, POLSAS. POLSAS is first and foremost a case-filing tool, which may be subject to human entry error. Furthermore, the number of guilty plea procedures can fluctuate on a yearly basis for a variety of reasons. We cannot conclude anything of substance regarding the decrease without a manual investigation.

**Q107-1 (2021):** Denmark does not have a definition of "severe criminal cases" and "minor criminal cases". The answer covers the number of counts (measured by charges per person). In 2021, the number of complexes are 2997. There has been a decrease in the number of guilty plea procedures. The Director of Public Prosecutions has no explanation for this. In Denmark, a guilty plea procedure is concluded by a court hearing, not a main trial. Instead of an indictment, the Prosecution Service sends the case to the court with a charge sheet describing the offence. The court must in a court hearing ensure that the conditions for proceeding the case as a guilty plea procedure are present. The answer regarding whether the case was concluded before/during the main trial differs from last year's answer, as guilty plea procedures are correctly concluded before the main trial, as the confession must subsequently be validated by a judge. The data is registered through a case-filing tool, POLSAS. POLSAS is first and foremost a case-filing tool, which may be subject to human entry-error. Furthermore, the number of guilty plea procedures can fluctuate on a yearly basis for a variety of reasons. We cannot conclude anything of substance regarding the decrease without a manual investigation.

**Q107-1 (2020):** The discrepancy is due to the method of calculation. In 2018 the answer covers the number of complexes of cases, and the answer in 2020 covers the number of counts (measured by charges per person). In 2020 the number of complexes are 3.449.

**Q013 (General Comment):** The Danish system presents the peculiarity to include the budget allocated to public prosecution services within the overall budget of the police. Before 2013, it wasn't possible to identify the precise expenditures concerning public prosecution services. As of 2013, due to a change in the registration frame, it is easier to estimate the cost of the public prosecution services.

**Q013 (2020):** The increasing expenses compared to previous years are partly due to an increased effort to reduce case processing times and case stocks in the criminal case chain. In 2019, further expenses were incurred in connection with the implementation of several commissions of inquiry set up by the government

**Q013 (2017):** The approved budget is manually calculated due to a general change in the method of allocating costs between auxiliary functions and the core task. In order to compare the approved budget with actual costs, it has been necessary to correct the budget figures. Minor deviations may therefore occur compared to the approved budget in previous years.

## Estonia

**Q107 (General Comment):** The number of incoming cases is given by registered crimes while the number of cases resolved is given by the number of persons in respect of whom a procedural decision has been made.

**Q107 (2022):** The general trend shows a decrease in registered crimes.

**Q107 (2020):** The number of incoming cases is given by registered crimes. the number of cases resolved is given by the number of persons in respect of whom a procedural decision has been made.

**Q107 (2018):** The data for 2018 evaluation cycle are checked and confirmed. The data are not comparable with 2016, because the source of the data changed.

**Q107 (2016):** For this cycle, calculations are based on cases not persons or crimes. One case, especially when brought to court or concluded by penalty, often involves several crimes and persons.

**Q107 (2012):** As to the item "cases charged by the prosecutor before the courts", the 2010 data referred to settlement proceedings, while the 2012 data includes only cases that were terminated by a prosecutor in case of lack of public interest in proceedings and in case of negligible guilt. These cases are also included under "cases discontinued by the prosecutor". The category "cases charged by the public prosecutor before the courts" includes cases where a person has been sent to court in order to impose coercive psychiatric treatment by a court and cases which have been sent to court in order to request termination of criminal proceedings (the latter was not taken into account in previous reports).

**Q107-1 (2018):** The data for 2018 evaluation cycle are checked and confirmed. The data are not comparable with 2016, because the source of the data changed.

**Q107-1 (2012):** The total number of guilty plea procedures for 2012 was 4 980.

**Q109 (2020):** Only the ones that are classified as criminal offences.

**Q109 (2016):** It includes only a minority of traffic offences that are punishable according to Penal code, these are more serious offences like causing an accident with injured victims, drunk driving above medium-intoxication level and repeated driving without licence.

**Q109 (2014):** The 2014 data encompasses only severe drunk driving and accidents with serious bodily casualties.

**Q013 (2020):** Annual public budget allocated to training of public prosecution services: due to COVID-19 restrictions, there were less trainings.

**Q013 (2019):** More resources diverted to training this year.

**Q013 (2013):** The approved public budget allocated to prosecution services has increased in 2013 compared to the budget of 2012 due to the increased costs of rent of buildings on the one hand, and the increased budget of salaries, on the other hand.

## Finland

**Q107 (2022):** 3.2 Notice cases of summary fines are not included. The number of summary fines in 2022 was 34426.

**Q107 (2021):** 3.2 Notice cases of summary fines are not included. The number of summary fines in 2021: 34 306.  
3.3: Consist of internal transfers of cases between prosecution districts, joining of cases and technical decisions.

**Q107 (2020):** Comments: 3.2 Notice cases of summary fines are not included. The number of summary fines: 38433. The decrease in the number of cases "3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor" is due to a change in the law. The law on certain type of fine (rangaistusmääräysmenettely) was abolished in 2016 and replaced with the law on fines and summary penalty fee (laki sakon ja rikesakon määräämisestä (754/2010). According to this law, the police can order the summary penal fee. This page, in Finnish, shows figures of the amount in euros of these summary fines imposed by prosecutors (2nd graph) and by the police (3rd graph).

<https://www.oikeusrekisterikeskus.fi/fi/index/tietopalvelu/tilastotjaavoindata/sakot.html>

3.1.4 Discontinued for other reasons and 3.3. Cases closed by the public prosecutor for other reasons: The prosecutor must waive prosecution if: (1) the prerequisites for the bringing of charges provided in section 6, subsection 1 are not met; (2) the prosecutor waives prosecution on the basis of section 6, subsection 2; (3) the injured party has not requested that charges be brought or another special prerequisite provided in law for the bringing of charges referred to in section 2, subsection 2 is not met and the nature of the case requires that a separate decision be made. The prosecutor may waive prosecution if: (1) if no sentence more severe than a fine is to be anticipated for the offence and the offence, with consideration to its detrimental effects or the degree of culpability of the offender manifested in it, is to be deemed petty as a whole; and (2) if the suspect had not reached the age of eighteen at the time of the commission of the suspected offence and no sentence more severe than a fine or imprisonment for at most six months is to be anticipated for this offence and it is to be deemed to be more the result of lack of understanding or thoughtlessness than of heedlessness of the prohibitions and commands of the law. In addition, the prosecutor may waive prosecution, unless an important public or private interest requires otherwise if: 1) if criminal proceedings and punishment are to be deemed unreasonable or inappropriate in view of a settlement reached by the suspect in the offence and the injured party, the other action of the suspect in the offence to prevent or remove the effects of the offence, the personal circumstances of the suspect in the offence, the other consequences of the act to him or her, the welfare and health care measures undertaken and the other circumstances; (2) under the provisions on joint punishment or on the consideration of previous punishments in sentencing, the suspected offence would not have an essential effect on the total punishment; or (3) the expenses in continuing to consider the case would be in manifest disproportion to the nature of the case and to the sanction possibly to be expected in it. Also, If charges are being considered for two or more offences for which the same person is suspected and if he or she has contributed to the clarification of one or more of the suspected offences, the prosecutor may decide not to bring charges for all of the suspected offences. However, charges shall be brought if required by an important public or private interest.

**Q107 (2018):** With regard to the observed decrease in the number of cases "concluded by a penalty", there were 507 penalty notices given by the prosecutor in 2016 but only 23 in 2018.

**Q107 (2016):** The number of discontinued cases during the reference year includes the number of cases in which the prosecutor has waved the charges before trial and restricted the preliminary investigation in a way that the case is not brought to trial. For 2014, only the cases in which the prosecutor has waved the charges before trial have been informed.

**Q107 (2014):** The number of 1st instance criminal cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor decreased over the years 2010, 2012 and 2014. According to the annual report for 2014 of the Prosecution Service, the number of summary penal judgments decreased by 9 % (2013 – 2014; 59 in numbers). According to the report of 2013, the number of summary penal judgments decreased by almost 19 % (2012 – 2013; 151 in numbers). Some organisational changes were carried out during that time period. Besides, the number of incoming cases decreased, but the degree of difficulty/complexity increased.

**Q107-1 (General Comment):** The possibility of plea bargaining was introduced to the Finnish legal system in the beginning of year 2015. The aim of the reform was to allocate the resources of the national authorities in a more effective way and to speed up both the pre-trial phase of the criminal process and the court proceedings. A defendant can agree to plead guilty to a particular charge in exchange for a more lenient sentence. The prosecutor may also decide not to prosecute for one or for several of the suspected crimes. Plea bargaining can be used if the injured party has no demands in the matter and if he/she agrees to plea bargaining. Plea bargaining can be used when a person is suspected of a crime carrying a maximum sentence of six years' imprisonment. It cannot be used for crimes like homicide, causing bodily injury and sex offences or when the injured party is a child. Plea bargain is also applicable for white-collar crimes.

**Q107-1 (2022):** Data on guilty plea procedure is not comprehensive. The procedure is registered in information systems only in a few cases. The usage of the procedure is likely much more broad than indicated, but there is no data available to confirm this.

**Q107-1 (2020):** The known number of guilty plea procedures is 80. However, the number could be higher as the use of this procedure is not systematically reported, especially when it takes place during the main trial.

**Q107-1 (2018):** There were less than 100 plea bargaining cases in 2018. The exact number is not available.

**Q107-1 (2016):** The possibility of plea bargaining was introduced to the Finnish legal system in the beginning of this year. A defendant can agree to plead guilty to a particular charge in exchange for a more lenient sentence. The prosecutor may also decide not to prosecute for one or for several of the suspected crimes. Plea bargaining can be used if the injured party has no demands in the matter and if he/she agree to plea bargaining. Plea bargaining can be used when a person is suspected of a crime carrying a maximum sentence of six years' incarceration. It cannot be used for crimes like homicide, causing bodily injury and sex offences or when the injured party is a child. Plea bargain is also applicable for white-collar crimes. Legislation regarding plea bargaining was approved in August 2014, and the changes entered into force on 1 January 2015. The aim of the reform was to allocate the resources of the national authorities in a more effective way and to speed up both the pre-trial phase of the criminal process and the court proceedings. The Parliament has required the Ministry of Justice to follow up on and evaluate how the legislation on plea bargaining is being applied and implemented and to provide the Law Committee with a report on how the legislation functions by the end of 2017.

**Q107-1 (2014):** The possibility of plea bargaining was introduced in 2015. A defendant can agree to plead guilty to a particular charge in exchange for a more lenient sentence. The prosecutor may also decide not to prosecute for one or for several of the suspected crimes. Plea bargaining can be used if the injured party has no demands in the matter and if s/he agrees to plea bargaining. It can be used when a person is suspected of a crime carrying a maximum sentence of six years' incarceration. It cannot be used for crimes like homicide, causing bodily injury and sex offences or when the injured party is a child. Plea bargain is also applicable for white-collar crimes.

**Q013 (2022):** Annual public budget allocated to training of public prosecution services: in 2022 the total amount used for training was 715 813 euro. This comprises of: 374 587 euro for salaries related to trainings (+ plus pensions etc. payments), 173 843 euro of travel expenses, 57 925 euro for purchasing different course and conference services, and 109 458 euro (excluding VAT) used for training by the Office of the Prosecutor General. In 2020 the expenses were historically low and in 2022 the expenses were closer to the annual average. In 2022, there were about 50 % more training days than in 2020. More people also participated in the trainings. In addition, the travel costs for trainings increased in 2022. The exact reasons for the low figures in 2020 are no clear, but it can be assumed that the Covid pandemic had an impact.

**Q013 (2021):** Annual public budget allocated to training of public prosecution services: in 2021 the total amount used for training was 407 595 euro. This comprises of: 261 683 euro for salaries related to trainings (+ plus pensions etc payments); 29 328 euro of travel expenses (excluding VAT), 73 230 euro for purchasing different course and conference services, and 43 354 euro used for training by the Office of the Prosecutor General.

The annual public budget allocated to training of public prosecution services increased only slightly since the particular year of the pandemic. In fact, in 2021, the Prosecution Authority had a recommendation on remote work in force and also most of the trainings were organized remotely.

**Q013 (2020):** Annual public budget allocated to training of public prosecution services: in 2020 the total amount used for training was 379 043 euro. This comprises of: 208 000 euro for salaries related to trainings (+ plus pensions etc payments); 38 673 euro of travel expenses (excluding VAT), 83 062 euro for purchasing different course and conference services, and 49 300 euro used for training by the Office of the Prosecutor General. It is noteworthy that the travel expenses decreased approximately 170.000. This was due to, amongst others, covid-19 situation which led to holding the training remotely.

## France

**Q107 (General Comment):** The data from Q 107 pertains to registered cases regardless of the number of offenses or perpetrators involved. However, in the event that a single case involving multiple perpetrators is subject to separate dispositions (e.g. different treatment for minors and adults, or classification and prosecution within the same case), it is then the number of dispositions that is counted. The complexity and diversity of criminal data do not allow for estimates of pending cases.

**Q107 (2021):** source SDSE

**Q107 (2016):** Among the cases discontinued by the public prosecutor, a distinction should be carried out between the mass of cases that could not be prosecuted because they were not elucidated or insufficiently characterized (3112642) and cases that could be prosecuted but were dismissed in accordance with the opportunity principle (191430).

**Q107-1 (2021):**

source SDSE

Increase in the number of guilty plea procedures: 2020 was marked by a significant drop in activity (caused by the lawyers' strike movement initiated in the second half of 2019 and which continued at the beginning of 2020, then by the slowdown in court activity under the effect of the COVID-19 pandemic and successive lockdowns of the population) and 2021 by a return to normal activity in the courts. It is also necessary to take into account the impact of the law n° 2019-222 of 23 March 2019 on the nature of cases under the CRPC procedure.

**Q107-1 (2016):** The procedure of appearance on preliminary admission of guilt is a form of prosecution initiated by the prosecutor. In 2016, this procedure was initiated against 92213 perpetrators. Some of these proceedings failed either because the author failed to appear, or because no agreement could be reached on the sentence, or because the judge refused to approve the agreement between the author of the offence, his/her lawyer and the prosecutor. In 2016, the courts certified 75055 convictions in court on a plea of guilty.

**Q107-1 (2014):** It was not possible to distinguish between guilty plea agreements before the case is brought to court and guilty plea agreements concluded during judicial proceedings. Only the public prosecutor has competence for initiating such procedure when the facts are admitted. To a lesser extent, the procedure may take place at the end of a judicial investigation, before referring the case to court. The guilty plea procedure is often used for less serious offences.

**Q109 (2022):** Indeed, for misdemeanours and fines.

**Q109 (2021):** source SDSE

**Q013 (General Comment):** The budget of the Public Prosecution Services is not distinguishable from the budget allocated for the functioning of all courts. It was decided to apply a distribution key of 80% courts/20% public prosecution services.

**Q013 (2021):** As in the previous year, as it is not possible to distinguish between data related to courts and data related to the public prosecution services, an 80/20 ratio has been applied to the data from the LFI 2021 of P166 and the annual performance report 2021 of P 166.

Source DSJ

**Q013 (2019):** The budget allocated to the public prosecutor's office is not separated from that allocated to the courts. Nevertheless, a distribution key has been adopted (courts 80%/public ministry 20%).

**Germany**

**Q107 (General Comment):** General information on the public prosecution statistic used as a source for answering this question:

Once per year, the Federal Statistical Office compiles and publishes the public prosecution statistic. Statistical ordinances define the scope and rules of data collection for these statistics. The public prosecution offices collect the data and submit it to the statistical offices of the federal states, who check and edit the data and send it to the Federal Statistical Office. In simplified terms, the statistical ordinance provides two different kinds of data collection sheets: The "procedural survey" that collects data on the specifics of the investigation proceedings carried out by the public prosecution and the "monthly survey" that collects data on the caseload and other workload of the public prosecution offices. The figures entered here do not include investigations against persons unknown. The public prosecution statistic only shows the number of charges filed against unknown perpetrators. Information on the further treatment of those charges is not available. This is because the monthly survey distinguishes between "caseload of investigation proceedings covered by the procedural surveys" and "other workload". Charges against persons unknown fall into the category "other workload". The number of resolved and pending cases is only collected with regard to the first category (proceedings covered by the procedural surveys). If a suspect is identified in cases with an unknown perpetrator, the case receives a new file-number and then appears in the the category "covered by the procedural surveys".

**Q107 (2022):** 3.2 Concluded by a penalty or a measure imposed or negotiated by the public prosecutor:

The number represents the the cases that were discontinued in accordance with Section 153a of the Code of Criminal Procedure ("non-prosecution subject to imposition of conditions and directions")

These cases would also fit into the category "discontinued for reasons of opportunity" (3.1.3) but were allocated to 3.2 here.

3.1.4 Discrepancy in comparison to the 2020-2022 cycle: The number of cases discontinued for other reasons was considerably higher in the public prosecution statistic 2020 and in previous years. This was due to a programming issue in one of the federal states. Many of the cases that were registered in this category should have actually been registered within the category "discontinued for reasons of opportunity". The issue was noticed and fixed at the end of 2020.

**Q107 (2021):** 3.2 Concluded by a penalty or a measure imposed or negotiated by the public prosecutor:  
The number represents the the cases that were discontinued in accordance with Section 153a of the Code of Criminal Procedure ("Non-prosecution subject to imposition of conditions and directions")  
These cases would also fit into the category "discontinued for reasons of opportunity" (3.1.3) but were allocated to 3.2 here.  
3.1.4 The number of cases discontinued for other reasons in the public prosecution statistic 2020 (and previous years) was considerably higher due to a programming issue in one of the Länder. Many of the cases that were registered in this category should have actually been registered within the category "discontinued for reasons of opportunity". The issue was noticed and fixed at the end of 2020.

**Q107 (2020):** 3.2 Concluded by a penalty or a measure imposed or negotiated by the public prosecutor:  
The number represents the the cases that were discontinued in accordance with Section 153a of the Code of Criminal Procedure ("Non-prosecution subject to imposition of conditions and directions")  
These cases would also fit into the category "discontinued for reasons of opportunity" (3.1.3) but were allocated to 3.2 here.

**Q107 (2018):** These figures include first-instance criminal cases led by the public prosecution offices based at the Regional Courts (investigations with a "Js" file number) and the public prosecution offices based at the Higher Regional Courts (investigations with an "OJs" file number). Regarding the latter ("OJs" investigations), figures only exist for the number of cases newly received by the prosecutor generals' offices.

**Q107 (2016):** These figures include first-instance criminal cases led by the public prosecution offices based at the Regional Courts (investigations with a "Js" file number) and the public prosecution offices based at the Higher Regional Courts (investigations with an "OJs" file number). Regarding the latter ("OJs" investigations), figures only exist for the number of cases newly received by the prosecutor generals' offices.

**Q013 (2022):** In the majority of the federal states, the budget of the courts cannot be separated from budget of the public prosecution. A few federal states that can make this distinction, can, however, not separate the training budget of the public prosecution services from the training budget of the whole judiciary.

Of the 16 federal states - 7 could not provide any data  
- 8 have figures available

One federal state has not yet replied. The Federal Ministry of Justice can provide budget information for the Federal Public Prosecutor's office.

**Q013 (2021):** In the majority of the Länder, the budget of the courts cannot be separated from budget of the public prosecution. A few Länder that can make this distinction, can, however, not separate the training budget of the public prosecution services from the training budget of the whole judiciary.

**Q013 (2020):** The budget of the courts cannot be separated from budget of the public prosecution.

**Q013 (2019):** The budget of the courts cannot be separated from budget of the public prosecution.

**Q013 (2018):** The budget of the courts cannot be separated from budget from the public prosecution.

**Q013 (2017):** The budget of the courts cannot be separated from budget from the public prosecution.

**Q013 (2016):** The budget of the courts cannot be separated from budget from the public prosecution.

**Q013 (2015):** Most of the Länder were unable to provide information in this regard, meaning that it is not possible to provide an answer to the question that is meaningful in substantive terms

**Q013 (2014):** For 2014, most of the Länder were unable to provide information. Accordingly, it was not possible to provide a reply to the question that is meaningful in substantive terms.

**Q013 (2013):** For 2013, data was not available for 8 Länder. The indicated total subsumes figures communicated by 8 Länder and the operating budget of the Office of the Federal Public Prosecutor General.

**Q013 (2012):** For 2012, data was not available for 6 Länder. The total subsumes figures communicated by 9 Länder and the operating budget of the Office of the Federal Public Prosecutor General.

## Greece

**Q107 (2022):** It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting and calculating statistical data. As the methodology is developing, discrepancies in data can be observed.

**Q107 (2021):** The definition of the pending cases includes postponed cases or the cases the trial date has been setting out of the reference year or hasn't been determined during the year. The fact is that the theoretical pending cases resulted from pending cases on 1st of January + Incoming cases (cases are related to reference + previous years). However, pending cases on 31 Dec. are only the cases that have not been determined, or cases that have been determined after the reference year. All of the pending cases on 31 of Dec. are related only to the reference year.

Considering that this is the first year where offices calculate their pending cases, and some of them do not have electronic systems to monitor their data, in the next years we will get better and more accurate statistics.

**Q107 (2020):** No data available for this query.

**Q107 (2016):** The relevant data are not available electronically for the moment, therefore their extraction is not possible.

**Q107-1 (2022):** This year, we modified the request by asking the information from the courts. We believe that this is reason for the variations observed.

**Q107-1 (2020):** No data available for this query.

**Q013 (General Comment):** The public prosecution services budget can not be separated from the courts budget.

**Q013 (2022):** As explained in question 6, there is no possibility of separating budgeted expenditures on the one hand and some sub-categories of expenditures (in terms of execution) on the other, between the public prosecutor's offices and other courts in the country.

**Q013 (2021):** Not available, cannot be separated.

**Q013 (2020):** There is no separate budget for Public Prosecutions included in the special code 1017-201-00000000 .Impossible to fill.

## Hungary

**Q107 (2022):** The data source - in accordance with the previous data provision - is The Statistical Subsystem of Completed Criminal Proceedings of the Unified Investigation Authority and Prosecution Service Criminal Statistics System (hereinafter ENYÜBS-BBS). In the ENYÜBS-BBS subsystem, the data is recorded when the investigating authorities or the Prosecution Service have made a procedural decision giving reasons for the provision of statistical data in connection with the crime (e.g.: dismissal of the criminal complaint, termination, suspension, accusation/indictment), relating to which statistical data was provided. Considering the time of data recording, the ENYÜBS-BBS subsystem is, therefore, of a so-called follow-up nature, so it does not show how many crimes occurred in the year under review, but it shows how many legal decisions were made in connection with such acts and in how many cases statistical data was provided in this context (in a registrative manner). As a result, the above also means that it may occur there is an ongoing criminal proceeding that is not included in the ENYÜBS database yet. For the questions "Pending cases on 1 Jan. ref. year" and "Pending cases on 31 December ref.year" in the table, please note that no data is collected on the number of pending cases – on a given day – into the records of the Prosecution Service. Set of data: ENYÜBS-BBS: number of criminal procedure decisions

Unit of recording: criminal procedure decision

Selection date: May 30, 2023.

**Q107 (2021):** As to 'Pending cases on 1 Jan. ref. year' and 'Pending cases on 31 Dec. ref. year', please note that the number of pending cases at a given day is not recorded in the database operated by the prosecution service. As to 'Processed cases' (3.), please note that the database of the prosecution service records the number of cases where one or more procedural acts were performed by the prosecution service; besides that, it records the number of procedural acts regarding each type of act.

**Q107 (2020):** 3.1.4 Discontinued for other reasons:

If the Special Part of the Penal Code regulates the conduct of the accused after the commencement of the proceedings as a ground for termination of criminal liability.

3.3. Cases closed by the public prosecutor for other reasons: At the stage of preparation of the prosecution, Section 221 / A (7) of the Criminal Procedure Act provides that if the mediation proceedings are successful and the application of Section 29 (1) of the Criminal Code is appropriate, the prosecutor shall terminate the proceedings.

**Q107-1 (2022):** The guilty plea procedure as such does not exist in the Hungarian legal system; however, the new Code of Criminal

Proceedings has introduced the so-called plea agreement, which is, in essence, a similar instrument.

**Q107-1 (2021):** The guilty plea procedure as such does not exist in the Hungarian legal system; however, the new Code of Criminal Proceedings has introduced the so-called plea agreement, which is, in essence, a similar instrument.

**Q107-1 (2020):** This procedure exists only from 1 July 2018, following the entry into force of the Act XC of 2017 on the new criminal procedure law. In the event that the prosecution can prove the guilt of the accused beyond a reasonable doubt and there is no opportunity to explain what happened in an acceptable manner, the accused will do his best to admit the act and avoid a lengthy trial.

**Q107-1 (2018):** This procedure exists only from 1 July 2018, following the entry into force of the Act XC of 2017 on the new criminal procedure law.

**Q109 (2012):** In 2012, the total number of traffic offences cases was 3 084.

**Q013 (2022):** Act XC of 2021 on Hungary's central budget for 2022.

The draft act for implemented state budget of 2022 has not yet been adopted by the Parliament.

**Q013 (2021):** Statistical data on the human resources of the prosecution service of Hungary; Data from the 'Persona' electronic human resources database of the prosecution service; Act CLXIV of 2011 on the status of the General Prosecutor, prosecutors and other employees of the prosecution service, as well as on the career of prosecutors (hereinafter: 'Act on Prosecutors').

**Q013 (2020):** Q 13 Act LXXI of 2019 on Hungary's central budget for 2020  
The act for implemented state budget of 2020 is before the Parliament (T / 17188. of law proposal ON THE IMPLEMENTATION OF Act LXXI OF 2019 ON HUNGARY'S CENTRAL BUDGET FOR THE YEAR 2020) but not yet adapted.

**Q013 (2019):** The implemented budget of 2019 not yet approved by the Parliament.

**Q013 (2017):** The Parliament has not yet adopted the law on the implementation of the budget of 2017

**Q013 (2015):** Annual implemented public budget of 2015 not yet approved.

**Q013 (2012):** In 2012, 84% of the budget were spent on salaries, income taxes, health insurance and social insurance for the staff, 13.5% were spent on functional costs including maintenance of office buildings and 2.5 % constituted a reserve.

## Ireland

**Q107 (General Comment):** As many of our cases are prosecuted by State Solicitors we don't have any data on the status of a case between the time the direction is issued and when we receive the final outcome; this is for matters on indictment. For summary cases outside of Dublin, we rarely even if ever hear back on the outcome as these directions are passed on to the police by the State Solicitor and the police execute the direction to prosecute without reference to the State Solicitor. This may change in the future if outcome data is exchange using the Criminal Justice Operational Hub. Summary cases outside of Dublin would make up a significant proportion of the files given in our figures.

As per the instructions provided, cases are counted per prosecution file which could include more than one suspect and multiple charges preferred. Therefore, the figure give for 'Discontinued' in 107.3.1 is the number of distinct files where a suspect was directed for 'no prosecution'; in some of these files, other suspects on the file may have been prosecuted in the courts.

**Q107 (2021):** There has been a significant increase in files received by the office in the last number of years - this is partially due to the increase in complexity of offences and investigations.

These figures were compiled by the Office of the Director of Public Prosecutions and will be included in the Annual Report 2021 which is published annually on the Office of the Director of Public Prosecutions website. Caution should be exercised when comparing these statistics with statistics published by other organisations such as the Courts Service or An Garda Síochána. The statistics published here are based on our own classification and categorisation systems and may in some cases not be in line with the classification systems of other organisations.

Q.3.4: indictable offences

**Q107 (2018):** \*14,856 files in total were received in 2018 including appeals of which 11,647 related to first instance cases .

**Q107 (2012):** Figures provided for 2012 reflect 2011 data.

**Q107-1 (2022):** Data is collected in the Office of Director Public Prosecutions but is not available in the format specifically set out in the explanatory notes.

**Q109 (General Comment):** In the vast majority of cases involving traffic offences, the police service (An Garda Síochána) will prefer charges without reference to the Office of the Director of Public Prosecutions. Only in the more serious of such cases, including causing death by dangerous driving, will the Office of the DPP receive files for a decision whether to prosecute or not. Any such traffic offence cases received by the Office of the DPP and decided upon would normally be included in the figures.

**Q109 (2022):** There was no discrepancy in the replies provided.

**Q013 (2020):** Parliament approved a budget of €44.813M for the public prosecution service for 2020. Expenditure by the prosecution service in 2020 amounted to €44.248M. The unspent amount of approved funding was surrendered at the end of the year in accordance with national public expenditure rules.

The annual budget for training is allocated by the prosecution service from within total funds allocated to it annually by Parliament. In 2020 expenditure on training initiatives amounted to €201K. This was down somewhat on previous years because of restrictions in place due to COVID-19.

**Q013 (2018):** Parliament approved a budget of €43,502K for the public prosecution service for 2018. Expenditure by the prosecution service in 2018 amounted to €42,582K. The unspent 2% of approved funding was surrendered at the end of the year in accordance with national public expenditure rules.

The annual public budget for the training of the public prosecutor service is allocated by the prosecution service from within total funds allocated to it annually by Parliament. In 2018 total expenditure on training initiatives amounting to €314K.

**Q013 (2012):** The values reported are the gross figures as voted and it is comparable between years.

## Italy

**Q107 (2022):** We do not know the reasons for these discrepancies. However, the figures are correct.

**Q107-1 (General Comment):** As a matter of fact in Italy there is no "guilty plea procedure" as such. However, if someone pleads guilty there are special procedures to speed up the proceedings.

**Q013 (General Comment):** Due to the structure of the Italian judicial system, the Ministry of Justice has one single budget which does not distinguish between the budget allocated to courts, the budget allocated to public prosecution services and the one allocated to the administration. However an effort is made in order to provide the most reasonable figure for the budget of the prosecution services. The calculation is carried out taking into account several criteria (e.g. the number of staff allocated to the public prosecution services).

**Q013 (2022):** The increase in the budget for training is due to the fact that in 2020 the training was mainly delivered online (less expensive) due to the pandemic.

**Q013 (2021):** Difference in the implemented budget might be due to spending shifts from one financial year to another.

**Q013 (2020):** In general, the budget for training has drastically decreased in 2020 because the majority of the training was provided online rather than in person. This holds for both courts and prosecution offices. The reason why this trend is not evident at Q.6 (item 6) is due to the presence of administrative justice whose investments in terms of training were massive.

**Q013 (2014):** The difference between the approved and the implemented budgets is mainly due to the salary of personnel as the retirement age is not exactly foreseeable.

## Latvia

**Q107 (General Comment):** Information obtained from the ProIS (Prosecution Information System), that is a 'living' system (input of data is not 'frozen' at the end of the year). Vertical consistency cannot be ensured because there is a number of cases that have been added to "cases discontinued for other reasons" and others that have been returned to the investigative authorities to continue the investigation.

**Q107 (2022):** Information obtained from the ProIS (Prosecution Information System) data downloaded in February 2023. The same data is used in drawing up the Annual Report of the Prosecution Office submitted to the Parliament. The difference from the number of pending cases on 31 December previous period reported in last CEPEJ questionnaire may be explained that the ProIS is a 'living' system (input of data is not 'frozen' at the end of the year), therefore some cases may be marked in the system as 'pending' between August 2022 and February 2023. One of the reasons for the increase of the number in comparison with the year 2020 may be the structural reforms carried out in the prosecution office, as of 1 November 2021 first instance prosecution offices prosecute all types of criminal offences that were previously prosecuted by prosecution offices of the Judicial Regions. Thus, not only the number/numerical volume of 1st instance prosecutors' cases (criminal proceedings taken under supervision) increased, but also their legal complexity which has impacted the workload backlog. -107. 3.1. Discontinued during the reference year (3.1.1.-3.1.4.) In consistency with the decrease in total number of incoming/received cases, a decrease can also be observed in the number of all of the discontinued cases.

- 3.1.3. Discontinued by the public prosecutor for reasons of opportunity: includes discontinued on the basis of the following grounds set forth in Article 380 of the Criminal Procedure Law: termination of criminal proceedings on the basis of circumstances that exclude criminal proceedings (several subcategories listed in Article 377), termination of criminal proceedings by releasing a person from criminal liability (Parts 1 and 2 of Article 379), including conditional release from liability (Article 415), and termination of criminal proceedings against a person who has substantially assisted in the disclosure of a serious or especially serious crime.

The remaining reason of opportunity mentioned in Article 380, namely Article 421 'Prosecutor's penal order' – number of cases discontinued on this basis is included in 107.3.2.: Concluded by a penalty or a measure imposed or negotiated by the public prosecutor.

- 3.1.4. Discontinued for other reasons: includes 675 cases in which criminal proceedings were suspended, 5 cases where the criminal proceedings have been terminated by conditionally releasing from criminal liability for a serious crime, plus 41 case sent on the basis of the jurisdiction (including – abroad).

- 107. 3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor – the answer for the increase in number lies within the proposed strategic goal of the prosecution office – to complete the criminal proceedings in the prosecution office whenever possible. This has led to the significant increase in the total value of number in Q 107. 3.2. and decrease in numbers in Q 107. 3.3.

- 107. 4. Pending cases on 31 Dec. ref. year: explanation given for Q 107. 1.1. applies to this number as well.

**Q107 (2021):** Cases brought to court: 6061 cases with the total number of criminal offenses - 11008.

Number of incoming cases in 2021 was 11 529. This includes cases received: for initiation of criminal prosecution; after the division of cases or during the phase of investigation; in accordance with urgent procedures; from the court for the elimination of violations/deficiencies; taken over for investigation; restored previously terminated or suspended cases.

The vertical consistency cannot be ensured because in 2021 there were 370 cases that were added to other cases and 82 cases were returned to the investigative authorities to continue the investigation. These cases are not included in the subcategories of Q107. 3.1.2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation - according to Article 380 of the Criminal Procedure Law these preconditions (stated in Article 377, Clauses 1, 2 and 10 of the Criminal Procedure Law) are exonerating circumstances. Data for the year 2020 included also other clauses of Article 377 that contain circumstances that do not exonerate persons, which explains the remarkable difference in numbers. Accordingly, 3.1.3. has increased by the number of relevant cases (that also constitute reasons of opportunity).

3.1.4. Discontinued for other reasons: the cases included in this category are, for example, the cases in which the prosecutor took a decision to terminate criminal proceedings by conditionally releasing from criminal liability a person who has been accused of committing a serious crime and who has substantially assisted in the disclosure of a serious or especially serious crime that is more serious or dangerous than the criminal offence committed by the relevant person himself / herself (Paragraph prim of Section 415 of the Criminal Procedure Law). The information compiled in the information system of the Prosecution Office shows that in 2021, prosecutors took 9 decisions to terminate criminal proceedings based on the aforementioned Paragraph. Besides, for 2021, there are 675 cases in which criminal proceedings were suspended included in this category.

Just like for the year 2020, 365 cases in which the prosecutor took a decision to terminate the criminal proceedings by conditionally releasing a person from criminal liability for the commission of a criminal offense or a less serious crime were included in the category "3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor". This, along with the recommendation included in the Operational Strategy of the Prosecution Office 2022-2027- on the completion of the criminal proceedings in the Prosecution Office where possible, also explains the increase in the latter category. 3.3. Cases closed by the public prosecutor for other reasons: the cases included in this category are, for example, the cases in which the Prosecutor General has made a decision to terminate criminal proceedings against a person who has substantially assisted in the disclosure of a serious or especially serious crime that is more serious or dangerous than a criminal offence committed by such person himself / herself. In 2021, Prosecutor General has not terminated any criminal proceedings based on Article 410 of the Criminal Procedure Law. For 2021, in this category there are 285 cases included that were sent on the basis of the jurisdiction (including – abroad).

4 Pending cases on 31 Dec. ref year: The number has increased mainly due to the COVID-19 pandemic (that affected the timely execution of procedural/investigative actions).

3.4. In 2021 there has been a significant decrease of the number of initiated criminal proceedings (-17%), furthermore the number of criminal proceedings completed in the prosecutor's office has increased (+26%).

**Q107 (2020):** Cases brought to court

8088 cases with the total number of criminal offenses - 14158

The vertical consistency cannot be ensured because in 2020, there were 520 cases that were added to other cases and 91 cases were returned to the investigative authorities to continue the investigation. These cases are not included in the subcategories of Q107. 3.1.4 Discontinued for other reasons: the cases included in this category are, for example, the cases in which the prosecutor took a decision to terminate criminal proceedings by conditionally releasing from criminal liability a person who has been accused of committing a serious crime and who has substantially assisted in the disclosure of a serious or especially serious crime that is more serious or dangerous than the criminal offence committed by the relevant person himself / herself. The information compiled in the information system of the Prosecution Office shows that in 2020, prosecutors took 2 decisions to terminate criminal proceedings based on Paragraph prim of Section 415 of the Criminal Procedure Law. Besides, for 2020, in this category are included 955 cases in which criminal proceedings were suspended.

3.3. Cases closed by the public prosecutor for other reasons: the cases included in this category are, for example, the cases in which the Prosecutor General has made a decision to terminate criminal proceedings against a person who has substantially assisted in the disclosure of a serious or especially serious crime that is more serious or dangerous than a criminal offence committed by such person himself / herself. In 2020, Prosecutor General has not terminated any criminal proceedings based on Article 410 of the Criminal Procedure Law. For 2020, in this category are included 285 cases that were sent in accordance with the relevant jurisdiction (including – abroad). The category "3.1. Discontinued during the reference year" decreased because 365 cases in which the prosecutor took a decision to terminate the criminal proceedings by conditionally releasing a person from criminal liability for the commission of a criminal offense or a less serious crime were included in the category "3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor". This also explains the increase in the latter category.

**Q107 (2018):** Cases brought to court

8887 cases with the total number of criminal offenses - 14569

**Q107 (2016):** Cases brought to court  
10022 cases with the total number of criminal offenses - 16892

**Q107-1 (2016):** In 2016, the Prosecution Office sent a total of 699 cases to the court, in which there was concluded an agreement regarding admission of guilt and a punishment. Of all sent cases, in 21 occasions the court did not approve an agreement entered into during the pre-trial criminal proceedings. Thus in total, in 2016, the court approved 678 agreements concluded by the prosecutor at the pre-trial stage. However, data on the number of agreements approved in the court process (court) were not collected separately in 2016. Accordingly, data on the number of agreements approved in the court process (court) and in total are not available for 2016.

**Q107-1 (2012):** In 2012, 233 cases were brought to court by public prosecutors under a guilty plea procedure.

**Q109 (2021):** Data from Accountancy system

**Q109 (2016):** In accordance with the Latvian legal system on traffic offenses, a person can also be punished administratively, for example, for driving a vehicle under the influence of alcohol, narcotic drugs or other intoxicating substances. Therefore, in this specific case, we would like to emphasize the fact that the indicated number of cases does not include any road traffic violations that are provided for by the Latvian Administrative Violations Code. At the moment, having evaluated the comment received from you, we consider that it is acceptable to rectify the previously given response in Q-109 by indicating "Yes", as it includes road traffic violations for the commission of which there is provided criminal liability

**Q013 (General Comment):** Data on budget of the public prosecution includes only State budget for prosecution.

**Q013 (2022):** The allocated budget has increased due to the fact that we were implementing the EC co-financed project BALTICS that conducted trainings for prosecutors in the field of financial and economic crime investigation. The project was financed from the funds of the Prosecutor's Office (budget was 28 930 EUR).

Decrease observed in the spending of budget in the training activities was due to the fact that several activities implemented in the Prosecution Office were financed by the European Commissions project (in accordance with the Explanatory note, EU fundings are not taken into consideration in Q13). Additionally, during the training period of 2022 many activities for prosecutors were financed by the project run by the Court Administration "Justice for growth".

**Q013 (2020):** 1. The cost of reimbursement was EUR 23 492 less due to the absence of 2 new posts.

2. Expenditure on goods and services of less than EUR 1 254 277, of which EUR 1 191 298 was not exhausted (used) because the original planned repairs were not carried out in the General Prosecutor's Office building on Kalpaka Boulevard 6 in 2020.

3. Capital expenditure was not fully absorbed at EUR 288 678.

4. Taking into account that raising the qualification of prosecutors is one of the priorities of the Prosecutor's Office, additional training measures and, accordingly, increased budgetary resources are envisaged.

On 1 January 2019, the Law "Amendments to the Law on Remuneration of Officials and Employees of State and Local Government Authorities" entered into force, by which there was prescribed a significantly higher remuneration for prosecutors. Consequently, the budget allocated to the Prosecution Office in 2020 is higher than in 2018.

"Annual public budget allocated to training of public prosecution services": The Prosecution Office is financed from the State budget, then, taking into account the additional State budget funding allocated to the Prosecution Office for 2020, it was possible to increase the funding for the training of prosecutors.

**Q013 (2019):** 1) Financial resources of EUR 430 800 were not used due to the decision taken not to perform repairs at the Public Prosecutor's Office building on Kalpaka Boulevard 6, Riga;

2) In 2019 funding for the training of prosecutors has not been distributed separately.

**Q013 (2018):** In 2018, the public budget was allocated to the Prosecutor's Office at EUR 26 921 451, of which EUR 26 860 729 was spent. Accordingly, a total of EUR 60 722 was not spent on the public budget, which was returned to the national budget due to the fact that the expenditure on translation services was less than the funding allocated for that purpose.

**Q013 (2017):** In 2017, the Public Prosecutor's Office has received state budget resources of EUR 24 121 346, of which EUR 24 053 679 was spent. Accordingly, from the total amount allocated from the State budget in 2017 EUR 67 667 was not spent, what was received as a subsidy for repair work. These repairs were planned to be carried out in the object registered as a cultural monument, and, when it was recognized that the funds allocated were not adequate for repairs, they were returned to the state budget.

**Q013 (2012):** The budget allocated to the General Prosecutor Office was reduced significantly during the economic crises. Financial means were reduced in almost all budget positions, for example the salaries of prosecutors and staff. Nevertheless, starting from 2012, the consequences of the economic crisis have been diminishing and the budget increased up to almost 5 000 000 EUR.

## Lithuania

**Q107 (2022):** Inconsistency is a result of different sources of data and their differing formulas for calculating some statistical indicators. Numbers of „Pending cases on 1 Jan“, „Pending cases on 31 Dec.“ and „Incoming cases“ are taken from the national register, however number of „Processed cases“ is taken from registers of the Lithuanian Prosecution Service.

**Q107 (2021):** The number of registered crimes is gradually decreasing since 2017 in Lithuania, and this also affects other numbers.

Prosecutor General's Office of the Republic of Lithuania: the numbers are correct. Vertical inconsistency is a result of different sources of data and differences in formulas for calculating some statistical indicators. Numbers of „Pending cases“ and „Incoming cases“ are taken from the national register, however number of „Processed cases“ is taken from registers of the Lithuanian Prosecution Service.

**Q107 (2020):** Cases closed by the public prosecutor for other reasons: cases closed under Paragraph 3 Article 68 of the Criminal Procedure Code - when criminal act has been committed in the territory of the Republic of Lithuania by a citizen of a foreign country or other person who have subsequently left the Republic of Lithuania, the Prosecutor General's Office of the Republic of Lithuania may request foreign country to take over the criminal case. When criminal case is taken over by another country, the one in Lithuania is discontinued. The number of registered crimes is gradually decreasing since 2017 in Lithuania, and this affects number of incoming cases, processed cases, discontinued cases and cases brought to court. The reason for the non-compliance of the result of the formula used ((pending cases on 1 January 2020 + incoming cases) – processed cases = pending cases on 31 December 2020) is a result of different sources of data and their differing formulas for calculating some statistical indicators. Numbers of „Pending cases“ and „Incoming cases“ is taken from the national register, however number of „Processed cases“ is taken from registers of the Lithuanian Prosecution Service.

**Q107 (2014):** In contrast with the 2012 data, the 2014 data includes cases in connected investigations.

**Q107 (2012):** The category “cases charged before the courts” also encompasses cases discontinued by the court on the prosecutor’s request, when the measures of criminal effect can be imposed on the persons concerned. The increase in the number of cases received by the prosecutor stems from the Lithuanian economic situation and the national economic priorities, as well as from the entry into force of the Law on Domestic Violence (2011). Criminal investigation became compulsory regarding every single incident of domestic violence. Over the last few years, the prosecution service had been seeking to complete criminal investigations under economy procedures - imposing penal or reformative measures, deciding the case with a penal order or using the accelerated process.

**Q107-1 (2018):** On 1st January 2017 driving under the influence of alcohol has been criminalized. The majority of these cases are brought to court through the guilty plea procedure.

**Q107-1 (2012):** The 2012 data does not include criminal cases that were brought before court with the bill of indictment. It includes cases that were brought before court with the criminal order under a simplified procedure, and also cases that were discontinued by court on non-rehabilitating grounds.

**Q109 (General Comment):** A traffic offence is qualified as criminal when it causes health impairment to another person, or the offender has been driving under influence of alcohol, narcotic, psychotropic or other psychoactive substances and his/her driving resulted in health impairment to or death of another person. Other traffic offences are qualified under the administrative legislation.

**Q013 (2021):** National Audit Office of Lithuania carried out an audit on the investigation and prevention of cybercrime, which aims to contribute to the creation of a safe environment for society in cyberspace. The audit recommendations highlighted the need for the General Prosecutor’s Office to pay more attention to the development of competences in the investigation of cybercrime, as the competences of specialised prosecutors are not sufficiently enhanced due to an insufficient and unsystematic education system and the lack of methodologies for the investigation of cybercrime. Due to the high cost of cybercrime training, an additional budget was requested and a small part of it was received.

**Q013 (2020):** In 2020 the decrease in the state budget funds allocated to the training of prosecutors was influenced by objective reasons. It should be noted that the Prosecutor’s Office participates in a wide range of international projects, from which it receives funding for capacity building activities. Also, individual trainings, traineeships and exchanges are funded by the European Judicial Training Network. In this context, there was no increased need for funds from the state budget for the training of prosecutors in 2020. In addition, the decrease in the need for allocations in this area has also been influenced by the onset of the COVID-19 pandemic.

**Q013 (2016):** In 2016, Prosecutor’s Office was allocated the amount of 5 965 820.82 EUR from the State Budget for settling the payment with the State Enterprise „Turto bankas“ („Property bank“) for the renovation of the office building at Rinktinės street 5A in Vilnius, and this amount of money has been transferred to the State Enterprise „Turto bankas“.

**Q013 (2014):** The approved public budget allocated to the prosecution services has been approved according to the Law on the approval of State and municipal budget financial rates for 2014. The implemented budget differs, as the prosecution services have been granted funds from the reserve fund of the Government and funds from incomes.

## Luxembourg

**Q107 (2022):** In accordance with sub 3.2, the cases in question are deemed closed if the party concerned complies with the condition set forth in the warning or fulfills its obligations arising from mediation. In case of non-compliance, public prosecution resumes.

Regarding 3.1.4: These essentially consist of two specific measures; firstly, concerning traffic offences, there is an obligation to attend a driving course and, exclusively for young adult offenders, participation in a program called Choice 18+ aimed at preventing drug addiction (<https://www.solina.lu/fr/facilities/impuls/>).

**Q107 (2021):** 3.1.4 "Discontinued for other reasons": due to the continuing pandemic in 2021, no "Choice18 +" measures could be initiated, nor processed, during this year. Similarly, driving courses were suspended due to the pandemic and did not resume until October 2021.

3.2 "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor": the increase in the number of cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor between 2020 and 2021 cannot be explained by a single event. The increase is mainly due to the growing number of warnings issued by the prosecution service, which is on the one hand the result of punctual measures related to the health crisis and on the other hand depends on the subject matter of the cases dealt with, as warnings are usually issued in less serious cases.

**Q107 (2020):** "The cases referred to under 3.2. shall be considered closed if the party concerned complies with the condition imposed by the warning or fulfills its obligations arising from the mediation. In case of non-compliance, the public action will resume.

3.1.4: These are essentially two specific measures: firstly, in the area of traffic, the obligation to follow a driving course and, only for young offenders of full age, participation in a course in the Choice 18+ program for the prevention of drug addiction (<https://www.solina.lu/fr/facilities/impuls/>)."

**Q107 (2018):** L'augmentation du nombre d'affaires classées s'explique essentiellement au niveau des affaires de police. Depuis 2017, le nombre d'affaires nouvelles a considérablement augmenté, ce qui explique partiellement le nombre important d'affaires classées en la matière. Cet accroissement des affaires ouvertes est lié à l'introduction du système de contrôle et de sanction automatisés (CSA) au cours de l'année 2016, qui a mené à une augmentation importante des affaires de circulation (vitesse), des infractions constatées via des radars fixes et mobiles. En plus, des changements au niveau de la gestion de ces affaires CSA au parquet a engendré le classement d'un nombre important d'affaires en 2018, ce qui contribue à la variation importante des affaires classées observée entre 2016 et 2018. Les affaires reçues par le procureur au cours de l'année de référence incluent les affaires 'Sans Auteur Identifié' (SAI) qui sont provisoirement classées dans l'attente de l'identification d'un auteur. En 2018, 24 799 affaires étaient qualifiées SAI.

**Q107-1 (General Comment):** The "penal transaction" introduced by a law on February 24th, 2015 under the title of "judgment by agreement" allows the prosecutor and the defendant to engage in negotiations for a penal judgment that will be enforced by the courts.

**Q107-1 (2021):** In 2020 and 2021, health measures only allowed the physical presence of a reduced number of persons in hearings compared to previous years. To continue to work efficiently and resolve cases, prosecutors' offices have, as far as possible, given preference to the procedure of judgment by agreement (procédure du jugement sur accord), as it requires less physical presence of parties, defence counsel, witnesses, etc. Moreover, since the procedure of judgment by agreement was only introduced in 2015, the habit of resorting to this measure has only become established in recent years among lawyers, who now take the initiative themselves more often to launch this procedure.

**Q107-1 (2020):** In 2020, the sanitary measures did allow only a reduced number of people in the court hearings compared to previous years. In order to continue to work effectively and to resolve cases, the state prosecutors' offices decided to resort to the guilty plea procedure, since it does not require the same amount of physical presence of the parties, the defenders, witnesses, etc.

**Q107-1 (2018):** The "transaction pénale" introduced by a law of February 24th, 2015 under the name of "jugement sur accord" enables the prosecutor and the defendant to "negotiate" a penal judgment that will be rendered executory by the courts.

**Q107-1 (2016):** The "transaction pénale" introduced by a law of February 24th, 2015 under the name of "jugement sur accord" and enables the prosecutor and the defendant to "negotiate" a penal judgment that will be rendered executory by the courts.

**Q013 (General Comment):** The budget of public prosecution services cannot be distinguished from the budget of courts.

**Q013 (2022):** There exists no separate budget allocated for the Public Prosecution Service.

**Q013 (2020):** Il n'existe pas de budget isolé pour les services du ministère public.

**Q013 (2019):** There is no isolated budget for the public prosecution services.

**Q013 (2018):** There is no isolated budget for the public prosecution services.

**Q013 (2017):** There is no isolated budget for the public prosecution services.

**Q013 (2016):** There is no isolated budget for the public prosecution services.

## Malta

**Q107 (2022):** Presently the figures provided are in lien with the cases that are brought to court. The Office of the Attorney General shall be developing its case management system and this data should then be easily captured by the new system.

**Q107 (2021):** The Office of the Attorney General is in the process of setting up a comprehensive case management system that will keep track of all the cases that are processed by the OAG. Until then, the cases quoted above are all cases prosecuted in court at 1st Instance.

The high pending caseload at the beginning of 2021 is a direct result of the inefficiencies experienced during the Covid-19 pandemic. In fact throughout 2020, given that most of the year the courts of justice were closed, the number of incoming cases far exceeding the number of resolved cases. This led to a low CR and a concomitant high pending caseload.

**Q107 (2016):** The criminal cases brought to court at 1st Instance are prosecuted by the Police and not by the attorneys working in the Office of the AG.

**Q109 (2016):** Traffic offences are listed with the 1st instance cases filed in front of the Court of Magistrates, Criminal Jurisdiction.

**Q013 (General Comment):** The public prosecution services are carried out by the Attorney General's office. The Attorney General not only acts as a public prosecutor but also as the principal legal advisor of all the Government Departments. As a result, the amount budgeted cannot be considered as being funds allocated solely for public prosecution services, but also for other purposes relating to legal work and advise for the Government, both locally and internationally.

**Q013 (2022):** The Office of the Attorney General underwent a recruitment drive that resulted in an increment in wage-related costs.

**Q013 (2018):** It is not possible to differentiate the budget used for training purposes from the overall budget of the Agency. Training costs are not itemised in a line item on their own, and are incurred on a need basis depending on the opportunities available.

**Q013 (2017):** The public prosecution services are carried out by the Attorney General's office. The Attorney General not only acts as a public prosecutor but also as the principal legal advisor of all the Government Departments. As a result, the amount budgeted cannot be considered as being funds allocated solely for public prosecution services, but also for other purposes relating to legal work and advise for the Government, both locally and internationally.

**Q013 (2015):** The difference between the implemented budget and the approved budget results from some additional funds requested to meet recurrent costs, and other funds credited to the account of the Office of the Attorney General derived from reimbursements.

**Q013 (2012):** In 2012, funds allocated to the Attorney General's Office were reduced due to reorganization purposes.

## Netherlands

**Q107 (General Comment):** The number of pending cases at the end of the year cannot equal pending cases at the start of the year + incoming cases – processed cases, because a specific type of case can only be counted in the stock when the file has been judged, not when they are pending. This is for criminal cases where an order is given, but the case is then returned because the order cannot be executed. This specific case type return to the stock, but cannot be measured in the system the public prosecution uses. Once those cases are assessed again and stream out, they become visible in the numbers in the system.

Pending cases are cases that are yet to be judged and for which a hearing has to be planned. Cases for which the hearing has been planned, are not included in this number.

**Q107 (2022):** There are a few numbers available, but NL does not register whether cases are litigious or not in the manner asked here.

**Q107 (2021):** Pending cases are cases that are yet to be judged and for which a hearing has to be planned. Cases for which the hearing has been planned, are not included in this number.

Discrepancy comment Pending cases January: The way in which pending cases were counted changed in August 2020, before that time a large number of cases were included that had already been dealt with administratively. Those cases are now excluded from the number of pending cases, which explains the difference in numbers between pending cases Jan 2020 and and pending cases Jan 2021.

**Q107 (2020):** The number of pending cases at the end of the year cannot equal pending cases at the start of the year + incoming cases – processed cases because a certain type of case can only be counted in the stock when the file has been judged, not when they are pending. These cases are criminal cases where an order is given, but they are then returned because the order cannot be executed. These criminal cases return to the stock, but cannot be measured in the system the public prosecution uses. Once a case like that is assessed again and streams out, it becomes visible in the numbers of the system.

**Q107 (2016):** In 2014 there were no assistant officers. The lower input results in lower output.

**Q107 (2012):** The category “cases discontinued for reasons of opportunity” concerns minor cases and covers cases solved by the suspects and victims themselves and cases considered too old to be still prosecuted. Since 2012, these kinds of cases are not filtered anymore by the police and are registered at the public prosecution offices. In 2012, the number of cases concluded by a penalty or a measure imposed or negotiated by the prosecutor, increased due to the Law on Public Prosecution sanctions. The latter extended the possibility for the public prosecution to impose sanctions itself, independently of the Judicial (sentence disposal).

**Q107-1 (2022):** In 2021, there were experiments with judgement agreements (vonnisafspraken) and trial agreements (procesafspraken), see eg. [https://www.bjutijdschriften.nl/tijdschrift/NTS/2022/2/NTS\\_2666-6553\\_2022\\_003\\_002\\_003](https://www.bjutijdschriften.nl/tijdschrift/NTS/2022/2/NTS_2666-6553_2022_003_002_003). These experiments were evaluated, and further specified in directives and instructions in 2022. The numbers are not yet available.

**Q107-1 (2021):** In 2021, there were experiments with judgement agreements (vonnisafspraken) and trial agreements (procesafspraken), see eg. [https://www.bjutijdschriften.nl/tijdschrift/NTS/2022/2/NTS\\_2666-6553\\_2022\\_003\\_002\\_003](https://www.bjutijdschriften.nl/tijdschrift/NTS/2022/2/NTS_2666-6553_2022_003_002_003). These experiments were evaluated, and further specified in directives and instructions in 2022. The numbers are not yet available.

**Q109 (2022):** These include traffic offences, but NOT traffic violations. Only serious traffic issues are prosecuted as traffic offence, the less serious as violation of even administrative justice (wet Mulder).

**Q109 (2020):** These include traffic offences, but NOT traffic violations. Only serious traffic issues are prosecuted as traffic offence, the less serious as violation of even administrative justice (wet Mulder).

**Q013 (General Comment):** Approved budget: the first version of the budget (estimated budget); implemented budget: annual financial report on the state expenditure. The budget for public prosecution services includes justice expenses in criminal cases, namely all kinds of cost types (e.g. wiretaps, interpreters, compensations for witnesses).

Budget allocated to training of public prosecution services is not registered separately in the budget report. The public prosecution services do have budget reserved for training, but that is for the entire public prosecution services and not just for public prosecutors. Regarding the public prosecutors, the services take part in the training institute of the Rechtspraak, and pay a yearly fee for that.

**Q013 (2019):** Budget allocated to training of public prosecution services is not registered separately in the budget report. The public prosecution services do have budget reserved for training, but that is for the entire public prosecution services and not just for public prosecutors. Regarding the public prosecutors, the services takes part in the training institute of the Rechtspraak, and pays a yearly fee for that (7 741 000 euros in 2019).

**Q013 (2016):** including justice expenses, including public prosecution before the Supreme Court and Council of State in criminal cases;

## Poland

**Q107 (General Comment):** \*The number of cases discontinued for any other reason consists of cases discontinued on the basis of: - art. 17 par. 1 point 3 to 11 of the Code of Criminal Procedure: the social harm of the act is negligible; the law provides that the perpetrator is not subject to punishment; the defendant has died; the criminal statute of limitations has run; criminal proceedings for the same act of the same person have been validly terminated or previously instituted proceedings are pending; the perpetrator is not subject to the jurisdiction of the Polish criminal courts; lack of complaint from an authorized prosecutor; absence of the required authorization for prosecution or request for prosecution from an authorized person, unless otherwise provided by law; there is another circumstance excluding prosecution.

- the Act on Counteracting Drug Addiction (Article 62a and 62b);

- other discontinuances - in addition to those described in report PK-P1K on activity of common organizational units of the Public Prosecutor's Office in criminal cases.

\*The number of cases closed by the prosecutor for other reasons consists of: - refusal to prosecute, suspension, dealt with in another way, transfer to commander, criminal prosecution transferred.. At the end that following a change in Q107, starting from 2022, cases previously reported as “closed for other reason are presented as “discontinued for other reasons”.

**Q107 (2022):** The other modes of termination concerned 414,485 cases (other modes of termination: refusal to prosecute, suspension, dealt with in another way, transfer to commander, criminal prosecution transferred). These cases are reported within the category “discontinued for other reasons”.

**Q107 (2020):** \*The number of cases processed in 2018 was 1,076,123. The number of cases discontinued for this period is 397,471. This number is comparable to the 2019 data. (406,770 cases discontinued) and for 2020. (387,521 cases discontinued). \*The number of cases - "concluded by a penalty or measure imposed or negotiated by the prosecutor" for each year was as follows: 2018. – 43 348, in 2019. -36 167, in 2020. - 25 635.

**Q107 (2018):** Differences which appear between data mentioned in the form related to functioning of the Polish jurisdiction and data specified in the previous edition of research - connected with the amount of cases incoming and the amount of terminated cases - arise from at least two reasons. First, during the years the image of crime has been changing. The amount of committed crimes is not constant and it is changing dynamically. Second, normative changes affect the differences mentioned at the beginning. This is connected with: the penalization of acts which have been criminally indifferent until now and amendments to the Criminal Procedure Law. In the adversarial reform - currently in force since the 1st of July 2015 - the rule related to cases terminated by decisions of police on refusal to allow investigation or on discontinuance of investigation has been introduced. According to this rule the aforementioned cases do not have to be approved by the prosecutor. Therefore such proceedings have not been registered in the prosecution office. Amendments to the Code of Criminal Procedure, which came into force on the 15h of April 2016, cancelled this rule.

**Q107 (2016):** Cases "Discontinued during the reference year" - only number of staid legal proceedings.

**Q107-1 (General Comment):** Article 335 [Sentencing without trial - motion] -Criminal Code Procedure

§ 1. If the accused pleads guilty, and in the light of his explanations the circumstances of the commission of the offence and his guilt raise no doubts, and the attitude of the accused indicates that the objectives of the proceedings will be achieved, further proceedings may be omitted.

The public prosecutor, instead of filing a bill of indictment, shall file a motion with the court for issuing a judgment of conviction at a hearing and for agreeing with the defendant on penalties or other measures envisaged for the offence charged, also taking into account the legally protected interests of the victim. The agreement may also include a specific decision on payment of legal costs.

The public prosecutor may attach to the indictment a motion for a judgment of conviction to be handed down at a hearing and for the penalties or other measures prescribed for the offence charged to be agreed upon with the defendant, also taking into account the legally protected interests of the victim, if the circumstances of the offence and the defendant's guilt are beyond doubt, the evidentiary statements made by the defendant do not contradict the findings made, and the defendant's attitude indicates that the objectives of the proceedings will be achieved.

\*Article 156 of the Fiscal Penal Code, The public prosecutor, as well as the financial pre-trial body, may attach to the indictment a motion for issuing, without a hearing, a judgment of conviction and imposing a penalty or penal measure agreed with the accused for the fiscal offence or fiscal misdemeanour charged against him, if the circumstances of the commission of the offence do not raise any doubts and the attitude of the accused indicates that the objectives of the proceedings will be achieved.

**Q107-1 (2022):** \*) 46 263 = Data refers to persons convicted at first instance:

- Convicted as a result of granting an application under Article 335 § 1 or 2 of the Code of Criminal Procedure: in District Courts - 658 persons, in Regional Courts - 41,690 persons.
- Voluntary surrender to liability for criminal and fiscal offences (Kks): in District Courts - 3,915 persons.

**Q107-1 (2021):** \*) 51 198 - Data refers to persons convicted at first instance:

- Convicted as a result of granting an application under Article 335 § 1 or 2 of the Code of Criminal Procedure: in Regional Courts - 580 persons, in District Courts - 46,148 persons.
- Voluntary surrender to liability for criminal and fiscal offences (Kks): in District Courts - 4,470 persons.

**Q107-1 (2020):** \*during the main trial – 53 072 - \*) The data pertains to persons sentenced in the first instance:

- Sentenced as a result of granting an application under Article 335 § 1 or 2 of the Code of Criminal Procedure: in Regional Courts - 743 persons, in District Courts - 48,762 persons
- Voluntary submission to liability for penal and fiscal offences (Kks): in District Courts - 3,567 persons.

\*57 735 - The data on the basis of which the information was provided are collected under the Law on Public Statistics in the Public Prosecutor office - P1K report on the activity of the common organizational units of the public prosecutor's office in criminal cases (statistical program SprawPro). The data for 2018 included only those cases in which a request under Article 335 par 1 of the Code of Criminal Procedure was addressed. On the other hand, the data for 2020 included cases in which the prosecutor addressed a motion for a conviction and motions to join the indictment under Article 335 par 2 of the Code of Criminal Procedure and Article 156 of the Fiscal Penal Code

**Q013 (2022):** The average exchange rate of the National Bank of Poland as at 30 December 2022 was used to convert PLN to €. - PLN 4.6899.

In 2022, the budget of the Public Prosecutor's Office was implemented in 99.99%. The difference between the approved and implemented budget is the amount of PLN 237,656.33. Within this amount, the planned budget expenditure was blocked in the amount of PLN 228,314. The blockage was a result of the failure to realise planned expenditure, primarily under the Operational Programme Knowledge Education Development 2014-2020 in the amount of PLN 176,221, an excess of funds in the financial plan of expenditures due to a lower number of retirements of prosecutors than assumed in the course of work on the Budget Act for 2022, and remaining funds in the Prosecutor's Office units in § 6060 Investment expenditure on budgetary units.

\*13.1

In fact, the prosecutor's budget for training in 2020-2021 was significantly lower than in previous years and in 2022.

In 2020-2021, the epidemiological situation related to the COVID-19 pandemic and the risk of infection with the SARS-CoV-2 virus resulted in a significant reduction in training and workshops in the form of traditional meetings. In fact, online trainings have prevailed.

Prosecution units also held in-house training sessions.

Expenditures on training in 2022 compared to 2020 and 2021 definitely increased. However, the training offerings have changed. Training in the form of traditional meetings returned but largely remained online training, which results in lower training costs. The budget for training in 2022 is 80.53% of the budget for training in 2018. It is likely that this trend will already continue.

It should be noted that prosecution units had a budget in 2022 that was sufficient to implement training at the 2018 level.

**Q013 (2021):** \*1 euro= 4,5994 pln

\*In 2020, the epidemiological situation related to the COVID-19 outbreak and the risk of virus infection resulted in a significant reduction in training and workshops in the form of traditional meetings. Training offerings changed and on line training was available. In view of the lack of mobility and the limitation of interpersonal contacts, the prosecution units organised in-house training. The training budget for 2020 represented 35.27% of the 2019 implementation and 36.3% of the 2018 implementation. The budget allocated for training in 2021 increased by 56.16% compared to 2020. The execution of training expenditure did not reach the level of 2018 and 2019. This was mainly influenced by the training offer. The majority of training is offered and delivered on line which results in lower training costs.

**Q013 (2020):** 1 euro=4.6148 PLN

The lower implementation of the training budget in 2020 compared to the implementation in previous years is primarily due to constraints related to the COVID-19 pandemic and the risk of SARS-COV-2 virus infection. The epidemiological situation has led to a reduction in training and workshops in the form of traditional meetings. Training offerings have changed. In essence, online training has become available. In view of the lack of mobility and the limitation of interpersonal contacts, the prosecution units organized in-house trainings. The budget for training in 2020 represents 35.7% of the 2019 implementation and 36.3% of the 2018 implementation. Below, I present the amounts of expenditures realized in 2018 - 2020 for training in the common prosecution units: 2018 - 683 618,27 euro, 2019 - 694 686,85 euro, 2020 - 248 164,77 euro. \*The decrease in the approved budget allocated of the training budget is primarily due to constraints related to the COVID-19 pandemic.

**Q013 (2019):** For conversion into euro, the average exchange rate of National Bank of Poland as at 31 December 2019 was adopted - 4. 2585.

**Q013 (2017):** Changes in public budget allocated to the public prosecution services are caused by several reasons. First of all we indicate on higher employment costs (In 2017 prosecutors salaries and number of prosecutors' assistants increased). In 2017 increased also amount of money allocated to annual extra premiums. In 2017 we bore significant costs of purchasing new properties for public prosecution. Higher spendings are connected also with the higher, than usual, number of prosecutors retirements.

## Portugal

**Q107 (2022):** 3. The total figure for 2022 for the total number of completed criminal cases at the investigation stage is 427 664.

**Q107 (2020):** The data indicated for «number of processed cases» corresponds to “the total number of criminal cases at the investigation stage that have been closed”.

The Public Prosecutor's Office, closes the inquiry as soon as it has gathered sufficient evidence that no crime has been committed, that the defendant has not committed it or that the procedure is legally inadmissible.

The Public Prosecutor's Office also closes the inquiry if it has not been possible to obtain sufficient evidence that a crime has been committed or who the perpetrators were.

**Q107 (2014):** For 2014, data concerning 1st instance courts is not available due to technical constraints.

**Q107 (2012):** This category of cases includes inquiry proceedings received by the public prosecutor and inquiry proceedings completed with charges proposed by the public prosecutor.

**Q109 (2012):** According to 2012 data, the figures include traffic offences which are criminally punished.

**Q013 (2021):** During the economic year, the budget needed to face needs that were not anticipated.

**Q013 (2020):** During the economic year, the budget needed to face needs that were not anticipated.

**Q013 (2016):** In 2012 the state budget made salary cuts that have now been replaced and therefore have increased the budget allocated to the public prosecutors services.

**Q013 (2014):** The differences between the approved and the implemented budgets are due to the declaration of unconstitutionality of some of the measures of the State budget, namely measures regarding remunerations.

## Romania

**Q107 (2020):** There are no available data on grounds on which a decision to discontinue a case is taken by the public prosecutor.

**Q107 (2016):** As regard the increase from 2014 data related to the number of cases brought to court, most probably the new provisions in terms of guilty plea procedures introduced by the new codes may represent a reason for this increase in using this procedural institution; moreover people/parties become more aware of it/of this procedural instrument and a judicial practice has been created

**Q107 (2014):** The figure provided for 2014 in respect of the total number of 1st instance criminal cases received by the public prosecutor (1 756 001) corresponds to the stocks and newly entered files for this year. In 2012, the number of newly entered files was 679 193 (789 677 for 2013). The variations observed between 2012 and 2014 are due to the entry into force of the new codes.

**Q109 (2020):** Only serious offenses that are considered crimes, such as drunk driving or involuntary manslaughter.

**Q109 (2018):** Only serious offenses that are considered crimes, such as drunk driving or involuntary manslaughter.

**Q109 (2016):** Only serious offenses that are considered crimes, such as drunk driving or involuntary manslaughter.

**Q013 (2022):** These figures concern the training of civil servants and other categories of staff in this system, not prosecutors - the costs of training magistrates cannot be broken down /highlighted here, being included in the budget of the Superior Council of Magistracy (training of this latter category carried out through the Higher Institute of Magistracy).

**Q013 (2021):** The training of judges and prosecutors is provided by the National Institute of Magistracy (Superior Council of Magistracy)- separate budgets. For 13.1, the amounts included only the sums from the state budget provided for the training of civil servants and other categories of non-judge/non-prosecutor staff within the system of the Public Ministry. Post-pandemic, both the frequency of trainings and the number of participants at trainings grew.

**Q013 (2020):** The training of judges and prosecutors is provided by the National Institute of Magistracy (Superior Council of Magistracy). For 2020, the amounts included to both Q6 and O13 included the amounts from the state budget provided for the training of civil servants and other categories of non-judge / non-prosecutor staff. In 2018, according to the data provided by the economic department, at these amounts were included, the training within some European training programs (programs within European funds) of a number of judges (and prosecutors) - a separate budget from the budget regarding the training through the National Institute of Magistracy (Superior Council of Magistracy).

**Q013 (2019):** Concerning training of public prosecutors, the answer consists mainly in supporting the costs related to the formation of European funds, the funds provided by the Norwegian Financial Mechanism and less from the funds transferred from the State budget. Put differently, less money were needed from the State budget, because a large part of the costs for trainings were covered from the other mentioned funds.

**Q013 (2018):** About differences between 2017-2018, must be mainly highlighted the current explanations given above (for Q 6.1 and Q 6.6 ) concerning the influences on the budget given by the changes in the tax legislation (regarding the number of compulsory social contributions that employers must pay) and by the allocated funds ( in 2018) for payment of wage rights established by court decisions.

**Q013 (2017):** The increase in the public budget allocated to public prosecution was also due mainly to salary increases in the justice system following the aforementioned jurisprudence of the Constitutional Court.

**Q013 (2014):** The difference between the approved and the implemented budgets is mainly due by fluctuations in human resources; funding allotted for pending judicial proceedings which is estimated before the start of the budget execution; debt recovery based on definitive court decisions. The differences affect mainly: personnel outgoes concerning salaries, financial and social rights; goods and services representing amounts coming from the completion of the sting operations fund for December 2014 with the amounts which remained unused during 2014 and from the payment of the expenditures for judiciary and extra judiciary expertise; post-accession projects with the EU contracted to smaller prices than the initial budget provided for. Funds allocated for the payment of wage rights established by court decisions were higher than in previous years.

## Slovak Republic

**Q107 (2022):** It is necessary to state that the required table, or criteria, are different from our legal system. In our criminal proceedings, a large number of cases in the preliminary proceedings are closed by the investigator or police officer, while the table only requires cases closed by the prosecutor. In addition, matters terminated by the prosecutor may also be terminated by the so-called diversions in criminal proceedings, while the table only requires cases stopped by the prosecutor. The inconsistency of data with previous years is also caused by the fact that the prosecutor in the Slovak Republic has slightly different powers in the preliminary proceedings in contrast to the legal systems of other countries, so the data differ according to the point of view of the processor of the data.

**Q107 (2021):** The General public prosecutors office did not deliver any explanation.

**Q107 (2020):** The data were delivered by General prosecutor office. The number of 1st instance criminal cases are not monitored by General prosecutor office in CEPEJ requested structure.

**Q107 (2018):** The number of Cases received during the reference year represents the count of received cases on the Prosecution Office, not the count of terminated cases.

To the column Cases discontinued during the reference year we included the decisions of the prosecutor as well as of the police officer. If the police officer has decided on the discontinuance of the criminal prosecution, those decisions were examined by a prosecutor. The prosecutor himself/herself has discontinued the criminal prosecution in 263 cases.

Among Cases terminated by the prosecutor by imposing a sanction or negotiating a measure were included criminal prosecutions of persons against whom the criminal prosecution was conditionally suspended (1334) or the criminal prosecution was suspended by approving a conciliation between the accused and aggrieved party (479).

Among Cases brought to court were included indictments submitted by the prosecutor in the year 2018 to the court. The number of accused persons was 29 789 (the count of the accused persons might not equal the count of the indictments).

**Q107 (2016):** The number of cases received represents all entries in the criminal registers of the prosecution offices. The decrease of number of the received cases in comparison with the previous cycle is the objective fact out of the range of prosecution service.

Not all of the received cases are concluded in the same year. The number of cases discontinued during the reference year includes the decisions of the prosecutor as well as of the police officer. The decisions of the police officer to discontinue the criminal prosecution were examined by a prosecutor. Only in 62 cases the decision to discontinue the criminal prosecution was issued by the prosecutor (see Q 108).

Cases terminated by the prosecutor by imposing a sanction or negotiating a measure include criminal prosecutions of persons against whom the criminal prosecution was conditionally suspended (1485) or the criminal prosecution was suspended by approving a conciliation between the accused and aggrieved party (469).

The number of cases brought to court (25023) represents the number of indictments submitted to court by the prosecutor in 2016. The number of accused person was 28 612 (according to Slovak criminal law one indictment can be issued against more defendants).

**Q107 (2014):** For 2012, it was impossible to split the number of cases discontinued by the prosecutor and the number of cases concluded by a penalty. For 2014, both of the categories could be identified. The total is 8547 cases, which is close to the number given in 2012.

**Q107-1 (2020):** The data were delivered by General prosecutor office. The most of the data are not available, because these are not monitored by General prosecutor office in CEPEJ requested structure.

**Q013 (2022):** The difference between the approved budget and the implemented budget is 8 609 822 Eurs. The increased funds were allocated to:

- valorisation of prosecutors' salaries
- implementation of the ECRIS TCN Third Country Citizens Registration Project
- expansion of the PATRICIA information system and its connection to the information system of the European Public Prosecutor's Office
- necessary reconstruction of district and regional prosecutor's offices
- more training - relieve of COVID19 restrictions - additional financing of energies.

**Q013 (2021):** The difference between the approved budget and the actual budget is EUR 3 197 554.

The increased funds were allocated to:

- valorisation of prosecutors' salaries;
- modernization of the ECRIS software to version 1.6 for the Criminal Register;
- connection of IS Patricia to IS of the European Prosecutor;
- necessary renovation of buildings of the General Prosecutor's Office of the Slovak Republic;
- budget allocated to training of public prosecution services has changed due to the possibility to make face-to-face trainings.

**Q013 (2020):** The General Prosecutor of the Slovak republic:

The difference between the approved and the implemented budget is 903 692 euros.

The financial means were allocated to:

- wage valorisation of prosecutors, increase of number of employees of the Prosecutor's - investment into the buildings
- Discrepancies from the previous cycle in the annual public budget allocated to training are due to the COVID 19 pandemic situation due to which the trainings were not planned or applied. The increase in the approved budget in 2020 reflects the implemented budget allocated to training of public prosecution services in 2019. The budgetary needs for training in 2020 were expected similar (higher) as in 2019, therefore the increase. But the training plans were not implemented due the Covid pandemic situation, so the implementation of the budget in this category was much lower.

**Q013 (2019):** General Prosecutor of the Slovak republic:

The difference between the approved and the implemented budget is 9017737 euros.

The financial means were allocated to:

- wage valorization of prosecutors, increase of number of employees of the Prosecutor's Office in order to carry out tasks,
- necessary renovation of General Prosecutor's Office buildings, hardware replacement of disks
- connection software IS Patricia to IS Police
- purchase of building for Regional Prosecutor's Office in Košice

The funds in the amount of € 14,328 were budgeted for the educational activities of the prosecutor's office (trainings, participation fees, publications, remuneration for lecture activities). However, during the financial year 2019, the budget on the relevant subheading is subsequently adjusted as necessary. The adjusted budget for educational activities for 2019 is in the amount of € 24,814, which General prosecutor Office claims as the need for these activities.

**Q013 (2018):** The difference between the approved budget and the real budget is 2 362 391 €.

The financial means were allocated to:

- raise of salaries, additional functional charges, Prosecutor's recompenses, salary and recompenses of the General Prosecutor and for the salary raise of other employees of the departments of the General Prosecutor's Office of the Slovak Republic following the Section 5 of the Act No. 333/2017 Coll. on State's budget of the year 2018,
- ensuring financial coverage of the implementation of the Law on Reducing Administrative Burdens by using Public Administration Information Systems,
- execution of analytical-programming work necessary for execution of the implementation of the police project "Investigation File Management" on the electronic prosecution file IS PATRICIA, electronic court file in the information system "Development of electronic services of justice".

**Q013 (2017):** The increase of the approved budget of the prosecution services has been caused by the adjustment of salaries of prosecutors and public servants (total of 2.291.046 €) and increasing of the operational costs of the General Prosecutor Office (101.873 €)

**Q013 (2016):** The difference between the total approved budget and the implemented budget in 2016 for the General Prosecutor's Office of the Slovak Republic is € 12,117,561.

Main reasons for this difference:

- for the settlement of the salary requirements of the prosecutors in 2015 according to the finding of the Constitutional Court of SR sp. no. PL. ÚS 27/2015 for a total amount of € 4,224,311,
- for reconstruction and modernization of the office premises and buildings of district prosecutors and regional prosecutors in the amount of € 195,966,
- to increase salaries, functional surcharges, lump sum compensation of prosecutors, salary and lump sum compensation of the Attorney General and to increase the salaries of other employees of the Chapter of the Prosecutor General's Office in connection with the application of Section 5 of Act no. 411/2015 Z. z. on the state budget of 2016 for € 6 299 638,
- to accomplish the tasks related to the Presidency of the SR in the EU Council - SK PRES 2016 in the amount of € 105,338,
- to finance the project OPIS - Electronic Services of the General Prosecutor's Office in the amount of € 877,500,
- for paying damages according to the amendment to Act no. 514/2003 Z. z. on liability of the state for damage caused by the public authorities in the amount of € 100,000,
- Other costs of € 314,808 provided for the operation of GP SR

**Q013 (2015):** The difference between total annual approved budget and implemented one allocated to the Public Prosecution Office of the Slovak Republic in the year 2015 is 7 013 978 €.

The increase in budget was caused by following items:

- allocated funds to implement the project 'Electronic services of the General prosecution office' - 4 763 606 €,
- allocated funds to finance the increased number of the public prosecutors - 969 690 €
- allocated funds to finance the approved adjustment of the salaries of administrative staff - 251 071 €,
- allocated funds to overall modernization of IT system (hardware and internal network) - 1 029 611 €.

**Q013 (2014):** The difference between the approved and the implemented budgets is justified by several reasons: financing of the project "Developing global IT services for public administration and development of electronic services on central level of the Ministry of Finance of the Slovak Republic – General Prosecutor's Office of the Slovak Republic" (8 618 909 euros); co-financing of this project (800 000 euros); payment of prosecutors' salaries for 2011 on the basis of a judgment of the Constitutional Court (2 316 973 euros); increase of salaries for employees/staff in order to adapt the scale of salary rates and salary rates to collective agreements of higher level for 2014 (242 552 euros); other operational expenditures of the General Prosecutor's Office (1 523 112 euros).

**Q013 (2013):** For 2013, the implemented budget of public prosecution services was of 71.015.906 euros.

**Q013 (2012):** For 2012, the implemented budget of public prosecution services was of 69 947 692 euros.

**Slovenia**

**Q107 (General Comment):** Methodology used: statistical data are kept on the accused, accused or convicted persons, and the data is related to the main crime per defendant (methodology as used in the Joint Annual Report on the Work of State Prosecutor's Offices and has been used in previous reports).

IMPORTANT: Data also includes unfinished criminal complaints against unknown perpetrators. It should be noted that on average, State Prosecutor's Offices receive between 30,000 and 60,000 complaints per year against unknown perpetrators. These are included in statistical data as unresolved cases until the perpetrator is discovered or the statute of limitations expires.

1. Pending cases on 1 Jan. ref. Year: unresolved criminal complaints against known perpetrators (incl. adults, minors and legal entities) and unknown perpetrators.

2. Incoming/received cases: criminal denunciations against known and unknown offenders.

Criminal denunciations against known offenders include cases that were received by the prosecution office as cases with unknown offenders whose identity was discovered during the reporting period. Cases against known offenders are counted by the number of persons involved (i.e. a denunciation against five individuals is counted as five cases), cases against unknown offenders are counted by files.

3. Processed cases: all resolved criminal complaints in the reporting year. There can be multiple criminal complaints in one case file, however the resolution is only one (for all complaints in one case file) – hence the difference between the sum of subcategories (3.1, 3.2, 3.3 and 3.4) and the actual number of resolved criminal complaints. 3.1.1 Discontinued by the public prosecutor because the offender could not be identified: the public prosecutor cannot discontinue a case, because the offender could not be identified.

3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation: dismissed denunciations for other reasons than opportunity and accomplishing some tasks imposed or negotiated by state prosecutor. This category includes cases where prosecutor refrains from prosecution after the finish of judicial investigation.

The great majority of cases against unknown offenders is dismissed because the pending time exceeds limitation period for criminal prosecution..

In the case of proposed criminal offenses, the motion of the injured party is a procedural precondition for conducting criminal proceedings. If this presumption does not exist (it is no longer due to withdrawal), the legal consequence is rejection.

For the most part, public prosecutors rejected complaints for other reasons, including cases in which it was not possible to continue the proceedings due to a lack of procedural or material preconditions (the act is not a criminal offense, there is no reasonable suspicion that the suspect committed a criminal offense (prosecuted ex officio), various procedural obstacles).

3.1.3 Discontinued by the public prosecutor for reasons of opportunity

Cases where denunciations were dismissed because the consequences of criminal prosecution would prove disproportionate to the weight of criminal offence and dismissed denunciations against minors because the proceedings against him/her would not be appropriate in view of the nature of the offence and circumstances in which it was committed, as well as in view of the past conduct of the minor and his personal traits.

3.1.4 Discontinued for other reasons

N.A.D. all data already covered in the above

**Q107 (2022):** Discrepancies (to 2020 data) - 3. Processed cases: In 2021 the reporting changed to include cases of discontinued criminal complaints against unknown offenders due to the expiration of statute of limitations in the category (3) Processed cases (previously excluded).

3. Processed cases... increase by 91%: 2 factors contributed to the increase: 1) in 2020, the work of state prosecution was impacted by the Covid19 pandemic; 2) more willingness of suspects and victims to cooperate in alternative forms of law enforcement is observed.

Further break-down of data reported:

(1) Pending cases on 1 Jan. ref. year include transferred criminal complaints: 11.543 (known offenders) and 271.319 (unknown offenders)

(2) Incoming cases include criminal denunciations: 24.815 (known offenders) and 35.036 (unknown offenders)

(3) Processed cases include processed cases: 24.475 (known offenders) and 29.886 (unknown offenders)

(3.1.) Discontinued during the reference year include dismissed criminal complaints: 14.207 (known offenders) and 29.886 (unknown offenders)

(3.1.2.) Discontinued due to the lack of an established offence or a specific legal situation include: 11.639 (known offenders) and 29.886 (unknown offenders)

(4) Pending cases on 31 Dec. ref. year include unresolved criminal complaints: 12.024 (known offenders) and 277.436 (unknown offenders)

**Q107 (2021):** In 2021 the reporting changed to include cases of discontinued criminal complaints against unknown offenders due to the expiration of statute of limitations in the category (3) Processed cases (previously excluded).

Further break-down of data reported:

(1) Pending cases on 1 Jan. ref. year include transferred criminal complaints: - against known perpetrators: 11.951 and - against unknown perpetrators: 269.260.

(2) Incoming cases include criminal denunciations: - against known offenders: 24.658 and - against unknown offenders: 27.199.

(3) Processed cases include processed cases:

- against known offenders: 24.658 and

- discontinued criminal complaints against unknown offenders due to the expiration of statute of limitations: 29.140

(3.1.) Discontinued during the reference year include dismissed criminal complaints:

- against known perpetrators: 14.260 and

- against unknown perpetrators: 29.140

(3.1.2.) Discontinued due to the lack of an established offence or a specific legal situation include:

- a) discontinued criminal complaints against known perpetrators due to the lack of procedural or material preconditions:

10.022, b) cases discontinued (rejected) due to withdrawal of the motion of the injured party: 2.000 and c) cases discontinued due to expiration of the statute of limitation: 75 (total 12.097 cases) and

- discontinued criminal complaints against unknown perpetrators due to the expiration of statute of limitations: 29.140.

(4) Pending cases on 31 Dec. ref. year include unresolved criminal complaints:

- against known offenders: 11.709.

- against unknown offenders: 277.564.

Differences to 2020 data:

2. Incoming/received cases: decrease by 16%

Contributing factors: a) Covid-19 pandemics, especially limit of movement of population and related police control, b) changes in the registration of the number of criminal offences in police registers and c) increase in merging of different cases in one case at the Police and state prosecution level, compared to the previous year. 3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation: increase by 17%

The increase is mainly due to a higher number of cases against unknown offenders due to the expiration of statute of limitations, which is beyond control of state prosecution. The number of discontinued cases against known offenders did not change significantly. 3.1.3 Discontinued by the public prosecutor for reasons of opportunity: decrease by 22%

The number of cases remains comparable (despite the decrease in last year) and cannot be considered unusual, due to the structure of processed cases with the majority of offences against property and within it low value cases. 3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor: increase by 23%

The increase in 2021 is due to partial relief of preventive measures, related to Covid-19 pandemics.

**Q107 (2020):** Pending cases on 1 Jan. ref. year includes 12.452 cases against known perpetrators and 263.139 cases against unknown perpetrators.

Incoming/received cases includes 27.770 cases against known offenders and 34.019 cases against unknown offenders.

Pending cases on 31 Dec. ref. year includes 12.072 cases against known offenders and 269.260 cases against unknown offenders.

**Q107 (2016):** The explanation by the state prosecution (data source) concerning the decrease in the number of received cases during the reference year between 2014 and 2016: - since 2013, the number of reported offences to the police is decreasing, hence the decrease in number of cases received (especially cases where the offender is unknown)

- due to several local factors (austerity measures, increased number of immigrants in 2015-2016 and a long strike of police officers in 2016), the number of cases (against identified offenders) processed by the police also decreased

As concerns the decreased number of cases brought to court:

- a decrease in new cases (see above)

- exercising a stricter selection of cases, not appropriate for court procedure (in 2014, almost 30% of resolved cases were brought to court, in 2016 only 25%). The state prosecution also noted some minor differences might be attributed to changes in their methodology for data reporting.

**Q107-1 (General Comment):** The defendant may plead guilty in two kinds of situations. He/she can achieve an agreement with a state prosecutor in a plea-bargaining procedure or he/she can make a guilty plea irrespectively of the state prosecutor at the pretrial hearing and until the beginning of a main hearing. Cases brought to court by the public prosecutor through the guilty plea procedure are only first mentioned kind of cases. The agreement on guilty plea between the defendant and state prosecutor may be concluded before the commencement of the criminal proceedings and not later than by the beginning of the main hearing. There is no available data on the stage of the proceeding when the agreement was concluded.

**Q107-1 (2021):** In the previous year (2020) the number of guilty plea procedures was unusually low due to two reasons: a stricter criminal framework (regarding illegal crossing of the state border or territory under Article 308 of the Criminal Code) and the impact of the Covid-19 pandemics.

**Q107-1 (2020):** The reason for fewer negotiations and fewer agreements is mainly a stricter criminal framework for crimes that were still regulated in 2018 in such a way that they could be the subject of negotiations between the prosecutor and the defendant (illegal crossing of the state border or territory under Article 308 of Criminal Code). Due to the above, there was no interest on the part of the defendants as well as the state prosecutors to agree on guilt and criminal sanction as parties to criminal proceedings. In addition to this, an epidemiological reason for measures to prevent the spread of the covid-19 epidemic is cited as the reason for the reduction in negotiations and plea agreements concluded, furthermore, the poor staffing situation and the high workload of state prosecutors who are engaged in urgent matters in the on-call service and in attending court hearings and the prompt announcement of pre-trial hearings shortly after the indictment becomes final, which significantly shortened the time for conducting negotiations and concluding a plea deal.

**Q107-1 (2016):** From the enforcement of the provisions on guilty plea bargaining procedures in Criminal procedure act in 2012 there is a steady rise in the number of concluded agreements between the defendant and the prosecutor. The proportion of these agreements compared to filed indictments also grows (2012: 1,1 %, 2014: 2,0%, 2016: 3,8 %). The most general interpretation of this trend would be that the parties of criminal procedures have recognised these new instrument as beneficial in terms of speeding up the process of reaching the final decision and the reduction of the sanction that would be issued, if the complete trial took place.

**Q109 (General Comment):** The communicated data include only traffic offences, stipulated as criminal offences (in the Penal Code) and therefore prosecuted by State prosecutors. There are two such criminal offences: causing a traffic accident through negligence whereby another person is seriously injured or died and audacious driving in road traffic which is committed by a serious breach of road safety regulations, while other cases of traffic offences are not criminal offences, but minor offences and are not included in the provided figures.

**Q013 (General Comment):** The indicated amount of approved and implemented budget is allocated for the overall functioning of State Prosecutor's Office of the Republic of Slovenia. It does not include budget for functioning of the State Prosecution Council (included in Q15.1 and Q15.2.)

**Q013 (2022):** Discrepancies at 13.1 (training): In 2020 and 2021, the budget was impacted by the limitations due to Covid-19 pandemics, hence the increase in 2022 (compared to 2020).

**Q013 (2021):** The low implementation in comparison with the adopted budget is a consequence of the COVID- 19 epidemic, as there were no educational events with physical participation, but rather virtual ones. For the aforementioned type of events there were no registration fees, or they were lower, compared to participation fees for events with physical participation. Due to the COVID-19 epidemic, the public prosecution's own educational event - Educational Prosecutor's Days, which represents the largest cost of the state prosecutor's office in the field of education, was held virtually.

**Q013 (2020):** Training: the implemented budget was impacted by the limitations due to Covid-19 pandemics.

**Q013 (2019):** The figure above does not include budget for functioning of the State Prosecution Council (approved: 165.264 EUR, implemented: 163.025 EUR).

**Q013 (2018):** The figure above does not include budget for functioning of the State Prosecution Council (approved: 132.321 EUR, implemented: 130.932 EUR).

**Q013 (2016):** The indicated amount of approved and implemented budget is allocated for the overall functioning of State Prosecutor's Office of the Republic of Slovenia. The increase in the budget comparing to the previous exercise is due to employment of additional 40 Judicial Advisors in the autumn of 2014 and nomination of 30 new state prosecutors in the autumn of 2015.

The amount includes budget for alternative resolution of criminal cases (approved: 90000 EUR, implemented: 71587 EUR). It does not include budget for functioning of the State Prosecution Council (approved:126023 EUR, implemented: 97881 EUR).

**Q013 (2015):** The data includes all spending for public prosecution services except for the State Prosecution Council (approved budget: 116.148 EUR EUR, implemented budget 115.811 EUR EUR).

The State Prosecution Council (institution) is analogue to the Judicial Council, therefore we feel that its budget should be reported at Q15.1 and Q15.2, rather being included at Q13 (similar as the Judicial Council spending is not reported at Q6, but it is included at Q15.1 and Q15.2).

**Q013 (2014):** For 2014, contrary to 2012 and 2013, the data includes the State Prosecution Council (approved budget: 95.249 EUR, amended budget 99.612 EUR, implemented budget 92.753 EUR). The initially approved budget for public prosecution services was 16.830.579 EUR. After the decision to appoint a large number of new State prosecutors was taken, the budget was amended to 17.559.460 EUR. The appointment procedures were not carried out as soon as they were planned, therefore the actually implemented budget was 17.337.132 EUR.

**Q013 (2013):** The figure provided does not include the amount for the State Prosecution Council (89401 EUR).

**Q013 (2012):** The figure provided does not include the amount for the State Prosecution Council.

## Spain

**Q107 (General Comment):** In Spain the general rule is that the Prosecutor is party in the criminal cases, but the Prosecutor does not process (with exclusive competence) the criminal cases. The investigation Judge (Juez de Instrucción) does that. Data provided in question 107 tries to adapt the information in the Annual Report of the State Attorney General's Office to the criteria of CEPEJ, by offering the data of cases received by the Prosecution Service, according to the classification of procedures of the Spanish procedural legislation (diligencias previas, diligencias urgentes, procedimiento por delitos leves, sumarios y procedimientos del jurado). In addition to that, there are other two kinds of actions for which the Prosecution have exclusive competence: Investigation of criminal responsibility of minors, and preliminary diligences of Article 773.2 of the Criminal Procedural Act.

**Q107 (2020):** The provided number of incoming cases is the number of the criminal proceedings received by the Prosecution Service (page 1117 of the Annual Report of the Prosecution Service). It is consistent with the explanatory note as it includes "cases submitted to public prosecutors by the police and other bodies as well as victims (if applicable) within the reference year". It is an official data, provided by the State Attorney Office.

**Q107 (2018):** Certain number of cases received are re-sent to other prosecutor offices.

**Q107-1 (2021):** Explanation of the increased number of guilty plea procedures: Probably, coming back to normal activity after covid restrictions.

**Q013 (General Comment):** In Spain, it is very difficult to carry out a perfect separation between the budget of Courts and the Budget of Prosecution services, because some concepts are common (civil servants, material resources, buildings, etc). These items cannot be separated from the budget allocated to the functioning of courts. Therefore, the figure provided in respect of the "Total" represents only the salaries.

It is noteworthy that data on the implemented budget is an estimations of the Statistic Department of the General Council of the Judiciary.

**Q013 (2022):** The variation in the implemented budget are within normal parameters taking into account the variation in the price of money in two years. The budget allocated to training includes a part of the training institution's budget corresponding to the prosecutors training. Regarding approved budget allocated to training the increase is related to the Program 111R "Training of Prosecution Career" that is financed from the State General Budget.

**Q013 (2021):** Regarding the approved annual budget allocated to training, the difference with respect to 2020 lies mainly in the fact that the budgets had been extended for several budget years, starting from a year in which the number of trainee prosecutors was much lower. The increase is due to the approval of budgets for the year 2021 that already took into account much greater promotions of the Prosecution career.

**Q013 (2020):** Concerning budget allocated for training of public prosecutors, the difference between the approved and implemented budget, namely the fact that the latter is considerably lower than the former, possibly stems from the pandemic and the impossibility to carry out all the foreseen training courses in 2020.

**Q013 (2018):** Prosecution services budget only includes the gross salaries. The rest of the items cannot be separated of the functioning of the Courts.

**Q013 (2017):** Prosecution services budget only includes the gross salaries. The rest of the items cannot be separated from the budget allocated to the functioning of courts.

**Q013 (2015):** The budget for prosecution service is partial and includes only the budget allocated for personnel and training which can be clearly separated, but there are other expenses referred to the public prosecution service the budget of which is part of the total budget of the Ministry of Justice or it is part of budget approved by the Regions with competences over the justice system. This is the case for items such as buildings and material resources and these costs are included in the budget of courts

**Q013 (2014):** The increase in the budget between 2012 and 2014 results mainly from a different estimation of the budget allocated to the public prosecution services.

# Indicator 4: Systems for measuring and evaluating the performance of courts

## Comments provided by the national correspondents

### organised by question no.

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

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

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

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

### Question 107

#### Austria

**(General Comment):** “3.1.3 Discontinued by the public prosecutor for reasons of opportunity”: discontinued investigations for reasons of opportunity are only counted by persons against which the investigation was discontinued. In one case, more than one person can be accused and the investigation can be discontinued for reasons of opportunity against more than one accused person. Therefore, the person-count was not delivered because it is inconsistent with the case-count (3.1.1, 3.1.2 and 3.1.4). The number of cases in which an investigation was discontinued for reasons of opportunity is included in the number provided for 3.1.1 and 3.1.2 but cannot be evaluated separately with the standard statistic tools of the Federal Ministry of Justice of Austria.

The provided number of cases discontinued for other reasons (3.1.4) contains cases discontinued because the offender is fugitive or an investigation may not be instituted or continued by law (e.g. because of diplomatic immunity of the offender), also cases (investigations) that were not instituted in the first place because of a lack of an initial suspicion and all other cases that were discontinued but can not be allocated to one of the above mentioned reasons or the other reasons under 3.1.

Under 3.3, closed cases against unidentified offenders were counted which were discontinued because of another reason than not identifying the offender in the end (mostly cases in which at least one formerly unidentified offender could be identified and therefore the case against the unidentified offender(s) is closed and another (new) case against the known offender(s) is opened).

Following a change in Question 107, starting from 2022, cases previously reported as "closed for other reasons" are included in "discontinued for other reasons".

**(2020):** The Austrian code of criminal procedure knows measures that the public prosecutor can take in cases of minor criminal offences ("Diversion"). Comparable measures have to be taken by the public prosecutor under certain circumstances under the addictive drug act ("Suchtmittelgesetz"). Until 2019, the last-mentioned cases were counted as files "discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation" (3.1.2). Since 2020, these cases are now counted as "concluded by a penalty or a measure imposed or negotiated by the public prosecutor" (3.2). These changes explain the higher number of cases under 3.1.2. Cases brought to court declined mainly because in 2020 there were far less incoming cases (-13 % compared to 2018).

The number of persons against which an investigation was discontinued by the public prosecutor for reasons of opportunity in 2020 is 9 672.

## Belgium

**(General Comment):** "Since the reform of the judicial landscape that came into effect on April 1, 2014, our country has 15 "first degree" public prosecutors' offices (14 public prosecutors' offices + federal prosecutor's office). The data of the federal prosecutor's office are not included here.

The data only concern correctional offenses committed by persons of legal age and persons who are not (yet) identified. Proceedings against minors are handled by the youth section of the public prosecutor's office. The unit of account is a criminal case: a case can have none, one or more defendants and/or one or more offences.

Dismissals for 'other reasons' refer only to cases in which it was possible to determine in the database that they had been closed by a dismissal for which the reason was not entered or was not correctly registered. In fact, when the reason is correctly recorded, the case is then entered under headings 3.1.1, 3.1.2 or 3.1.3. Therefore, the 'other reasons' heading is for 'unknown reasons' and therefore does not include 'special' reasons." "

**(2022):** Annual statistics of the Public Ministry – Investigation and prosecution of criminal cases by the public prosecutor's offices near the courts of first instance (<http://www.om-mp.be/stat>): tables 1, 6, 9 and 11. Useful notes for interpreting the data: Point: 3.2. Concluded with a sanction or measure imposed or negotiated by the prosecutor: out of 65,486 (see table 9): 20,799 cases were closed following praetorian probation, 24,881 cases were closed following an administrative settlement chain process, 2,130 cases were closed following another settlement chain process, 15,025 cases were closed following a payment of money, 2,651 cases were closed due to successful mediation and measures procedure. Due to changes in the questionnaire "Please note that line 3.3. 'Cases concluded by the prosecutor for other reasons' is removed from evaluation cycle starting from year assessment cycle 2024: Cases previously reported under line 3.3 should be added to those at line 3.1.4." The total number of matters in section 'Classified during reference year' no longer corresponds to our website's total in Table 11: Outflow streams on matters handled without criminal prosecutions during 2022: Reasons for processed matters without criminal prosecutions. Out of 126,753 matters in section 'Classified for other reasons', they are: 6,697 cases where a suspect has been reported. Once a suspect is identified, the case may be reopened 45,327 cases which have been referred for disposition to another instance. A case referred for disposition is a matter closed for the prosecutor making this decision. The recipient will then open a new matter and commence judicial inquiry 74,526 cases that were joined with another matter. In the case of joining one or more matters with a master matter all subsequent decisions are recorded at the level of the lead case. The daughter case will receive a joining decision

203 cases were settled following processing without criminal prosecutions for unknown/error reasons To count the matters taken before the courts (36,068 matters), we have counted, on the one hand all the matters that have been closed by direct citation (21,679 matters) and on the other hand all the matters that take place under judicial instruction (14,389). Indeed all these issues are also considered as cases closed by the public prosecutors in the public ministry's annual statistics (see table 9)

**EXPLANATION OF THE DECREASE IN FIGURES FOR POINTS 32 AND 33:** this arises from the decrease in the outflow streams COVID-19 files (CORONA). The relaxation of Corona measures has reduced entry and exit COVID-19 files. Since COVID-19 issues have been closed mainly in pursuance COL 62020 by payment or direct summons we note a notable decrease in cases closed by payment or direct summons. This decrease in cases closed by payment or direct summons is directly related to the decrease in COVID-19 files. As the pandemic measures have been relaxed, there has been a reduction in both entry and exit of COVID-19 related cases, leading to fewer closures through payment or direct summons. This trend reflects the impact of the pandemic on legal proceedings and highlights its influence on case closure statistics for the public ministry's annual report.

**(2021):** Annual statistics of the Public Prosecution services - Search and prosecution of criminal cases by the public prosecutor's offices at the courts of first instance (<http://www.om-mp.be/stat>): tables 1, 6, 9 and 11.

The figures in the table have been extracted from the database of the College of General public prosecutors, which is fed by the records of the correctional sections of the public prosecutors' offices at the courts of first instance (MaCH system).

The unit of account is a criminal case: a case can have none, one or more defendants and/or one or more offences.

For point 3.4: In order to count the number of cases brought to courts (55 585 cases), we counted on the one hand all the cases that were closed as a result of a direct summons (41 324 cases) and on the other hand all the cases that were closed as a result of a first fixation before the council chamber in the framework of the settlement of the proceedings (14 261 cases).

Indeed, all these cases are also counted as cases closed by the prosecution in the annual statistics of the Public Prosecution services (see table 9).

Additional information on point 3.2:

Of the 100 567 cases closed by a sanction or a measure imposed or negotiated by the King prosecutor (see table 9), 55 167 cases were closed following the payment of a penal transaction; 23 743 cases were closed following an administrative sanction; 19 169 cases were closed as a result of pre-trial probation; 2 446 cases were closed following a successful mediation procedure and measures; 42 cases were closed after referral to the head of the corps.

**(2020):** "The figures in the table have been extracted from the Data Bank of the College of Public Prosecutors, which is fed by the records of the correctional sections of the Public Prosecutor's Offices at the first instance courts (MaCH system). The data presented below correspond to the status of the database as of January 9, 2021. Useful notes for the interpretation of the data:

Of the 88,614 cases that ended with a sanction or a measure imposed or negotiated by the public prosecutor

- 48,205 cases were closed following the payment of a penal transaction, - 22,091 cases were closed following an administrative sanction

- 15,969 cases were closed as a result of pre-trial probation,

- 2,308 cases were closed following a successful criminal mediation procedure, - 41 cases were closed after referral to the head of the corps.

Of the 122,581 cases closed by the public prosecutor for other reasons. These are :

- 6,249 cases in which the suspect is the subject of an alert. Once the suspect has been discovered, the case can be reopened.

- 40,748 cases that were referred for disposition. A case that has been sent for disposal is a closed case for the prosecutor's office (its division) that made the decision. The recipient of this case will open a new case and start the judicial investigation.

- 75,584 cases were joined. If one or more cases are joined to a parent case, all subsequent decisions are registered in the parent case. The daughter case receives the joinder decision.

In order to count the number of cases brought before the courts (47,274 cases), in contrast to previous years, we counted on the one hand all cases that were closed as a result of a direct summons (33,105 cases) and on the other hand all cases that were closed as a result of a first determination before the council chamber within the framework of the settlement of the proceedings (14,169 cases). In fact, all these cases are also counted as cases closed by the public prosecutor's office in the annual statistics of the public prosecutor's office.

In the previous questionnaires we only counted direct summonses from the Public Prosecutor's Office to the correctional chambers (31,737 cases in 2020), summonses via accelerated procedure (1,159 cases in 2020) and correctionalizations (78 cases in 2020) and referrals to the correctional chambers of the courts following a first fixation before the council chamber within the framework of the settlement of the procedure (7,592 cases in 2020). A part of these referrals relates to cases that were initiated as a result of a civil action. Therefore, these cases were not initiated by the prosecution.

The numbers of incoming, processed and pending cases have all increased for the same reason. Indeed, in 2020, the health crisis due to the outbreak of COVID-19 began. The government took measures to combat this crisis, including several periods of containment. The Public Prosecutor's Office was responsible for taking criminal action against non-compliance with these measures, which explains the sharp increase in the number of new cases and the fact that, at the same time, the flow of other types of cases did not decrease in the same proportions.

Pending cases are cases that are being processed at a given time. If the inflow increases significantly, the number of pending cases will increase accordingly and reach a higher level.

The increase in the "terminated with penalty" and "brought to court" headings is also related to the health crisis. The primary response to a COVID-19 non-compliance violation was a settlement (recorded under "terminated by penalty"). In the case of non-payment of the settlement, repeat offences, or serious violations of these measures, the criminal policy was to bring the

**(2016):** 2016 statistical data are not (yet) available due to the change in ITC applications used in Public Prosecution.

**(2014):** In 2014, on top of the 447 132 discontinued cases listed in Q107 and Q108, 36 914 other discontinued cases have to be added (administrative fine, pre-trial probation, identification of the offender, unknown reason). Actually, in 2014, 484 046 cases were discontinued. Out of the 10 126 cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor, 7 363 cases were concluded by the payment of a criminal transaction and 2 763 cases - by a successful criminal mediation procedure.

**(2012):** In 2012, on top of the 478 505 discontinued cases listed in Q107 and Q108, 37 471 other discontinued cases have to be added (administrative fine, pretorian probation, identification of the offender, unknown reason). Actually, in 2012, 515 976 cases were discontinued. Out of the 9 477 cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor, 6 677 cases were concluded by the payment of a criminal transaction and 2 800 cases - by a successful criminal mediation procedure.

## **Bulgaria**

**(General Comment):** "1. Pending cases on 1 January of the reference year" – The pre-trial proceedings (PTP) pending with the prosecutor as of 1 January of the reference year for which the investigation has been completed by an investigative body and sent to the prosecutor. This indicator does not include PTPs not closed by an investigating authority, which as of 1 January of the reference year.

2. Received/Incoming cases" – pre-trial proceedings in which an investigation by an investigative body was completed during the reference year and sent to the prosecutor for adjudication (the so-called closed PTP).

"3. Processed cases" – PTP decided on merits by the prosecutor (by act of bringing the cases to court or by act of termination the pre-trial proceedings), and PTP decided by the prosecutor by act of suspending them or sending by competence during the reporting period to another prosecutor's office. Cases suspended and sent by competence are reported as resolved by the prosecution, but temporarily, not on the merits (the work on them is only temporarily suspended, i.e. they are not investigated by the investigating authority). Therefore, their number is included under the indicator "Processed cases", but not under the indicator " Received cases".

"3.1.2. Terminated by the prosecutor due to the lack of an established offence or a specific legal situation": PTP terminated because the act was not committed or did not constitute an offence, pursuant to Art. 243(1), in conjunction with Art. 1(1) of the CPC, and PTPs terminated due to the statute of limitations. "3.1.4 Discontinued for other reasons": suspended PTPs and the PTP sent by competence during the reporting period.

"3.3. Cases brought to court" – PTP brought to court with a prosecutor's report in the reference year.

"4. Pending cases on 31 December of the reference year" – PTP pending with the prosecutor on 31 December of the reference year where the investigation has been completed by an investigating authority and sent to the prosecutor. The indicator does not include PTPs pending with an investigating authority.

Regarding the cases sent by competence, the mathematical calculation for collecting the values is not applicable for the two prosecutor's offices - one that sent it by competence (according to the rules of local, functional or special competence), for which the case was decided "discontinued case for other reasons" and the other, which accepted it within its competence, if at the end of the year the same case remained pending, the latter is included in the above data.

**(2022):** "1. Pending cases on 1 January of the reference year" – pre-trial proceedings (PTP) pending with the prosecutor as of 1 January of the reference year (4 205) for which the investigation has been completed by an investigative body and sent to the prosecutor (PTPs closed by an investigating authority (47 969) are not included). "2. Received/Incoming cases" – PTP in which an investigation by an investigative body was completed during the reference year and sent to the prosecutor for adjudication. In the Prosecutor's Office the term closed PTP refers to cases with a completed investigation by an investigative body, not cases resolved by a prosecutor "3. Processed cases" – the figure of 161,905 PTP is the sum of the number of PTP decided on merits by the prosecutor (by act of bringing the cases to court or by act of termination the pre-trial proceedings), and the number of pre-trial proceedings decided by the prosecutor by act of suspending them or sending by competence during the reporting period to another prosecutor's office. Cases suspended and sent by competence are reported as resolved by the prosecution, but temporarily, not on the merits. The prosecutor's act of suspension of PTP does not constitute a decision on the merits, as it does not put an end to the criminal proceedings and the work on them is only temporarily suspended, i.e. they are not investigated by the investigating authority. "3.1. The number of PTPs discontinued during the reference year" is 133 466, the figure being formed by the sum of the data submitted under indicator "3.1.2. Terminated by the prosecutor due to the lack of an established offence or a specific legal situation" (98 306), including pre-trial proceedings terminated because the act was not committed or did not constitute an offence, pursuant to Art. 243(1), in conjunction with Art. 1(1) of the CPC, (31 302) and PTPs terminated due to the statute of limitations (67 004), and the data submitted under indicator "3.1.4 Discontinued for other reasons" (35 160), taking into account the suspended PTPs and the pre-trial proceedings sent by competence during the reporting period Indicators "3.1.1 Discontinued by the public prosecutor because the offender could not be identified", "3.1.3 Discontinued by the public prosecutor for reasons of opportunity" and 3.2. "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor" are not applicable to the decisions of prosecutors according to the CCP, as indicated in the Questionnaire. "3.3. Cases brought to court" – PTP brought to court with a prosecutor's report in the reference year – 28 439. "4. Pending cases on 31 December" – PTP pending with the prosecutor on 31 December of the reference year (4 208), where the investigation has been completed by an investigating authority and sent to the prosecutor. The indicator does not include PTPs pending with an investigating authority, which total 52 423 as of 31 December 2022.

**(2021): 3.1. Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)**

The number of discontinued cases in the reference year (in the case of 2021) is 101626. This number includes all discontinued criminal proceedings by the prosecutor in the year on the basis of Art. 24 of the Criminal Procedure Code, including those terminated due to the expiration of the statute of limitations on the basis of Art. 24, para. 1, item 3 of the Criminal Procedure Code (criminal liability is extinguished due to the expiration of the statute of limitations).

The number of cases terminated on statute of limitations grounds is a fact of objective reality, which does not depend on the prosecution. This number is a function of the number of the pending pre-trial proceedings, incl. suspended (predominantly due to failure to establish the perpetrator of the crime during the investigation), as well as the specific crime on which the case is being prosecuted, as the absolute statute of limitations for seeking criminal liability is different and depends on the amount of the penalty provided for in the Criminal Code for the relevant crime (according to Art. 81 of the Criminal Code).

The increase in the number of dismissed cases for 2021 compared to those dismissed in 2020 is mainly due to the greater number of dismissed cases by the prosecutor on the grounds of absolute statute of limitations for prosecution, which obliges the prosecutor to dismiss the case on the basis of Art. 24, para. 1, item 3 of the Criminal Procedure Code. This conclusion is supported by the statistical data for the two years - in 2021, the dismissed cases, on grounds other than the statute of limitations, are relatively similar: 32,400 for 2021 compared to 32,002 for 2020. However, those dismissed on statute of limitations grounds in 2021 are 69,226, and in 2020 - 42565. It can be seen that in 2021 the terminated pre-trial proceedings were significantly more than in the previous year. There is no evidence that this increase is due to any special or extraordinary circumstance that occurred in 2021. Each year the number of cases dismissed on statute of limitations grounds is different and this is due to the above reasons.

**(2020): Question 107:**

- 1) "Pending cases on 1 Jan. ref. year" the unresolved pre-trial proceedings (PTPs) by a prosecutor as of 1 January of the reference year are reported.
  - 2) "Incoming/received cases" are reported the closed PTPs (analogous to the previous questionnaires);
  - 3) "Processed cases" are reported the decided PTPs by a prosecutor and is the total value of the data from four indicators (3.1 + 3.2 + 3.3 + 3.4), with reflected types of decisions under the PTPs;
    - 3.1. "Discontinued during the reference year" the terminated PTPs (including those by prescription) are reported and is the total value of the data from the next four indicators (3.1.1 + 3.1.2 + 3.1.3 + 3.1.4.), with reflected types of terminations;
      - 3.1.1) "Discontinued by the public prosecutor because the offender could not be identified" indicates NAP (similar to the previous questionnaire);
      - 3.1.2 "Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation" are reported the terminated PTPs, incl. those by prescription (similar to the previous questionnaires);
      - 3.1.3) "Discontinued by the public prosecutor for reasons of opportunity " the NAP is indicated (analogous to the previous questionnaires);
      - 3.1.4) the indicator "Discontinued for other reasons" indicates NAP (similar to the previous questionnaire);
    - 3.2) "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor " is indicated NAP (analogous to the previous questionnaires);
    - 3.3) "Cases closed by the public prosecutor for other reasons" the suspended PTPs are reported, as well as the PTPs sent by competence (for the respective prosecutor's office, although these cases are essentially unresolved they are closed). It is not obligatory for the prosecutor's office, which sent the case within its competence, to conduct a full investigation. If a ground for the competence of another prosecutor's office is established under the rules of local, functional or special competence, the case shall be sent to the respective prosecutor's office for continuation of the investigation. The grounds for determining the competence are exhaustively specified in the CPC (Chapter Four, Section II of the CPC, Article 35 et seq. Of the CPC, Article 195 of the CPC, Articles 396-398 of the CPC, Article 411a of the CPC);
    - 3.4) in the indicator "Cases brought to court" the submitted PDs in the court are reported (analogous to the previous questionnaires);
  - 4) in the indicator "Pending cases on 31 Dec. ref. year" the unresolved PDs by a prosecutor as of December 31 of the reference year are reported;
- Concerning the increase in the number of processed cases between 2018 and 2020, the number of "cases closed by the prosecutor for other reasons", taken into consideration for this cycle, makes the difference.

- (2018):**
- 1) The number of the terminated pre-trial proceedings has been given under indicator 'Received during the reference year' (similar to previous questionnaires);
  - 2) The number of the terminated pre-trial proceedings, including those on limitation has been given under indicator "Discontinued during the reference year (see Q108 below)";
  - 3) NAP has been indicated under indicator "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor" (similar to previous questionnaires);
  - 4) The number of the pre-trial proceedings that have been brought to court is given under indicator "Cases brought to court" (similar to previous questionnaires).

**(2014):** In 2014, prosecutors dealt with 139153 pre-trial proceedings for which cases were transferred to court; 75834 were terminated on account of the absence of a crime or other grounds provided for by law. A prosecutor may not terminate the pre-trial proceeding on the ground the perpetrator cannot be identified, unless the limitation period for prosecution has expired (42 588). A prosecutor cannot impose punishment without the approval of a judge. The parties can conclude an agreement (approved by the judge) for some crimes before the case is sent to court (11561), or during the trial (data is not available). Court proceedings can be reduced if during the preliminary hearing, the defendant fully admits the facts stated in the indictment (3505 cases).

**(2012):** In 2012, prosecutors dealt with 144950 pre-trial proceedings for which the investigation has been completed and the cases were transferred to court. 91523 pre-trial proceedings were terminated on account of the absence of a crime or other grounds explicitly provided for by the law. A prosecutor may not terminate the pre-trial proceeding on the ground the perpetrator cannot be identified, unless the prescribed limitation period for prosecution has expired. Terminated pre-trial proceedings conducted against an unknown perpetrator due to the expiration of the statutory limitation period were 59 063, and are part of the total of terminated cases. A prosecutor cannot impose punishment without the approval of a judge.

**Croatia**

**(General Comment):** Discontinued for other reasons: cases can be discontinued for reasons such as circumstances which exclude guilt, the fact that there is no reasonable suspicion that the suspect committed particular criminal offence, in the case when criminal complaint is not credible. The reason for discontinuing the case can be if the data in the criminal complaint indicate the conclusion that the complaint is not credible.

Cases closed by the public prosecutor for other reasons: cases can be closed for reasons such as the existence of circumstances that preclude the guilt of the defendant or there is no evidence that the defendant committed the offence. Other reasons: If the data in the criminal complaint indicate the conclusion that the application is not credible.

**(2022):** Data source: Report of the Attorney General of the Republic of Croatia on the work of state attorneys' offices in 2022.

\*3.1. the total number of cases are completed with the adoption of a decision on the dismissal of the criminal report or a decision on the suspension of the investigation, however statistical data are not recorded according to the categories requested in the table (15,414).

\*\*3.1.3. the data includes only juvenile offenders, as data in relation to other offenders is not available in the aforementioned Report.

For 2022, the data in section 3.1 (Discontinued during the reference year) also include data from section 3.1.4 (Discontinued for other reasons), which for 2021 were presented in section 3.3. (cases closed by public prosecutor for other reasons).

It is necessary to take into account the statistical specifics of the presentation of individual decisions, because the questionnaire asks for data in a way that is not harmonized with the statistical presentation of the work of the state attorney's office. This is why there are certain statistical deviations because the data is not compared in the annual report of the State Attorney's Office of the Republic of Croatia. Besides, due to the overloading of certain state attorney's offices, specifically for the Municipal Criminal State Attorney's Office in Zagreb, 1,060 cases were delegated to other state attorney's offices, which statistically for the Zagreb Municipal Criminal State Attorney's Office is shown as a transfer of cases and also included in the number of cases resolved by the state attorney's office to another method (that is, for 2022 in section 3.1.4, which is included in the total in section 3.1). So, in fact, the increase in the number of cases discontinued during the reference year is an increase that occurred due to the statistical method of presentation, and not a real increase.

**(2021):** Source of information: Report of the Chief State Attorney of the Republic of Croatia on the work of State Attorney's offices in 2021

3.1. the total number of cases completed by adopting a decision rejecting criminal charges or a decision terminating the investigation is presented, however, statistical data are not kept by categories requested in the table

3.1.3. There was 523 discontinued cases by the public prosecutor for reasons of opportunity (data covers juvenile perpetrators only because data in relation to other perpetrators is not available).

**(2020):** Reason for decreased number of incoming cases same as for the courts - pandemic of COVID-19.

Discontinued cases decreased - same as for the courts (COVID-19), please see comment in Q091.

For the category 3.1. Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.), PP is not able to differ categories 3.1.1., 3.1.2 and 3.1.4.

**(2018):** Compared with the data discrepancies from 2016 data, it is evident that the total number of cases received in the State Attorney's Office in 2018 decreased, which is why all other reported figures from 2018 are relatively smaller compared to the 2016 data.

**(2016):** Under discontinued cases we consider cases in which criminal charge was dismissed and cases that were suspended during criminal proceedings.

Data on the number of cases that were concluded by a penalty or a measure imposed or negotiated by the public prosecutor (conditional deferral and agreement) do not include cases against juveniles and persons aged between 18 and 21 (younger adults) because for these persons we do not have separate information on how many cases have been completed by a penalty or measure imposed or negotiated by the public prosecutor and how much by use of opportunistic principle. Therefore data on juvenile and younger adults are reported in cases that the State Attorney discontinued (dismissal by use of opportunistic principle).

**(2014):** Variations between 2012 and 2014 are due to amendments in criminal law. Namely, in 2013, the new Criminal Act entered into force by which some criminal acts are decriminalized. The legal understanding of the Criminal Department of the Supreme Court of 27 December 2012, on the amount of indeterminate values, prescribes that the legal characteristics of criminal offences such as theft, embezzlement, defraudation and fraud, described as a matter of small value, represent a matter whose value does not exceed HRK 2,000.00 (instead of the previously HRK 1,000.00). Thus, a large number of criminal proceedings on offences related to property matters, which were so far initiated by the State attorney, are now initiated upon a private complaint.

## **Czech Republic**

**(2022):** Two years ago, we have changed the methodology of reporting for CEPEJ.

In addition, the prosecutor can deal with the case in many ways. We tried to make the data work and the sums to make sense. E.g. Pending cases on 1 Jan. ref. year + Incoming/received cases - Processed cases = Pending cases on 31 Dec. ref. year. However, we would like to state that data comes from various sources and may be sometimes tricky to deal with.

There are many reasons why the prosecution could be discontinued. It is difficult to say under which category they should be included (3.1.2 or 3.1.4). However, the reasons may include following: 1. If such prosecution concerns a person who is exempt from the competencies of the law enforcement authorities or a person for whom the law requires an official consent for their prosecution, if such consent was not awarded by an entitled authority, unless the exemption is temporary or unless the criminal prosecution of the person is inadmissible due to lack of consent only temporarily; 2. if it concerns a person who is below the age of criminal responsibility 3. if it is against a person whose mental illness that occurred after the criminal offence was committed makes it permanently impossible for them to understand the purpose of the criminal prosecution 4. and many others.

**(2021):** In 2019, we have changed the methodology of reporting for CEPEJ.

In addition, the prosecutor can deal with the case in many ways. We tried to make the data work and the sums to make sense. E.g. Pending cases on 1 Jan. ref. year + Incoming/received cases - Processed cases = Pending cases on 31 Dec. ref. year. However, we would like to state that data comes from various sources and may be sometimes tricky to deal with.

There are many reasons why the prosecution could be discontinued. It is difficult to say under which category they should be included (3.1.2 or 3.1.4). However, the reasons may include following: 1. If such prosecution concerns a person who is exempt from the competencies of the law enforcement authorities or a person for whom the law requires an official consent for their prosecution, if such consent was not awarded by an entitled authority, unless the exemption is temporary or unless the criminal prosecution of the person is inadmissible due to lack of consent only temporarily; 2. if it concerns a person who is below the age of criminal responsibility 3. if it is against a person whose mental illness that occurred after the criminal offence was committed makes it permanently impossible for them to understand the purpose of the criminal prosecution 4. and many others.

**(2020):** Last year, we have changed the methodology of reporting for CEPEJ.

In addition, the prosecutor can deal with the case in many ways. We tried to make the data work and the sums to make sense. E.g. Pending cases on 1 Jan. ref. year + Incoming/received cases - Processed cases = Pending cases on 31 Dec. ref. year. However, we would like to state that data comes from various sources and may be sometimes tricky to deal with.

There are many reasons why the prosecution could be discontinued. It is difficult to say under which category they should be included (3.1.2 or 3.1.4). However, the reasons may include following: 1. If such prosecution concerns a person who is exempt from the competencies of the law enforcement authorities or a person for whom the law requires an official consent for their prosecution, if such consent was not awarded by an entitled authority, unless the exemption is temporary or unless the criminal prosecution of the person is inadmissible due to lack of consent only temporarily; 2. if it concerns a person who is below the age of criminal responsibility 3. if it is against a person whose mental illness that occurred after the criminal offence was committed makes it permanently impossible for them to understand the purpose of the criminal prosecution 4. and many others.

**(2018):** This year, we have changed the methodology of reporting for CEPEJ, thus some number strongly differs from previous data.

Also, there are many other ways how the prosecutor can deal with the case. Thus sum of discontinued during the reference year + Concluded by a penalty or a measure imposed or negotiated by the public prosecutor + cases brought to court is smaller than number of cases received during the year.

**(2016):** The correct number of received cases for 2014 should be 313958.

## Denmark

**(General Comment):** The number of processed cases includes both cases dismissed by the police and cases dismissed by the public prosecutor. All prosecutors are subject to a recruitment procedure conducted by The Director of Public Prosecutions' Office on behalf of the Ministry of Justice. A prosecutor can serve within The Local Prosecution Service based in one of the 15 the police districts or within The Central Prosecution Service with one of the Regional State Prosecutors' offices or with The Director of Public Prosecutions' Office.

**(2022):** It is not possible to subtract numbers on discontinued cases in the format in Q 3.1.1. + 3.1.2 + 3.1.4, as the legal basis in Denmark (sections 721 and 749 of the Administration of Justice Act) is not divided in such subsectors.

Regarding point 3.1.3 in question 107, it is not possible to account for one specific reason behind the increased number of discontinued cases for reasons of opportunity. However, during 2021 and 2022 we have had an increased effort in lowering the amount of pending cases. This can partly explain the surge of discontinued cases in 3.1.3.

Regarding the increase in incoming cases, it should be noted, that the police is responsible for charging possible perpetrators and hence the number of incoming cases received by the prosecution service. An explanation of the increase in number of incoming cases should therefore be directed to the police. With that being said, the number of incoming cases varies from year to year and the amount in 2021 was lower than the previous years.

**(2021):** It is not possible to subtract numbers on discontinued cases in the format in Q 3.1.1. + 3.1.2 + 3.1.4, as the legal basis in Denmark (sections 721 and 749 of the Administration of Justice Act) is not divided in such subsectors.

Regarding point 3.1.3 in question 107, it is not possible to account for one specific reason behind the increased number of discontinued cases for reasons of opportunity. However, during 2021 we have had an increased effort in lowering the amount of pending cases. This can partly explain the surge of discontinued cases in 3.1.3.

**(2020):** It is not possible to subtract numbers on discontinued cases in the format in Q 3.1.1. + 3.1.2 + 3.1.4, as the legal basis in Denmark (sections 721 and 749 of the Administration of Justice Act) is not divided in such subsectors. The data source

used in points 1 and 4 (data that do not include post-registration of charges) are different from the data source used in points 2 and 3 (data that includes post-registration of charges). Hence, data does not fit the formula: (pending at the beginning of the year + incoming) – resolved = pending at the end of the year) due to post-registrations of further charges. The number of incoming charges has decreased considerably between 2018 and 2020. This is due to a change in the way we measure the number of incoming charges. The new way of measure incoming cases more correctly than the previous way of measuring as the new way contains all incoming charges and not all processed charges as the previous way did. The number of incoming cases in 2018 is 245.687 when using the new way of measuring.

**(2018):** Please note that there has been a mistake with the previous data collection for 2006, 2008, 2010, 2012, 2014 and 2016 concerning question 107 and 108. This is due to missing information and collection of data from the Danish Administration of Justice Act. In the future we will make sure that every information is incorporated.

**(2016):** Cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor include cases concluded by the police as these cases are indistinguishable in the case handling system.

**(2014):** The increase in the number of cases charged by the public prosecutor before the courts is a result of an increased preliminary charge rate (police) and an increased prosecution rate (public prosecutor). The conviction rate is unchanged over the period despite the increase in both the preliminary charge rate and the prosecution rate.

## Estonia

**(General Comment):** The number of incoming cases is given by registered crimes while the number of cases resolved is given by the number of persons in respect of whom a procedural decision has been made.

**(2022):** The general trend shows a decrease in registered crimes.

**(2020):** The number of incoming cases is given by registered crimes. the number of cases resolved is given by the number of persons in respect of whom a procedural decision has been made.

**(2018):** The data for 2018 evaluation cycle are checked and confirmed. The data are not comparable with 2016, because the source of the data changed.

**(2016):** For this cycle, calculations are based on cases not persons or crimes. One case, especially when brought to court or concluded by penalty, often involves several crimes and persons.

**(2012):** As to the item “cases charged by the prosecutor before the courts”, the 2010 data referred to settlement proceedings, while the 2012 data includes only cases that were terminated by a prosecutor in case of lack of public interest in proceedings and in case of negligible guilt. These cases are also included under “cases discontinued by the prosecutor”. The category “cases charged by the public prosecutor before the courts” includes cases where a person has been sent to court in order to impose coercive psychiatric treatment by a court and cases which have been sent to court in order to request termination of criminal proceedings (the latter was not taken into account in previous reports).

## Finland

**(2022):** 3.2 Notice cases of summary fines are not included. The number of summary fines in 2022 was 34426.

**(2021):** 3.2 Notice cases of summary fines are not included. The number of summary fines in 2021: 34 306.

3.3: Consist of internal transfers of cases between prosecution districts, joining of cases and technical decisions.

**(2020):** Comments: 3.2 Notice cases of summary fines are not included. The number of summary fines: 38433.

The decrease in the number of cases “3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor” is due to a change in the law. The law on certain type of fine (rangaistusmääräysmenettely) was abolished in 2016 and replaced with the law on fines and summary penalty fee (laki sakon ja rikesakon määräämisestä (754/2010). According to this law, the police can order the summary penal fee. This page, in Finnish, shows figures of the amount in euros of these summary fines imposed by prosecutors (2nd graph) and by the police (3rd graph).

<https://www.oikeusrekisterikeskus.fi/fi/index/tietopalvelu/tilastotjaavoindata/sakot.html>

3.1.4 Discontinued for other reasons and 3.3. Cases closed by the public prosecutor for other reasons: The prosecutor must waive prosecution if: (1) the prerequisites for the bringing of charges provided in section 6, subsection 1 are not met; (2) the prosecutor waives prosecution on the basis of section 6, subsection 2; (3) the injured party has not requested that charges be brought or another special prerequisite provided in law for the bringing of charges referred to in section 2, subsection 2 is not met and the nature of the case requires that a separate decision be made. The prosecutor may waive prosecution if: (1) if no sentence more severe than a fine is to be anticipated for the offence and the offence, with consideration to its detrimental effects or the degree of culpability of the offender manifested in it, is to be deemed petty as a whole; and (2) if the suspect had not reached the age of eighteen at the time of the commission of the suspected offence and no sentence more severe than a fine or imprisonment for at most six months is to be anticipated for this offence and it is to be deemed to be more the result of lack of understanding or thoughtlessness than of heedlessness of the prohibitions and commands of the law. In addition, the prosecutor may waive prosecution, unless an important public or private interest requires otherwise if: 1) if criminal proceedings and punishment are to be deemed unreasonable or inappropriate in view of a settlement reached by the suspect in the offence and the injured party, the other action of the suspect in the offence to prevent or remove the effects of the offence, the personal circumstances of the suspect in the offence, the other consequences of the act to him or her, the welfare and health care measures undertaken and the other circumstances; (2) under the provisions on joint punishment or on the consideration of previous punishments in sentencing, the suspected offence would not have an essential effect on the total punishment; or (3) the expenses in continuing to consider the case would be in manifest disproportion to the nature of the case and to the sanction possibly to be expected in it. Also, If charges are being considered for two or more offences for which the same person is suspected and if he or she has contributed to the clarification of one or more of the suspected offences, the prosecutor may decide not to bring charges for all of the suspected offences. However, charges shall be brought if required by an important public or private interest.

**(2018):** With regard to the observed decrease in the number of cases "concluded by a penalty", there were 507 penalty notices given by the prosecutor in 2016 but only 23 in 2018.

**(2016):** The number of discontinued cases during the reference year includes the number of cases in which the prosecutor has waived the charges before trial and restricted the preliminary investigation in a way that the case is not brought to trial. For 2014, only the cases in which the prosecutor has waived the charges before trial have been informed.

**(2014):** The number of 1st instance criminal cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor decreased over the years 2010, 2012 and 2014. According to the annual report for 2014 of the Prosecution Service, the number of summary penal judgments decreased by 9 % (2013 – 2014; 59 in numbers). According to the report of 2013, the number of summary penal judgments decreased by almost 19 % (2012 – 2013; 151 in numbers). Some organisational changes were carried out during that time period. Besides, the number of incoming cases decreased, but the degree of difficulty/complexity increased.

## France

**(General Comment):** The data from Q 107 pertains to registered cases regardless of the number of offenses or perpetrators involved. However, in the event that a single case involving multiple perpetrators is subject to separate dispositions (e.g. different treatment for minors and adults, or classification and prosecution within the same case), it is then the number of dispositions that is counted. The complexity and diversity of criminal data do not allow for estimates of pending cases.

**(2021):** source SDSE

**(2016):** Among the cases discontinued by the public prosecutor, a distinction should be carried out between the mass of cases that could not be prosecuted because they were not elucidated or insufficiently characterized (3112642) and cases that could be prosecuted but were dismissed in accordance with the opportunity principle (191430).

## Germany

**(General Comment):** General information on the public prosecution statistic used as a source for answering this question: Once per year, the Federal Statistical Office compiles and publishes the public prosecution statistic. Statistical ordinances define the scope and rules of data collection for these statistics. The public prosecution offices collect the data and submit it to the statistical offices of the federal states, who check and edit the data and send it to the Federal Statistical Office. In simplified terms, the statistical ordinance provides two different kinds of data collection sheets: The "procedural survey" that collects data on the specifics of the investigation proceedings carried out by the public prosecution and the "monthly survey" that collects data on the caseload and other workload of the public prosecution offices. The figures entered here do not include investigations against persons unknown. The public prosecution statistic only shows the number of charges filed against unknown perpetrators. Information on the further treatment of those charges is not available. This is because the monthly survey distinguishes between "caseload of investigation proceedings covered by the procedural surveys" and "other workload". Charges against persons unknown fall into the category "other workload". The number of resolved and pending cases is only collected with regard to the first category (proceedings covered by the procedural surveys). If a suspect is identified in cases with an unknown perpetrator, the case receives a new file-number and then appears in the the category "covered by the procedural surveys".

**(2022): 3.2** Concluded by a penalty or a measure imposed or negotiated by the public prosecutor:

The number represents the the cases that were discontinued in accordance with Section 153a of the Code of Criminal Procedure ("non-prosecution subject to imposition of conditions and directions")

These cases would also fit into the category "discontinued for reasons of opportunity" (3.1.3) but were allocated to 3.2 here. 3.1.4 Discrepancy in comparison to the 2020-2022 cycle: The number of cases discontinued for other reasons was considerably higher in the public prosecution statistic 2020 and in previous years. This was due to a programming issue in one of the federal states. Many of the cases that were registered in this category should have actually been registered within the category "discontinued for reasons of opportunity". The issue was noticed and fixed at the end of 2020.

**(2021): 3.2** Concluded by a penalty or a measure imposed or negotiated by the public prosecutor:

The number represents the the cases that were discontinued in accordance with Section 153a of the Code of Criminal Procedure ("Non-prosecution subject to imposition of conditions and directions")

These cases would also fit into the category "discontinued for reasons of opportunity" (3.1.3) but were allocated to 3.2 here. 3.1.4 The number of cases discontinued for other reasons in the public prosecution statistic 2020 (and previous years) was considerably higher due to a programming issue in one of the Länder. Many of the cases that were registered in this category should have actually been registered within the category "discontinued for reasons of opportunity". The issue was noticed and fixed at the end of 2020.

**(2020): 3.2** Concluded by a penalty or a measure imposed or negotiated by the public prosecutor:

The number represents the the cases that were discontinued in accordance with Section 153a of the Code of Criminal Procedure ("Non-prosecution subject to imposition of conditions and directions")

These cases would also fit into the category "discontinued for reasons of opportunity" (3.1.3) but were allocated to 3.2 here.

**(2018):** These figures include first-instance criminal cases led by the public prosecution offices based at the Regional Courts (investigations with a "Js" file number) and the public prosecution offices based at the Higher Regional Courts (investigations with an "OJs" file number). Regarding the latter ("OJs" investigations), figures only exist for the number of cases newly received by the prosecutor generals' offices.

**(2016):** These figures include first-instance criminal cases led by the public prosecution offices based at the Regional Courts (investigations with a "Js" file number) and the public prosecution offices based at the Higher Regional Courts (investigations with an "OJs" file number). Regarding the latter ("OJs" investigations), figures only exist for the number of cases newly received by the prosecutor generals' offices.

## Greece

**(2022):** It is worth highlighting that comparisons with previous data/cycles are not relevant. Indeed, since last year, measures have been taken to improve the system for collecting and calculating statistical data. As the methodology is developing, discrepancies in data can be observed.

**(2021):** The definition of the pending cases includes postponed cases or the cases the trial date has been setting out of the reference year or hasn't been determined during the year. The fact is that the theoretical pending cases resulted from pending cases on 1st of January + Incoming cases (cases are related to reference + previous years). However, pending cases on 31 Dec. are only the cases that have not been determined, or cases that have been determined after the reference year. All of the pending cases on 31 of Dec. are related only to the reference year.

Considering that this is the first year where offices calculate their pending cases, and some of them do not have electronical systems to monitor their data, in the next years we will get better and more accurate statistics.

**(2020):** No data available for this query.

**(2016):** The relevant data are not available electronically for the moment, therefore their extraction is not possible.

## Hungary

**(2022):** The data source - in accordance with the previous data provision - is The Statistical Subsystem of Completed Criminal Proceedings of the Unified Investigation Authority and Prosecution Service Criminal Statistics System (hereinafter ENyÜBS-BBS). In the ENyÜBS-BBS subsystem, the data is recorded when the investigating authorities or the Prosecution Service have made a procedural decision giving reasons for the provision of statistical data in connection with the crime (e.g.: dismissal of the criminal complaint, termination, suspension, accusation/indictment), relating to which statistical data was provided. Considering the time of data recording, the ENyÜBS-BBS subsystem is, therefore, of a so-called follow-up nature, so it does not show how many crimes occurred in the year under review, but it shows how many legal decisions were made in connection with such acts and in how many cases statistical data was provided in this context (in a registrative manner). As a result, the above also means that it may occur there is an ongoing criminal proceeding that is not included in the ENyÜBS database yet. For the questions "Pending cases on 1 Jan. ref. year" and "Pending cases on 31 December ref.year" in the table, please note that no data is collected on the number of pending cases – on a given day – into the records of the Prosecution Service. Set of data: ENyÜBS-BBS: number of criminal procedure decisions  
Unit of recording: criminal procedure decision  
Selection date: May 30, 2023.

**(2021):** As to 'Pending cases on 1 Jan. ref. year' and 'Pending cases on 31 Dec. ref. year', please note that the number of pending cases at a given day is not recorded in the database operated by the prosecution service. As to 'Processed cases' (3.), please note that the database of the prosecution service records the number of cases where one or more procedural acts were performed by the prosecution service; besides that, it records the number of procedural acts regarding each type of act.

**(2020):** 3.1.4 Discontinued for other reasons:

If the Special Part of the Penal Code regulates the conduct of the accused after the commencement of the proceedings as a ground for termination of criminal liability.

3.3. Cases closed by the public prosecutor for other reasons: At the stage of preparation of the prosecution, Section 221 / A (7) of the Criminal Procedure Act provides that if the mediation proceedings are successful and the application of Section 29 (1) of the Criminal Code is appropriate, the prosecutor shall terminate the proceedings.

## Ireland

**(General Comment):** As many of our cases are prosecuted by State Solicitors we don't have any data on the status of a case between the time the direction is issued and when we receive the final outcome; this is for matters on indictment. For summary cases outside of Dublin, we rarely even if ever hear back on the outcome as these directions are passed on to the police by the State Solicitor and the police execute the direction to prosecute without reference to the State Solicitor. This may change in the future if outcome data is exchange using the Criminal Justice Operational Hub. Summary cases outside of Dublin would make up a significant proportion of the files given in our figures.

As per the instructions provided, cases are counted per prosecution file which could include more than one suspect and multiple charges preferred. Therefore, the figure give for 'Discontinued' in 107.3.1 is the number of distinct files where a suspect was directed for 'no prosecution'; in some of these files, other suspects on the file may have been prosecuted in the courts.

**(2021):** There has been a significant increase in files received by the office in the last number of years - this is partially due to the increase in complexity of offences and investigations.

These figures were compiled by the Office of the Director of Public Prosecutions and will be included in the Annual Report 2021 which is published annually on the Office of the Director of Public Prosecutions website. Caution should be exercised when comparing these statistics with statistics published by other organisations such as the Courts Service or An Garda Síochána. The statistics published here are based on our own classification and categorisation systems and may in some cases not be in line with the classification systems of other organisations.

Q.3.4: indictable offences

**(2018):** \*14,856 files in total were received in 2018 including appeals of which 11,647 related to first instance cases .

**(2012):** Figures provided for 2012 reflect 2011 data.

## Italy

**(2022):** We do not know the reasons for these discrepancies. However, the figures are correct.

## Latvia

**(General Comment):** Information obtained from the ProIS (Prosecution Information System), that is a 'living' system (input of data is not 'frozen' at the end of the year). Vertical consistency cannot be ensured because there is a number of cases that have been added to "cases discontinued for other reasons" and others that have been returned to the investigative authorities to continue the investigation.

**(2022):** Information obtained from the ProIS (Prosecution Information System) data downloaded in February 2023. The same data is used in drawing up the Annual Report of the Prosecution Office submitted to the Parliament. The difference from the number of pending cases on 31 December previous period reported in last CEPEJ questionnaire may be explained that the ProIS is a 'living' system (input of data is not 'frozen' at the end of the year), therefore some cases may be marked in the system as 'pending' between August 2022 and February 2023. One of the reasons for the increase of the number in comparison with the year 2020 may be the structural reforms carried out in the prosecution office, as of 1 November 2021 first instance prosecution offices prosecute all types of criminal offences that were previously prosecuted by prosecution offices of the Judicial Regions. Thus, not only the number/numerical volume of 1st instance prosecutors' cases (criminal proceedings taken under supervision) increased, but also their legal complexity which has impacted the workload backlog. -107. 3.1. Discontinued during the reference year (3.1.1.-3.1.4.) In consistency with the decrease in total number of incoming/received cases, a decrease can also be observed in the number of all of the discontinued cases.

- 3.1.3. Discontinued by the public prosecutor for reasons of opportunity: includes discontinued on the basis of the following grounds set forth in Article 380 of the Criminal Procedure Law: termination of criminal proceedings on the basis of circumstances that exclude criminal proceedings (several subcategories listed in Article 377), termination of criminal proceedings by releasing a person from criminal liability (Parts 1 and 2 of Article 379), including conditional release from liability (Article 415), and termination of criminal proceedings against a person who has substantially assisted in the disclosure of a serious or especially serious crime.

The remaining reason of opportunity mentioned in Article 380, namely Article 421 'Prosecutor's penal order' – number of cases discontinued on this basis is included in 107.3.2.: Concluded by a penalty or a measure imposed or negotiated by the public prosecutor.

- 3.1.4. Discontinued for other reasons: includes 675 cases in which criminal proceedings were suspended, 5 cases where the criminal proceedings have been terminated by conditionally releasing from criminal liability for a serious crime, plus 41 case sent on the basis of the jurisdiction (including – abroad).

- 107. 3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor – the answer for the increase in number lies within the proposed strategical goal of the prosecution office – to complete the criminal proceedings in the prosecution office whenever possible. This has led to the significant increase in the total value of number in Q 107. 3.2. and decrease in numbers in Q 107. 3.3.

- 107. 4. Pending cases on 31 Dec. ref. year: explanation given for Q 107. 1.1. applies to this number as well.

**(2021):** Cases brought to court: 6061 cases with the total number of criminal offenses - 11008.

Number of incoming cases in 2021 was 11 529. This includes cases received: for initiation of criminal prosecution; after the division of cases or during the phase of investigation; in accordance with urgent procedures; from the court for the elimination of violations/deficiencies; taken over for investigation; restored previously terminated or suspended cases.

The vertical consistency cannot be ensured because in 2021 there were 370 cases that were added to other cases and 82 cases were returned to the investigative authorities to continue the investigation. These cases are not included in the subcategories of Q107. 3.1.2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation - according to Article 380 of the Criminal Procedure Law these preconditions (stated in Article 377, Clauses 1, 2 and 10 of the Criminal Procedure Law) are exonerating circumstances. Data for the year 2020 included also other clauses of Article 377 that contain circumstances that do not exonerate persons, which explains the remarkable difference in numbers. Accordingly, 3.1.3. has increased by the number of relevant cases (that also constitute reasons of opportunity).

3.1.4. Discontinued for other reasons: the cases included in this category are, for example, the cases in which the prosecutor took a decision to terminate criminal proceedings by conditionally releasing from criminal liability a person who has been accused of committing a serious crime and who has substantially assisted in the disclosure of a serious or especially serious crime that is more serious or dangerous than the criminal offence committed by the relevant person himself / herself (Paragraph prim of Section 415 of the Criminal Procedure Law). The information compiled in the information system of the Prosecution Office shows that in 2021, prosecutors took 9 decisions to terminate criminal proceedings based on the aforementioned Paragraph. Besides, for 2021, there are 675 cases in which criminal proceedings were suspended included in this category.

Just like for the year 2020, 365 cases in which the prosecutor took a decision to terminate the criminal proceedings by conditionally releasing a person from criminal liability for the commission of a criminal offense or a less serious crime were included in the category "3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor". This, along with the recommendation included in the Operational Strategy of the Prosecution Office 2022-2027- on the completion of the criminal proceedings in the Prosecution Office where possible, also explains the increase in the latter category. 3.3. Cases closed by the public prosecutor for other reasons: the cases included in this category are, for example, the cases in which the Prosecutor General has made a decision to terminate criminal proceedings against a person who has substantially assisted in the disclosure of a serious or especially serious crime that is more serious or dangerous than a criminal offence committed by such person himself / herself. In 2021, Prosecutor General has not terminated any criminal proceedings based on Article 410 of the Criminal Procedure Law. For 2021, in this category there are 285 cases included that were sent on the basis of the jurisdiction (including – abroad).

4 Pending cases on 31 Dec. ref year: The number has increased mainly due to the COVID-19 pandemic (that affected the timely execution of procedural/investigative actions).

3.4. In 2021 there has been a significant decrease of the number of initiated criminal proceedings (-17%), furthermore the number of criminal proceedings completed in the prosecutor's office has increased (+26%).

**(2020):** Cases brought to court

8088 cases with the total number of criminal offenses - 14158

The vertical consistency cannot be ensured because in 2020, there were 520 cases that were added to other cases and 91 cases were returned to the investigative authorities to continue the investigation. These cases are not included in the subcategories of Q107. 3.1.4 Discontinued for other reasons: the cases included in this category are, for example, the cases in which the prosecutor took a decision to terminate criminal proceedings by conditionally releasing from criminal liability a person who has been accused of committing a serious crime and who has substantially assisted in the disclosure of a serious or especially serious crime that is more serious or dangerous than the criminal offence committed by the relevant person himself / herself. The information compiled in the information system of the Prosecution Office shows that in 2020, prosecutors took 2 decisions to terminate criminal proceedings based on Paragraph prim of Section 415 of the Criminal Procedure Law. Besides, for 2020, in this category are included 955 cases in which criminal proceedings were suspended.

3.3. Cases closed by the public prosecutor for other reasons: the cases included in this category are, for example, the cases in which the Prosecutor General has made a decision to terminate criminal proceedings against a person who has substantially assisted in the disclosure of a serious or especially serious crime that is more serious or dangerous than a criminal offence committed by such person himself / herself. In 2020, Prosecutor General has not terminated any criminal proceedings based on Article 410 of the Criminal Procedure Law. For 2020, in this category are included 285 cases that were sent in accordance with the relevant jurisdiction (including – abroad). The category "3.1. Discontinued during the reference year" decreased because 365 cases in which the prosecutor took a decision to terminate the criminal proceedings by conditionally releasing a person from criminal liability for the commission of a criminal offense or a less serious crime were included in the category "3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor". This also explains the increase in the latter category.

**(2018):** Cases brought to court  
8887 cases with the total number of criminal offenses - 14569

**(2016):** Cases brought to court  
10022 cases with the total number of criminal offenses - 16892

## Lithuania

**(2022):** Inconsistency is a result of different sources of data and their differing formulas for calculating some statistical indicators. Numbers of „Pending cases on 1 Jan“, „Pending cases on 31 Dec.“ and „Incoming cases“ are taken from the national register, however number of „Processed cases“ is taken from registers of the Lithuanian Prosecution Service.

**(2021):** The number of registered crimes is gradually decreasing since 2017 in Lithuania, and this also affects other numbers. Prosecutor General's Office of the Republic of Lithuania: the numbers are correct. Vertical inconsistency is a result of different sources of data and differences in formulas for calculating some statistical indicators. Numbers of „Pending cases“ and „Incoming cases“ are taken from the national register, however number of „Processed cases“ is taken from registers of the Lithuanian Prosecution Service.

**(2020):** Cases closed by the public prosecutor for other reasons: cases closed under Paragraph 3 Article 68 of the Criminal Procedure Code - when criminal act has been committed in the territory of the Republic of Lithuania by a citizen of a foreign country or other person who have subsequently left the Republic of Lithuania, the Prosecutor General's Office of the Republic of Lithuania may request foreign country to take over the criminal case. When criminal case is taken over by another country, the one in Lithuania is discontinued. The number of registered crimes is gradually decreasing since 2017 in Lithuania, and this affects number of incoming cases, processed cases, discontinued cases and cases brought to court. The reason for the non-compliance of the result of the formula used ((pending cases on 1 January 2020 + incoming cases) – processed cases = pending cases on 31 December 2020) is a result of different sources of data and their differing formulas for calculating some statistical indicators. Numbers of „Pending cases“ and „Incoming cases“ is taken from the national register, however number of „Processed cases“ is taken from registers of the Lithuanian Prosecution Service.

**(2014):** In contrast with the 2012 data, the 2014 data includes cases in connected investigations.

**(2012):** The category “cases charged before the courts” also encompasses cases discontinued by the court on the prosecutor’s request, when the measures of criminal effect can be imposed on the persons concerned. The increase in the number of cases received by the prosecutor stems from the Lithuanian economic situation and the national economic priorities, as well as from the entry into force of the Law on Domestic Violence (2011). Criminal investigation became compulsory regarding every single incident of domestic violence. Over the last few years, the prosecution service had been seeking to complete criminal investigations under economy procedures - imposing penal or reformative measures, deciding the case with a penal order or using the accelerated process.

## Luxembourg

**(2022):** In accordance with sub 3.2, the cases in question are deemed closed if the party concerned complies with the condition set forth in the warning or fulfills its obligations arising from mediation. In case of non-compliance, public prosecution resumes.

Regarding 3.1.4: These essentially consist of two specific measures; firstly, concerning traffic offences, there is an obligation to attend a driving course and, exclusively for young adult offenders, participation in a program called Choice 18+ aimed at preventing drug addiction (<https://www.solina.lu/fr/facilities/impuls>).

**(2021):** 3.1.4 " Discontinued for other reasons": due to the continuing pandemic in 2021, no "Choice18 +" measures could be initiated, nor processed, during this year. Similarly, driving courses were suspended due to the pandemic and did not resume until October 2021.

3.2 "Concluded by a penalty or a measure imposed or negotiated by the public prosecutor": the increase in the number of cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor between 2020 and 2021 cannot be explained by a single event. The increase is mainly due to the growing number of warnings issued by the prosecution service, which is on the one hand the result of punctual measures related to the health crisis and on the other hand depends on the subject matter of the cases dealt with, as warnings are usually issued in less serious cases.

**(2020):** "The cases referred to under 3.2. shall be considered closed if the party concerned complies with the condition imposed by the warning or fulfills its obligations arising from the mediation. In case of non-compliance, the public action will resume.

3.1.4: These are essentially two specific measures: firstly, in the area of traffic, the obligation to follow a driving course and, only for young offenders of full age, participation in a course in the Choice 18+ program for the prevention of drug addiction (<https://www.solina.lu/fr/facilities/impuls/>)."

**(2018):** L'augmentation du nombre d'affaires classées s'explique essentiellement au niveau des affaires de police. Depuis 2017, le nombre d'affaires nouvelles a considérablement augmenté, ce qui explique partiellement le nombre important d'affaires classées en la matière. Cet accroissement des affaires ouvertes est lié à l'introduction du système de contrôle et de sanction automatisés (CSA) au cours de l'année 2016, qui a mené à une augmentation importante des affaires de circulation (vitesse), des infractions constatées via des radars fixes et mobiles. En plus, des changements au niveau de la gestion de ces affaires CSA au parquet a engendré le classement d'un nombre important d'affaires en 2018, ce qui contribue à la variation importante des affaires classées observée entre 2016 et 2018. Les affaires reçues par le procureur au cours de l'année de référence incluent les affaires 'Sans Auteur Identifié' (SAI) qui sont provisoirement classées dans l'attente de l'identification d'un auteur. En 2018, 24 799 affaires étaient qualifiées SAI.

## Malta

**(2022):** Presently the figures provided are in lien with the cases that are brought to court. The Office of the Attorney General shall be developing its case management system and this data should then be easily captured by the new system.

**(2021):** The Office of the Attorney General is in the process of setting up a comprehensive case management system that will keep track of all the cases that are processed by the OAG. Until then, the cases quoted above are all cases prosecuted in court at 1st Instance.

The high pending caseload at the beginning of 2021 is a direct result of the inefficiencies experienced during the Covid-19 pandemic. In fact throughout 2020, given that most of the year the courts of justice were closed, the number of incoming cases far exceeding the number of resolved cases. This led to a low CR and a concomitant high pending caseload.

**(2016):** The criminal cases brought to court at 1st Instance are prosecuted by the Police and not by the attorneys working in the Office of the AG.

## Netherlands

**(General Comment):** The number of pending cases at the end of the year cannot equal pending cases at the start of the year + incoming cases – processed cases, because a specific type of case can only be counted in the stock when the file has been judged, not when they are pending. This is for criminal cases where an order is given, but the case is then returned because the order cannot be executed. This specific case type return to the stock, but cannot be measured in the system the public prosecution uses. Once those cases are assessed again and stream out, they become visible in the numbers in the system. Pending cases are cases that are yet to be judged and for which a hearing has to be planned. Cases for which the hearing has been planned, are not included in this number.

**(2022):** There are a few numbers available, but NL does not register whether cases are litigious or not in the manner asked here.

**(2021):** Pending cases are cases that are yet to be judged and for which a hearing has to be planned. Cases for which the hearing has been planned, are not included in this number.

Discrepancy comment Pending cases January: The way in which pending cases were counted changed in August 2020, before that time a large number of cases were included that had already been dealt with administratively. Those cases are now excluded from the number of pending cases, which explains the difference in numbers between pending cases Jan 2020 and pending cases Jan 2021.

**(2020):** The number of pending cases at the end of the year cannot equal pending cases at the start of the year + incoming cases – processed cases because a certain type of case can only be counted in the stock when the file has been judged, not when they are pending. These cases are criminal cases where an order is given, but they are then returned because the order cannot be executed. These criminal cases return to the stock, but cannot be measured in the system the public prosecution uses. Once a case like that is assessed again and streams out, it becomes visible in the numbers of the system.

**(2016):** In 2014 there were no assistant officers. The lower input results in lower output.

**(2012):** The category “cases discontinued for reasons of opportunity” concerns minor cases and covers cases solved by the suspects and victims themselves and cases considered too old to be still prosecuted. Since 2012, these kinds of cases are not filtered anymore by the police and are registered at the public prosecution offices. In 2012, the number of cases concluded by a penalty or a measure imposed or negotiated by the prosecutor, increased due to the Law on Public Prosecution sanctions. The latter extended the possibility for the public prosecution to impose sanctions itself, independently of the Judicial (sentence disposal).

## Poland

**(General Comment):** \*The number of cases discontinued for any other reason consists of cases discontinued on the basis of:  
- art. 17 par. 1 point 3 to 11 of the Code of Criminal Procedure: the social harm of the act is negligible; the law provides that the perpetrator is not subject to punishment; the defendant has died; the criminal statute of limitations has run; criminal proceedings for the same act of the same person have been validly terminated or previously instituted proceedings are pending; the perpetrator is not subject to the jurisdiction of the Polish criminal courts; lack of complaint from an authorized prosecutor; absence of the required authorization for prosecution or request for prosecution from an authorized person, unless otherwise provided by law; there is another circumstance excluding prosecution.

- the Act on Counteracting Drug Addiction (Article 62a and 62b);

- other discontinuances - in addition to those described in report PK-P1K on activity of common organizational units of the Public Prosecutor's Office in criminal cases.

\*The number of cases closed by the prosecutor for other reasons consists of: - refusal to prosecute, suspension, dealt with in another way, transfer to commander, criminal prosecution transferred.. At the end that following a change in Q107, starting from 2022, cases previously reported as “closed for other reason are presented as “discontinued for other reasons”.

**(2022):** The other modes of termination concerned 414,485 cases (other modes of termination: refusal to prosecute, suspension, dealt with in another way, transfer to commander, criminal prosecution transferred). These cases are reported within the category “discontinued for other reasons”.

**(2020):** \*The number of cases processed in 2018 was 1,076,123. The number of cases discontinued for this period is 397,471. This number is comparable to the 2019 data. (406,770 cases discontinued) and for 2020. (387,521 cases discontinued). \*The number of cases - "concluded by a penalty or measure imposed or negotiated by the prosecutor" for each year was as follows: 2018. – 43 348, in 2019. -36 167, in 2020. - 25 635.

**(2018):** Differences which appear between data mentioned in the form related to functioning of the Polish jurisdiction and data specified in the previous edition of research - connected with the amount of cases incoming and the amount of terminated cases - arise from at least two reasons. First, during the years the image of crime has been changing. The amount of committed crimes is not constant and it is changing dynamically. Second, normative changes affect the differences mentioned at the beginning. This is connected with: the penalization of acts which have been criminally indifferent until now and amendments to the Criminal Procedure Law. In the adversarial reform - currently in force since the 1st of July 2015 - the rule related to cases terminated by decisions of police on refusal to allow investigation or on discontinuance of investigation has been introduced. According to this rule the aforementioned cases do not have to be approved by the prosecutor. Therefore such proceedings have not been registered in the prosecution office. Amendments to the Code of Criminal Procedure, which came into force on the 15th of April 2016, cancelled this rule.

**(2016):** Cases "Discontinued during the reference year" - only number of stayed legal proceedings.

## Portugal

**(2022):** 3. The total figure for 2022 for the total number of completed criminal cases at the investigation stage is 427 664.

**(2020):** The data indicated for «number of processed cases» corresponds to “the total number of criminal cases at the investigation stage that have been closed”.

The Public Prosecutor's Office, closes the inquiry as soon as it has gathered sufficient evidence that no crime has been committed, that the defendant has not committed it or that the procedure is legally inadmissible.

The Public Prosecutor's Office also closes the inquiry if it has not been possible to obtain sufficient evidence that a crime has been committed or who the perpetrators were.

**(2014):** For 2014, data concerning 1st instance courts is not available due to technical constraints.

**(2012):** This category of cases includes inquiry proceedings received by the public prosecutor and inquiry proceedings completed with charges proposed by the public prosecutor.

## Romania

**(2020):** There are no available data on grounds on which a decision to discontinue a case is taken by the public prosecutor.

**(2016):** As regard the increase from 2014 data related to the number of cases brought to court, most probably the new provisions in terms of guilty plea procedures introduced by the new codes may represent a reason for this increase in using this procedural institution; moreover people/parties become more aware of it/of this procedural instrument and a judicial practice has been created

**(2014):** The figure provided for 2014 in respect of the total number of 1st instance criminal cases received by the public prosecutor (1 756 001) corresponds to the stocks and newly entered files for this year. In 2012, the number of newly entered files was 679 193 (789 677 for 2013). The variations observed between 2012 and 2014 are due to the entry into force of the new codes.

## Slovak Republic

**(2022):** It is necessary to state that the required table, or criteria, are different from our legal system. In our criminal proceedings, a large number of cases in the preliminary proceedings are closed by the investigator or police officer, while the table only requires cases closed by the prosecutor. In addition, matters terminated by the prosecutor may also be terminated by the so-called diversions in criminal proceedings, while the table only requires cases stopped by the prosecutor. The inconsistency of data with previous years is also caused by the fact that the prosecutor in the Slovak Republic has slightly different powers in the preliminary proceedings in contrast to the legal systems of other countries, so the data differ according to the point of view of the processor of the data.

**(2021):** The General public prosecutors office did not deliver any explanation.

**(2020):** The data were delivered by General prosecutor office. The number of 1st instance criminal cases are not monitored by General prosecutor office in CEPEJ requested structure.

**(2018):** The number of Cases received during the reference year represents the count of received cases on the Prosecution Office, not the count of terminated cases.

To the column Cases discontinued during the reference year we included the decisions of the prosecutor as well as of the police officer. If the police officer has decided on the discontinuance of the criminal prosecution, those decisions were examined by a prosecutor. The prosecutor himself/herself has discontinued the criminal prosecution in 263 cases. Among Cases terminated by the prosecutor by imposing a sanction or negotiating a measure were included criminal prosecutions of persons against whom the criminal prosecution was conditionally suspended (1334) or the criminal prosecution was suspended by approving a conciliation between the accused and aggrieved party (479). Among Cases brought to court were included indictments submitted by the prosecutor in the year 2018 to the court. The number of accused persons was 29 789 (the count of the accused persons might not equal the count of the indictments).

**(2016):** The number of cases received represents all entries in the criminal registers of the prosecution offices. The decrease of number of the received cases in comparison with the previous cycle is the objective fact out of the range of prosecution service.

Not all of the received cases are concluded in the same year. The number of cases discontinued during the reference year includes the decisions of the prosecutor as well as of the police officer. The decisions of the police officer to discontinue the criminal prosecution were examined by a prosecutor. Only in 62 cases the decision to discontinue the criminal prosecution was issued by the prosecutor (see Q 108).

Cases terminated by the prosecutor by imposing a sanction or negotiating a measure include criminal prosecutions of persons against whom the criminal prosecution was conditionally suspended (1485) or the criminal prosecution was suspended by approving a conciliation between the accused and aggrieved party (469).

The number of cases brought to court (25023) represents the number of indictments submitted to court by the prosecutor in 2016. The number of accused person was 28 612 (according to Slovak criminal law one indictment can be issued against more defendants).

**(2014):** For 2012, it was impossible to split the number of cases discontinued by the prosecutor and the number of cases concluded by a penalty. For 2014, both of the categories could be identified. The total is 8547 cases, which is close to the number given in 2012.

## Slovenia

**(General Comment):** Methodology used: statistical data are kept on the accused, accused or convicted persons, and the data is related to the main crime per defendant (methodology as used in the Joint Annual Report on the Work of State Prosecutor's Offices and has been used in previous reports).

IMPORTANT: Data also includes unfinished criminal complaints against unknown perpetrators. It should be noted that on average, State Prosecutor's Offices receive between 30,000 and 60,000 complaints per year against unknown perpetrators. These are included in statistical data as unresolved cases until the perpetrator is discovered or the statute of limitations expires.

1. Pending cases on 1 Jan. ref. Year: unresolved criminal complaints against known perpetrators (incl. adults, minors and legal entities) and unknown perpetrators.

2. Incoming/received cases: criminal denunciations against known and unknown offenders.

Criminal denunciations against known offenders include cases that were received by the prosecution office as cases with unknown offenders whose identity was discovered during the reporting period. Cases against known offenders are counted by the number of persons involved (i.e. a denunciation against five individuals is counted as five cases), cases against unknown offenders are counted by files.

3. Processed cases: all resolved criminal complaints in the reporting year. There can be multiple criminal complaints in one case file, however the resolution is only one (for all complaints in one case file) – hence the difference between the sum of subcategories (3.1, 3.2, 3.3 and 3.4) and the actual number of resolved criminal complaints. 3.1.1 Discontinued by the public prosecutor because the offender could not be identified: the public prosecutor cannot discontinue a case, because the offender could not be identified.

3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation: dismissed denunciations for other reasons than opportunity and accomplishing some tasks imposed or negotiated by state prosecutor. This category includes cases where prosecutor refrains from prosecution after the finish of judicial investigation.

The great majority of cases against unknown offenders is dismissed because the pending time exceeds limitation period for criminal prosecution..

In the case of proposed criminal offenses, the motion of the injured party is a procedural precondition for conducting criminal proceedings. If this presumption does not exist (it is no longer due to withdrawal), the legal consequence is rejection.

For the most part, public prosecutors rejected complaints for other reasons, including cases in which it was not possible to continue the proceedings due to a lack of procedural or material preconditions (the act is not a criminal offense, there is no reasonable suspicion that the suspect committed a criminal offense (prosecuted ex officio), various procedural obstacles).

3.1.3 Discontinued by the public prosecutor for reasons of opportunity

Cases where denunciations were dismissed because the consequences of criminal prosecution would prove disproportionate to the weight of criminal offence and dismissed denunciations against minors because the proceedings against him/her would not be appropriate in view of the nature of the offence and circumstances in which it was committed, as well as in view of the past conduct of the minor and his personal traits.

3.1.4 Discontinued for other reasons

NAD. All data already covered in the above

**(2022):** Discrepancies (to 2020 data) - 3. Processed cases: In 2021 the reporting changed to include cases of discontinued criminal complaints against unknown offenders due to the expiration of statute of limitations in the category (3) Processed cases (previously excluded).

3. Processed cases... increase by 91%: 2 factors contributed to the increase: 1) in 2020, the work of state prosecution was impacted by the Covid19 pandemic; 2) more willingness of suspects and victims to cooperate in alternative forms of law enforcement is observed.

Further break-down of data reported:

(1) Pending cases on 1 Jan. ref. year include transferred criminal complaints: 11.543 (known offenders) and 271.319 (unknown offenders)

(2) Incoming cases include criminal denunciations: 24.815 (known offenders) and 35.036 (unknown offenders)

(3) Processed cases include processed cases: 24.475 (known offenders) and 29.886 (unknown offenders)

(3.1.) Discontinued during the reference year include dismissed criminal complaints: 14.207 (known offenders) and 29.886 (unknown offenders)

(3.1.2.) Discontinued due to the lack of an established offence or a specific legal situation include: 11.639 (known offenders) and 29.886 (unknown offenders)

(4) Pending cases on 31 Dec. ref. year include unresolved criminal complaints: 12.024 (known offenders) and 277.436 (unknown offenders)

**(2021):** In 2021 the reporting changed to include cases of discontinued criminal complaints against unknown offenders due to the expiration of statute of limitations in the category (3) Processed cases (previously excluded).

Further break-down of data reported:

(1) Pending cases on 1 Jan. ref. year include transferred criminal complaints: - against known perpetrators: 11.951 and - against unknown perpetrators: 269.260.

(2) Incoming cases include criminal denunciations: - against known offenders: 24.658 and - against unknown offenders: 27.199.

(3) Processed cases include processed cases:

- against known offenders: 24.658 and

- discontinued criminal complaints against unknown offenders due to the expiration of statute of limitations: 29.140

(3.1.) Discontinued during the reference year include dismissed criminal complaints:

- against known perpetrators: 14.260 and

- against unknown perpetrators: 29.140

(3.1.2.) Discontinued due to the lack of an established offence or a specific legal situation include:

- a) discontinued criminal complaints against known perpetrators due to the lack of procedural or material preconditions: 10.022, b) cases discontinued (rejected) due to withdrawal of the motion of the injured party: 2.000 and c) cases discontinued

due to expiration of the statute of limitation: 75 (total 12.097 cases) and - discontinued criminal complaints against unknown perpetrators due to the expiration of statute of limitations: 29.140.

(4) Pending cases on 31 Dec. ref. year include unresolved criminal complaints:

- against known offenders: 11.709.

- against known offenders: 277.564.

Differences to 2020 data:

2. Incoming/received cases: decrease by 16%

Contributing factors: a) Covid-19 pandemics, especially limit of movement of population and related police control, b) changes in the registration of the number of criminal offences in police registers and c) increase in merging of different cases in one case at the Police and state prosecution level, compared to the previous year. 3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation: increase by 17%

The increase is mainly due to a higher number of cases against unknown offenders due to the expiration of statute of limitations, which is beyond control of state prosecution. The number of discontinued cases against known offenders did not change significantly. 3.1.3 Discontinued by the public prosecutor for reasons of opportunity: decrease by 22%

The number of cases remains comparable (despite the decrease in last year) and cannot be considered unusual, due to the structure of processed cases with the majority of offences against property and within it low value cases. 3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor: increase by 23%

The increase in 2021 is due to partial relief of preventive measures, related to Covid-19 pandemics.

**(2020):** Pending cases on 1 Jan. ref. year includes 12.452 cases against known perpetrators and 263.139 cases against unknown perpetrators.

Incoming/received cases includes 27.770 cases against known offenders and 34.019 cases against unknown offenders.

Pending cases on 31 Dec. ref. year includes 12.072 cases against known offenders and 269.260 cases against unknown offenders.

**(2016):** The explanation by the state prosecution (data source) concerning the decrease in the number of received cases during the reference year between 2014 and 2016: - since 2013, the number of reported offences to the police is decreasing, hence the decrease in number of cases received (especially cases where the offender is unknown)

- due to several local factors (austerity measures, increased number of immigrants in 2015-2016 and a long strike of police officers in 2016), the number of cases (against identified offenders) processed by the police also decreased

As concerns the decreased number of cases brought to court:

- a decrease in new cases (see above)

- exercising a stricter selection of cases, not appropriate for court procedure (in 2014, almost 30% of resolved cases were brought to court, in 2016 only 25%). The state prosecution also noted some minor differences might be attributed to changes in their methodology for data reporting.

## Spain

**(General Comment):** In Spain the general rule is that the Prosecutor is party in the criminal cases, but the Prosecutor does not process (with exclusive competence) the criminal cases. The investigation Judge (Juez de Instrucción) does that. Data provided in question 107 tries to adapt the information in the Annual Report of the State Attorney General's Office to the criteria of CEPEJ, by offering the data of cases received by the Prosecution Service, according to the classification of procedures of the Spanish procedural legislation (diligencias previas, diligencias urgentes, procedimiento por delitos leves, sumarios y procedimientos del jurado). In addition to that, there are other two kinds of actions for which the Prosecution have exclusive competence: Investigation of criminal responsibility of minors, and preliminary diligences of Article 773.2 of the Criminal Procedural Act.

**(2020):** The provided number of incoming cases is the number of the criminal proceedings received by the Prosecution Service (page 1117 of the Annual Report of the Prosecution Service). It is consistent with the explanatory note as it includes "cases submitted to public prosecutors by the police and other bodies as well as victims (if applicable) within the reference year". It is an official data, provided by the State Attorney Office.

**(2018):** Certain number of cases received are re-sent to other prosecutor offices.

## Question 107-1

### Austria

**(General Comment):** There is no guilty plea procedure in Austria.

### Belgium

**(General Comment):** The guilty plea procedure was introduced by the law of February 5, 2016 (Article 216 of the Code of Criminal Investigation), which entered into force on February 29, 2016.

According to Article 216 of the CIC, §1, al.1 "For acts that do not appear to be of a nature to be punishable by a main correctional imprisonment of more than five years, the public prosecutor may, either ex officio or at the request of the suspect or defendant or his/her lawyer, propose the application of the "procedure of prior acknowledgement of guilt" defined in this article, if the suspect or defendant admits to being guilty of the acts attributed to him/her".

### Bulgaria

**(2022):** - in the "Total number of guilty plea procedures" indicator, the total value of the following two indicators is indicated;  
- in the indicator "Before the main trial" the agreements submitted to the court by the prosecutor on the basis of Art. 381 et seq. of the Criminal Procedure Code.  
- in the indicator "During the main trial" a value is indicated, which is the sum of the number of agreements under Art. 384 of the Criminal Procedure Code (with a person or for any of the crimes), concluded by the prosecutors in a court phase (after the indictment has been filed), as well as the number of procedures under reduced court investigation under Art. 371, item 2 of the Criminal Procedure Code (under Chapter Twenty-Seven of the Criminal Procedure Code, pursuant to Art. 373, paragraph 3, article 372, paragraph 4, article 371, item 2 of the Criminal Procedure Code), under which convictions and acquittals have been handed down (analogous to the previous questionnaires). Out of 10 541 procedures for admission of guilt during the trial, 9 113 were the agreements concluded under Art. 384 of the Criminal Procedure Code.

**(2020):** Question 107–1:

– the indicator "Total number of guilty plea procedures" indicates the total value of the next two indicators;  
– in the indicator "Before the main trial" the agreements submitted by a prosecutor to the court are taken into account (analogous to the previous questionnaires);  
– in the indicator "During the main trial" a value is indicated, which is the sum of the number of agreements under Article 384 of the Criminal Procedure Code (with a person or for any of the crimes), concluded by the prosecutors in a court phase (after an indictment has been filed), as well as by the number of procedures under the abbreviated court investigation under Article 371, item 2 of the CPC (under Chapter Twenty-eight of the CPC, pursuant to Article 373, para. 3, supra Article 372, para. 4, supra Article 371, item 2 CPC), under which there have been convictions and acquittals (similar to the previous questionnaires).

**(2018):** 1) The total amount of the following two indicators is given under indicator "Total number of guilty plea procedures";  
2) The number of the agreements that were brought to court by a public prosecutor is given under indicator "Before the court case" (similar to previous questionnaires);  
3) The indicated amount is sum of the number of the agreements under Art. 384 of the Criminal Procedure Code (with a person or for some offence) concluded by the prosecutors in the judicial phase (after an indictment), as well as the number of procedures under an expedited procedure by Art. 371, it. 2 of the Criminal Procedure Code (under Chapter Twenty Eight of the Criminal Procedure Code in accordance with Art. 373, Para. 3, in conjunction with Art. 372, Para. 4 and in conjunction with Art. 371, it. 2 of the Criminal Procedure Code) under which convictions and acquittals have been imposed, is given under indicator "During the court case".

## Croatia

**(General Comment):** In criminal proceedings, the defendant is granted the right to plead guilty (for all or a number of the counts of the charge) and reach agreement on the sanction. If the defendant pleads guilty and no agreement on the sanction is reached, the panel shall confirm the indictment and a trial must be scheduled. The parties may negotiate on the conditions of pleading guilty and agreeing on a sanction. During these negotiations, the defendant shall have a defence counsel. If the president of the panel is served with a confirmed indictment to which the accused has pleaded guilty, the proposing of evidence for the trial shall be limited only to the evidence which concerns the decision on criminal-law sanctions. Where the accused pleads guilty to all counts of the charge, the president of the panel shall instruct him/her that he/she may immediately state his/her position on all the circumstances that incriminate him/her and present all the facts in his/her favour, after which the accused shall be interrogated. The guilty plea does not exempt the court from its duty to present other evidence as well. If the confession of the accused at the trial is complete and in accordance with the evidence already gathered, the court shall, in the course of evidentiary proceedings, present only those pieces of evidence that relate to the decision on punishment or other sanction. The State Attorney's Office keeps only a track record on the judgments rendered by the court in the guilty plea procedure and no distinction can be made between the number of guilty plea procedures "before the court case" and their number "during the court case".

**(2022):** Data source: Report of the Attorney General of the Republic of Croatia on the work of state attorneys' offices in 2022.

\* The data refer to cases under the jurisdiction of county state attorneys' offices and the Office for the Suppression of Corruption and Organized Crime

\*\*The data refer to cases under the jurisdiction of the municipal state attorney's offices, with a note that certain severe criminal cases are also under their jurisdiction, however, statistical data are presented in total for all criminal offenses under the jurisdiction of the municipal state attorney's offices without separating them into "lighter" and "serious" crimes.

The number of agreements from municipal jurisdiction was 318 in 2022, and 242 in 2021, which represents a true increase of 31%. There is no particular reason for this increase, as it is a number that varies depending on the specifics of each reporting period (for example, it was 190 in 2018, 2019 -315, 2020 -266, 2021 -242 and 2022 -318). In fact, it is about the decisions of the court that should accept the agreement proposal submitted jointly by the state attorney's office and the defence. The State Attorney's Office strives to increase the number of agreements concluded every year in order to shorten court proceedings and relieve the work of the State Attorney's Office and the court, which is why the number of judgments based on the parties' agreement is monitored and analysed. However, the state attorney's office tries to maintain an appropriate criminal policy and insists on compensation for damages for victims, which is why the state attorney's office's proposals for agreements are not acceptable for defence in conditions of slow trials due to the significant workload of the courts, and realistically the number of agreements is not high. For this reason, data on the number of verdicts based on agreements in the annual report of the State Attorney's Office of the Republic of Croatia are considered in relation to the total number of convictions. In 2022, agreements from municipal jurisdiction accounted for 2.19% of the total number of convictions from municipal jurisdiction, which is only a slight increase of 0.62% compared to 2021, when agreements accounted for 1.68% of the total number of convictions % which actually does not represent a significant difference and is therefore not commented on.

**(2021):** Source of information: Report of the Chief State Attorney of the Republic of Croatia on the work of State Attorney's offices in 2021

Data under Severe criminal cases refers to cases under the jurisdiction of county state attorney's offices and the Office for the Suppression of corruption and organised crime

Data under Misdemeanour and / or minor criminal cases refers to cases under the jurisdiction of municipal state attorney's offices, noting that certain severe criminal cases are also within their jurisdiction, however, statistical data are presented in total for all criminal offences under the jurisdiction of municipal state attorney's offices, without separating them into "lighter" and "more serious" criminal offences.

**(2016):** In total, in 2016, 440 judgements were given under the agreement of the parties in which the accused pleaded guilty (total number of guilty plea procedures is 440), but there is no data on how many cases it occurred before the court case or during the court case. Regarding the data from the previous cycle, there has been a decrease in the number of judgements by the agreement of the parties in which the defendant pleaded guilty because during the previous period in only one criminal case that was within the jurisdiction of the Office for the Suppression of Corruption and Organized Crime with over three hundred defendants, an agreement was reached with a large number of defendants, which ultimately affected a significant increase in the number of judgments given by the parties' agreement.

### Czech Republic

**(2022):** There was a legislative change, which make several changes regarding the guilty pleas - it is easier to plead guilty and achieve guilty plea. The biggest change is that it is possible to get guilty plea for the most serious crimes. As a result, the number of guilty pleas is rapidly rising.

**(2021):** There was a legislative change which make several changes regarding the guilty pleas - it easier to plead guilty and achieve guilty plea. The biggest change is that it is possible to get guilty plea for the most serious crimes. As a result the number of guilty pleas is rapidly rising.

**(2020):** There was a legislative change which make it easier to plead guilty and achieve guilty plea. The biggest change is that it is possible to get guilty plea for the most serious crimes.

### Denmark

**(General Comment):** The guilty plea procedure including a main trial will always be concluded during the main trial, as it is a court decision whether or not a person can be convicted in court. Cases with accepted fines are not included in the answer above, as it is not part of a trial. Plea guilty procedure can only take place during the main trial.

**(2022):** Comments Denmark does not have a definition of "severe criminal cases" and "minor criminal cases". The answer covers the number of counts (measured by charges per person). In 2022, the number of complexes are 3.526. There has been an increase in the number of guilty plea procedures. The Director of Public Prosecutions has no explanation for this. In Denmark, a guilty plea procedure is concluded by a court hearing, not a main trial. Instead of an indictment, the Prosecution Service sends the case to the court with a charge sheet describing the offence. The court must in a court hearing ensure that the conditions for proceeding the case as a guilty plea procedure are present.

The answer regarding whether the case was concluded before/during the main trial differs from last year's answer, as guilty plea procedures are correctly concluded before the main trial, as the confession must subsequently be validated by a judge. The data is registered through a case-filing tool, POLSAS. POLSAS is first and foremost a case-filing tool, which may be subject to human entry error. Furthermore, the number of guilty plea procedures can fluctuate on a yearly basis for a variety of reasons. We cannot conclude anything of substance regarding the decrease without a manual investigation.

**(2021):** Denmark does not have a definition of "severe criminal cases" and "minor criminal cases". The answer covers the number of counts (measured by charges per person). In 2021, the number of complexes are 2997. There has been a decrease in the number of guilty plea procedures. The Director of Public Prosecutions has no explanation for this. In Denmark, a guilty plea procedure is concluded by a court hearing, not a main trial. Instead of an indictment, the Prosecution Service sends the case to the court with a charge sheet describing the offence. The court must in a court hearing ensure that the conditions for proceeding the case as a guilty plea procedure are present. The answer regarding whether the case was concluded before/during the main trial differs from last year's answer, as guilty plea procedures are correctly concluded before the main trial, as the confession must subsequently be validated by a judge. The data is registered through a case-filing tool, POLSAS. POLSAS is first and foremost a case-filing tool, which may be subject to human entry-error. Furthermore, the number of guilty plea procedures can fluctuate on a yearly basis for a variety of reasons. We cannot conclude anything of substance regarding the decrease without a manual investigation.

**(2020):** The discrepancy is due to the method of calculation. In 2018 the answer covers the number of complexes of cases, and the answer in 2020 covers the number of counts (measured by charges per person). In 2020 the number of complexes are 3.449.

## **Estonia**

**(2018):** The data for 2018 evaluation cycle are checked and confirmed. The data are not comparable with 2016, because the source of the data changed.

**(2012):** The total number of guilty plea procedures for 2012 was 4 980.

## **Finland**

**(General Comment):** The possibility of plea bargaining was introduced to the Finnish legal system in the beginning of year 2015. The aim of the reform was to allocate the resources of the national authorities in a more effective way and to speed up both the pre-trial phase of the criminal process and the court proceedings. A defendant can agree to plead guilty to a particular charge in exchange for a more lenient sentence. The prosecutor may also decide not to prosecute for one or for several of the suspected crimes. Plea bargaining can be used if the injured party has no demands in the matter and if he/she agrees to plea bargaining. Plea bargaining can be used when a person is suspected of a crime carrying a maximum sentence of six years' imprisonment. It cannot be used for crimes like homicide, causing bodily injury and sex offences or when the injured party is a child. Plea bargain is also applicable for white-collar crimes.

**(2022):** Data on guilty plea procedure is not comprehensive. The procedure is registered in information systems only in a few cases. The usage of the procedure is likely much more broad than indicated, but there is no data available to confirm this.

**(2020):** The known number of guilty plea procedures is 80. However, the number could be higher as the use of this procedure is not systematically reported, especially when it takes place during the main trial.

**(2018):** There were less than 100 plea bargaining cases in 2018. The exact number is not available.

**(2016):** The possibility of plea bargaining was introduced to the Finnish legal system in the beginning of this year. A defendant can agree to plead guilty to a particular charge in exchange for a more lenient sentence. The prosecutor may also decide not to prosecute for one or for several of the suspected crimes. Plea bargaining can be used if the injured party has no demands in the matter and if he/she agree to plea bargaining. Plea bargaining can be used when a person is suspected of a crime carrying a maximum sentence of six years' incarceration. It cannot be used for crimes like homicide, causing bodily injury and sex offences or when the injured party is a child. Plea bargain is also applicable for white-collar crimes. Legislation regarding plea bargaining was approved in August 2014, and the changes entered into force on 1 January 2015. The aim of the reform was to allocate the resources of the national authorities in a more effective way and to speed up both the pre-trial phase of the criminal process and the court proceedings. The Parliament has required the Ministry of Justice to follow up on and evaluate how the legislation on plea bargaining is being applied and implemented and to provide the Law Committee with a report on how the legislation functions by the end of 2017.

**(2014):** The possibility of plea bargaining was introduced in 2015. A defendant can agree to plead guilty to a particular charge in exchange for a more lenient sentence. The prosecutor may also decide not to prosecute for one or for several of the suspected crimes. Plea bargaining can be used if the injured party has no demands in the matter and if s/he agrees to plea bargaining. It can be used when a person is suspected of a crime carrying a maximum sentence of six years' incarceration. It cannot be used for crimes like homicide, causing bodily injury and sex offences or when the injured party is a child. Plea bargain is also applicable for white-collar crimes.

## France

**(2021):**

source SDSE

Increase in the number of guilty plea procedures: 2020 was marked by a significant drop in activity (caused by the lawyers' strike movement initiated in the second half of 2019 and which continued at the beginning of 2020, then by the slowdown in court activity under the effect of the COVID-19 pandemic and successive lockdowns of the population) and 2021 by a return to normal activity in the courts. It is also necessary to take into account the impact of the law n° 2019-222 of 23 March 2019 on the nature of cases under the CRPC procedure.

**(2016):** The procedure of appearance on preliminary admission of guilt is a form of prosecution initiated by the prosecutor. In 2016, this procedure was initiated against 92213 perpetrators. Some of these proceedings failed either because the author failed to appear, or because no agreement could be reached on the sentence, or because the judge refused to approve the agreement between the author of the offence, his/her lawyer and the prosecutor. In 2016, the courts certified 75055 convictions in court on a plea of guilty.

**(2014):** It was not possible to distinguish between guilty plea agreements before the case is brought to court and guilty plea agreements concluded during judicial proceedings. Only the public prosecutor has competence for initiating such procedure when the facts are admitted. To a lesser extent, the procedure may take place at the end of a judicial investigation, before referring the case to court. The guilty plea procedure is often used for less serious offences.

## Greece

**(2022):** This year, we modified the request by asking the information from the courts. We believe that this is reason for the variations observed.

**(2020):** No data available for this query.

## Hungary

**(2022):** The guilty plea procedure as such does not exist in the Hungarian legal system; however, the new Code of Criminal Proceedings has introduced the so-called plea agreement, which is, in essence, a similar instrument.

**(2021):** The guilty plea procedure as such does not exist in the Hungarian legal system; however, the new Code of Criminal Proceedings has introduced the so-called plea agreement, which is, in essence, a similar instrument.

**(2020):** This procedure exists only from 1 July 2018, following the entry into force of the Act XC of 2017 on the new criminal procedure law. In the event that the prosecution can prove the guilt of the accused beyond a reasonable doubt and there is no opportunity to explain what happened in an acceptable manner, the accused will do his best to admit the act and avoid a lengthy trial.

**(2018):** This procedure exists only from 1 July 2018, following the entry into force of the Act XC of 2017 on the new criminal procedure law.

## Ireland

**(2022):** Data is collected in the Office of Director Public Prosecutions but is not available in the format specifically set out in the explanatory notes.

## Italy

**(General Comment):** As a matter of fact in Italy there is no "guilty plea procedure" as such. However, if someone pleads guilty there are special procedures to speed up the proceedings.

## Latvia

**(2016):** In 2016, the Prosecution Office sent a total of 699 cases to the court, in which there was concluded an agreement regarding admission of guilt and a punishment. Of all sent cases, in 21 occasions the court did not approve an agreement entered into during the pre-trial criminal proceedings. Thus in total, in 2016, the court approved 678 agreements concluded by the prosecutor at the pre-trial stage. However, data on the number of agreements approved in the court process (court) were not collected separately in 2016. Accordingly, data on the number of agreements approved in the court process (court) and in total are not available for 2016.

**(2012):** In 2012, 233 cases were brought to court by public prosecutors under a guilty plea procedure.

## Lithuania

**(2018):** On 1st January 2017 driving under the influence of alcohol has been criminalized. The majority of these cases are brought to court through the guilty plea procedure.

**(2012):** The 2012 data does not include criminal cases that were brought before court with the bill of indictment. It includes cases that were brought before court with the criminal order under a simplified procedure, and also cases that were discontinued by court on non-rehabilitating grounds.

## Luxembourg

**(General Comment):** The "penal transaction" introduced by a law on February 24th, 2015 under the title of "judgment by agreement" allows the prosecutor and the defendant to engage in negotiations for a penal judgment that will be enforced by the courts.

**(2021):** In 2020 and 2021, health measures only allowed the physical presence of a reduced number of persons in hearings compared to previous years. To continue to work efficiently and resolve cases, prosecutors' offices have, as far as possible, given preference to the procedure of judgement by agreement (procédure du jugement sur accord), as it requires less physical presence of parties, defence counsel, witnesses, etc. Moreover, since the procedure of judgment by agreement was only introduced in 2015, the habit of resorting to this measure has only become established in recent years among lawyers, who now take the initiative themselves more often to launch this procedure.

**(2020):** In 2020, the sanitary measures did allow only a reduced number of people in the court hearings compared to previous years. In order to continue to work effectively and to resolve cases, the state prosecutors' offices decided to resort to the guilty plea procedure, since it does not require the same amount of physical presence of the parties, the defenders, witnesses, etc.

**(2018):** The "transaction pénale" introduced by a law of February 24th, 2015 under the name of "jugement sur accord" enables the prosecutor and the defendant to "negotiate" a penal judgment that will be rendered executory by the courts.

**(2016):** The "transaction pénale" introduced by a law of February 24th, 2015 under the name of "jugement sur accord" and enables the prosecutor and the defendant to "negotiate" a penal judgment that will be rendered executory by the courts.

## Netherlands

**(2022):** In 2021, there were experiments with judgement agreements (vonnisafspraken) and trial agreements (procesafspraken), see eg. [https://www.bjutijdschriften.nl/tijdschrift/NTS/2022/2/NTS\\_2666-6553\\_2022\\_003\\_002\\_003](https://www.bjutijdschriften.nl/tijdschrift/NTS/2022/2/NTS_2666-6553_2022_003_002_003). These experiments were evaluated, and further specified in directives and instructions in 2022. The numbers are not yet available.

**(2021):** In 2021, there were experiments with judgement agreements (vonnisafspraken) and trial agreements (procesafspraken), see eg. [https://www.bjutijdschriften.nl/tijdschrift/NTS/2022/2/NTS\\_2666-6553\\_2022\\_003\\_002\\_003](https://www.bjutijdschriften.nl/tijdschrift/NTS/2022/2/NTS_2666-6553_2022_003_002_003). These experiments were evaluated, and further specified in directives and instructions in 2022. The numbers are not yet available.

## Poland

**(General Comment):** Article 335 [Sentencing without trial - motion] -Criminal Code Procedure

§ 1. If the accused pleads guilty, and in the light of his explanations the circumstances of the commission of the offence and his guilt raise no doubts, and the attitude of the accused indicates that the objectives of the proceedings will be achieved, further proceedings may be omitted.

The public prosecutor, instead of filing a bill of indictment, shall file a motion with the court for issuing a judgment of conviction at a hearing and for agreeing with the defendant on penalties or other measures envisaged for the offence charged, also taking into account the legally protected interests of the victim. The agreement may also include a specific decision on payment of legal costs.

The public prosecutor may attach to the indictment a motion for a judgment of conviction to be handed down at a hearing and for the penalties or other measures prescribed for the offence charged to be agreed upon with the defendant, also taking into account the legally protected interests of the victim, if the circumstances of the offence and the defendant's guilt are beyond doubt, the evidentiary statements made by the defendant do not contradict the findings made, and the defendant's attitude indicates that the objectives of the proceedings will be achieved.

\*Article 156 of the Fiscal Penal Code, The public prosecutor, as well as the financial pre-trial body, may attach to the indictment a motion for issuing, without a hearing, a judgment of conviction and imposing a penalty or penal measure agreed with the accused for the fiscal offence or fiscal misdemeanour charged against him, if the circumstances of the commission of the offence do not raise any doubts and the attitude of the accused indicates that the objectives of the proceedings will be achieved.

**(2022):** \*) 46 263 = Data refers to persons convicted at first instance:

- Convicted as a result of granting an application under Article 335 § 1 or 2 of the Code of Criminal Procedure: in District Courts - 658 persons, in Regional Courts - 41,690 persons.
- Voluntary surrender to liability for criminal and fiscal offences (Kks): in District Courts - 3,915 persons.

**(2021):** \*) 51 198 - Data refers to persons convicted at first instance:

- Convicted as a result of granting an application under Article 335 § 1 or 2 of the Code of Criminal Procedure: in Regional Courts - 580 persons, in District Courts - 46,148 persons.
- Voluntary surrender to liability for criminal and fiscal offences (Kks): in District Courts - 4,470 persons.

**(2020):** \*during the main trial – 53 072 - \*) The data pertains to persons sentenced in the first instance:

- Sentenced as a result of granting an application under Article 335 § 1 or 2 of the Code of Criminal Procedure: in Regional Courts - 743 persons, in District Courts - 48,762 persons
- Voluntary submission to liability for penal and fiscal offences (Kks): in District Courts - 3,567 persons.

\*57 735 - The data on the basis of which the information was provided are collected under the Law on Public Statistics in the Public Prosecutor office - P1K report on the activity of the common organizational units of the public prosecutor's office in criminal cases (statistical program SprawPro). The data for 2018 included only those cases in which a request under Article 335 par 1 of the Code of Criminal Procedure was addressed. On the other hand, the data for 2020 included cases in which the prosecutor addressed a motion for a conviction and motions to join the indictment under Article 335 par 2 of the Code of Criminal Procedure and Article 156 of the Fiscal Penal Code

## Slovak Republic

**(2020):** The data were delivered by General prosecutor office. The most of the data are not available, because these are not monitored by General prosecutor office in CEPEJ requested structure.

## Slovenia

**(General Comment):** The defendant may plead guilty in two kinds of situations. He/she can achieve an agreement with a state prosecutor in a plea-bargaining procedure or he/she can make a guilty plea irrespectively of the state prosecutor at the pretrial hearing and until the beginning of a main hearing. Cases brought to court by the public prosecutor through the guilty plea procedure are only first mentioned kind of cases. The agreement on guilty plea between the defendant and state prosecutor may be concluded before the commencement of the criminal proceedings and not later than by the beginning of the main hearing. There is no available data on the stage of the proceeding when the agreement was concluded.

**(2021):** In the previous year (2020) the number of guilty plea procedures was unusually low due to two reasons: a stricter criminal framework (regarding illegal crossing of the state border or territory under Article 308 of the Criminal Code) and the impact of the Covid-19 pandemics.

**(2020):** The reason for fewer negotiations and fewer agreements is mainly a stricter criminal framework for crimes that were still regulated in 2018 in such a way that they could be the subject of negotiations between the prosecutor and the defendant (illegal crossing of the state border or territory under Article 308 of Criminal Code). Due to the above, there was no interest on the part of the defendants as well as the state prosecutors to agree on guilt and criminal sanction as parties to criminal proceedings. In addition to this, an epidemiological reason for measures to prevent the spread of the covid-19 epidemic is cited as the reason for the reduction in negotiations and plea agreements concluded, furthermore, the poor staffing situation and the high workload of state prosecutors who are engaged in urgent matters in the on-call service and in attending court hearings and the prompt announcement of pre-trial hearings shortly after the indictment becomes final, which significantly shortened the time for conducting negotiations and concluding a plea deal.

**(2016):** From the enforcement of the provisions on guilty plea bargaining procedures in Criminal procedure act in 2012 there is a steady rise in the number of concluded agreements between the defendant and the prosecutor. The proportion of these agreements compared to filed indictments also grows (2012: 1,1 %, 2014: 2,0%, 2016: 3,8 %). The most general interpretation of this trend would be that the parties of criminal procedures have recognised these new instrument as beneficial in terms of speeding up the process of reaching the final decision and the reduction of the sanction that would be issued, if the complete trial took place.

## Spain

**(2021):** Explanation of the increased number of guilty plea procedures: Probably, coming back to normal activity after covid restrictions.

## Question 109

### Austria

**(General Comment):** The courts only deal with damages to property and negligent bodily injuries caused by traffic accidents in civil and criminal proceedings; offences which do not lead to damages or injuries are punished by administrative bodies (e.g. speeding, having worn-out tires, drunk-driving).

### Belgium

**(General Comment):** The data do not include traffic law cases, cases handled by the labor auditorates, or appeals against police decisions handled by the correctional prosecutor's office.

**(2021):** The data do not include traffic law cases, cases handled by the labor auditorates, or appeals against police decisions handled by the correctional prosecutor's office.

### Bulgaria

**(2022):** Only the cases for violations that constitute a crime of a general nature under the Bulgarian Criminal Code are included.

**(2021):** Statistical reporting of the PORB. The data are derived from the statistical reporting of the PORB, according to indicators and order, approved by the Prosecutor General with the Instruction for the organization of the information activity in the PORB.

#### **Croatia**

**(2022):** The data includes cases of criminal offenses committed in traffic.

#### **Estonia**

**(2020):** Only the ones that are classified as criminal offences.

**(2016):** It includes only a minority of traffic offences that are punishable according to Penal code, these are more serious offences like causing an accident with injured victims, drunk driving above medium-intoxication level and repeated driving without licence.

**(2014):** The 2014 data encompasses only severe drunk driving and accidents with serious bodily casualties.

#### **France**

**(2022):** Indeed, for misdemeanours and fines.

**(2021):** source SDSE

#### **Hungary**

**(2012):** In 2012, the total number of traffic offences cases was 3 084.

#### **Ireland**

**(General Comment):** In the vast majority of cases involving traffic offences, the police service (An Garda Síochána) will prefer charges without reference to the Office of the Director of Public Prosecutions. Only in the more serious of such cases, including causing death by dangerous driving, will the Office of the DPP receive files for a decision whether to prosecute or not. Any such traffic offence cases received by the Office of the DPP and decided upon would normally be included in the figures.

**(2022):** There was no discrepancy in the replies provided.

#### **Latvia**

**(2021):** Data from Accountancy system

**(2016):** In accordance with the Latvian legal system on traffic offenses, a person can also be punished administratively, for example, for driving a vehicle under the influence of alcohol, narcotic drugs or other intoxicating substances. Therefore, in this specific case, we would like to emphasize the fact that the indicated number of cases does not include any road traffic violations that are provided for by the Latvian Administrative Violations Code. At the moment, having evaluated the comment received from you, we consider that it is acceptable to rectify the previously given response in Q-109 by indicating "Yes", as it includes road traffic violations for the commission of which there is provided criminal liability

## Lithuania

**(General Comment):** A traffic offence is qualified as criminal when it causes health impairment to another person, or the offender has been driving under influence of alcohol, narcotic, psychotropic or other psychoactive substances and his/her driving resulted in health impairment to or death of another person. Other traffic offences are qualified under the administrative legislation.

## Malta

**(2016):** Traffic offences are listed with the 1st instance cases filed in front of the Court of Magistrates, Criminal Jurisdiction.

## Netherlands

**(2022):** These include traffic offences, but NOT traffic violations. Only serious traffic issues are prosecuted as traffic offence, the less serious as violation of even administrative justice (wet Mulder).

**(2020):** These include traffic offences, but NOT traffic violations. Only serious traffic issues are prosecuted as traffic offence, the less serious as violation of even administrative justice (wet Mulder).

## Portugal

**(2012):** According to 2012 data, the figures include traffic offences which are criminally punished.

## Romania

**(2020):** Only serious offenses that are considered crimes, such as drunk driving or involuntary manslaughter.

**(2018):** Only serious offenses that are considered crimes, such as drunk driving or involuntary manslaughter.

**(2016):** Only serious offenses that are considered crimes, such as drunk driving or involuntary manslaughter.

## Slovenia

**(General Comment):** The communicated data include only traffic offences, stipulated as criminal offences (in the Penal Code) and therefore prosecuted by State prosecutors. There are two such criminal offences: causing a traffic accident through negligence whereby another person is seriously injured or died and audacious driving in road traffic which is committed by a serious breach of road safety regulations, while other cases of traffic offences are not criminal offences, but minor offences and are not included in the provided figures.

## Question 013

### Austria

**(General Comment):** In Austria the budget for courts cannot be separated from the budget of the prosecution services. With regard to the sub-category "annual public budget allocated to training of public prosecution services" an answer is not possible because the costs for trainings for judges, public prosecutors, judicial officers ("Rechtspfleger") and other staff working within courts or public prosecution services are summarized in one figure.

**(2019):** In Austria the budget for courts cannot be separated from the budget of the prosecution services. With regard to the sub-category "annual public budget allocated to training of public prosecution services" an answer is not possible because the costs for trainings for judges, public prosecutors, judicial officers ("Rechtspfleger") and other staff working within courts or public prosecution services are summarized in one figure.

**(2018):** See Nr. 7.

**(2016):** A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget for payment to the bar for “pro bono” representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

**(2015):** The total sum in Question 6 includes the Public Prosecution services and legal aid. The presidents of the higher regional court administrate the budget of the public prosecution services.”

“Other: e.g. postal services (35.571.000 € approved / 35.790.326 € implemented), „Sachwalter- und Patientenanwaltschaft“ (32.284.000 € approved / 34.756.627 € implemented), „Opferhilfe“ (5.589.000 € approved / 5.998.449 € implemented).

## Belgium

**(General Comment):** At present, Belgium is not able to distinguish between the budget allocated to the public prosecution services and that allocated to the courts. The public prosecution services do not provide training for their staff. The training is ensured by the Judicial training Institute - Instituut voor Gerechtelijke Opleiding, Av. Louise 54, 1050 Bruxelles, <https://www.igo-ijf.be>. Data on training budget allocated to the public prosecution services are not available.

**(2021):** Approved budget (total €721 493 690): this budget represents the total budget allocated to the Court of Cassation, all ordinary courts except administrative courts, and the public prosecution services. It is not possible to isolate the approved budget of the Public Prosecutor’s Office from the aforementioned total amount. Implemented budget (total €243 867 402): this total includes the operating costs of the public prosecution services (including staff costs, equipment) but excludes the budget for training.

**(2017):** Belgium currently does not have separate budgets for public prosecution services and the functioning of courts.

**(2016):** Belgium is currently unable to make the distinction between Public Prosecution and Courts in the budget.

**(2015):** In 2015, the judicial budget has been allocated several million euros following the transfer of competence, for example from the houses of justice (75 million euro in 2014) from the national level to the federated states (Flemish, French and German-speaking)

## Bulgaria

**(General Comment):** The Prosecutor's Office prepares a consolidated budget for all units, namely district, regional, military-regional, appellate, military-appellate prosecutor's offices, the administration of the European delegated prosecutors, training and rest bases and submits it to the Supreme Judicial Council (SJC). Pursuant to Article 36 of the Judicial System Act, the budget of the PRB includes all revenues from the activity, maintenance costs, relations with the central budget and other budgets.

The budget procedure is carried out in two stages. First stage - preparation of a medium-term forecast for a period of three years. Second stage - preparation of a draft budget for the relevant year and updated budget forecasts for the next two years. The Minister of Justice proposes a draft budget for the judiciary and submits it for discussion in the Plenum of the SJC. The draft budget of the judiciary is accompanied by estimates for the next two years. The Council of Ministers submits to the National Assembly the draft law on the state budget of the Republic of Bulgaria for the relevant year together with the draft annual budget of the judiciary, proposed by the plenary session of the SJC, with a detailed justification. When adopting the state budget, the National Assembly listens to a report of the plenary session of the SJC, presented by its representative.

The National Assembly adopts the budget of the judicial power, allocated to the SJC, the Inspectorate of the SJC, the bodies of the judicial power, including PRB and the National Institute of Justice (NIJ).

The Plenum of the SJC organizes the execution of the budget of the judiciary through the Inspectorate of the SJC, the Supreme Court of Cassation, the Supreme Administrative Court, the courts, the Prosecutor General and the National Institute of Justice. The PRB is a second-level budget manager and all units of the PRB system are third-level budget managers. For third-level managers, the budget manager is the relevant manager.

1. Preparation and presentation of a draft budget for the current budget year. The Law on the State Budget of the Republic of Bulgaria adopts the budget of the judiciary, including the Prosecutor's Office of the Republic of Bulgaria. By decree of the Council of Ministers, the main parameters and Guidelines for the implementation of the budget are given.

2. Budget adjustments. Currently, during the calendar year, the Prosecutor General submits proposals for updating to the Budget and Finance Committee of the SJC

**(2022):** Supreme Judicial Council: The implemented budget differs from the approved due to unspent funds for major repairs, acquisition of long-lasting tangible and intangible assets, as well as current repairs due to unfinished procedures under the Law on Public Procurement (LPP).

The Prosecutor's Office:

The difference between the approved and the executed budget lies in the fact that the approved budget corresponds to the budget of the Judiciary, including the Prosecutor's Office of the Republic of Bulgaria, adopted by the State Budget Act for 2022 – SBRBA (as of 01.01.2022), while the executed budget corresponds to the actual expenditures as of 31.12.2022 – at the cash level.

Specifically, at the beginning of 2022, funds for training amounting to BGN 23 800 are planned. (EUR 12 169). The information is based on summary draft budgets for all structural units in PORB for 2022, prepared at the end of January 2022. At the end of the reference year (as at 31.12.2022), approximately BGN 14,129 had actually been spent at cash level (EUR 7 224). The lower implementation is to some extent due to both organisational (most of the training organised and delivered was conducted online) and financial reasons (in 2022, the SBARB was adopted later – on 4 March 2022).

A comparison of data for several consecutive years – 2020, 2021 and 2022 – shows an increase in the planned training funds for the respective years (given the increase in the cost of posting and services) and a decrease in the actual spent ones in relation to the restrictive measures introduced during the coronavirus pandemic and conducting online trainings instead of face-to-face ones, resulting in a decrease in spending.

**(2021):** The implemented budget differs from approvals due to unspent funds for major repairs, acquisition of durable tangible assets and current repairs due to unfinished procedures under the Public Procurement Law and restrictive measures related to COVID-19.

The source of the data for the approved and implemented budget, including for the Trainings in the Prosecutor's Office of the Republic of Bulgaria, is the Annual Financial Report of the Public Prosecutor's Office for 2021.

As to the annual public budget allocated to training of public prosecutors, it should be recalled that the significant reduction in 2020 of this budgetary component was the result of the declared in March 2020 extraordinary epidemic situation in Bulgaria, as well as the restrictive measures related to the spread of COVID-19.

**(2020):** The significant differences in the approved and implemented budget for 2020 compared to 2018 for the prosecution are due to the reasons set out in the remarks on question 6, namely - increase in funds for remunerations by 10% in 2019 and in 2020, increase the amount of the minimum wage, which is the basis for determining payments under contracts. There is also an increase in the compensations under the JSA and LC by EUR 786,870 compared to 2018, as well as the planned and paid funds for apparel. For detailed information - see question 6.

The implemented budget differs from the approved one due to unspent funds for major repairs, acquisition of tangible fixed assets and current repairs due to unfinished procedures under the Public Procurement Act and restrictive measures related to COVID 19.

The source of the data for approved and implemented budget, including for Trainings in the Prosecutor's Office of the Republic of Bulgaria is the Annual Financial Report of the Prosecutor's Office of the Republic of Bulgaria for 2020.

The probability of a significant reduction of the utilized budget for training of prosecutors is the declared in March 2020 extraordinary epidemic situation in Bulgaria, which continues to this day, as well as the restrictive measures related to the spread of COVID-19.

**(2019):** In 2019, the Prosecutor's Office of the Republic of Bulgaria conducted training for employees on "Centralized automated information system - electronic public procurement", which led to an increase in costs compared to 2018.

The Implemented Budget of the Prosecution of the Republic of Bulgaria differs from the Approved Budget due to the part of unused funds for major repairs, related to unfinished procedures under the Public Procurement Act. The source of the data for approved and implemented budget, incl. for Trainings in the Prosecutors' Office of the Republic of Bulgaria is the Annual Financial Report of the Prosecutors' Office for the 2019.

**(2018):** The Implemented Budget of the Prosecution of the Republic of Bulgaria differs from the Approved budget due to unused funds for major repairs and current repairs related to unfinished procedures under the Public Procurement Act.

**(2017):** The implemented budget for the Prosecution is different from the Approved budges with more than 1 314 000 euros, because of the unabsorbed funds for major repairs (1,1 mln euro) and computerization (214 000 euros) in relation to unfinished procedures under the Public Procurement Act.

**(2014):** In 2014, to the Prosecutor's Office of the Republic of Bulgaria from the Ministry of Justice moved a new structure – Protection Bureau. Accordingly, the budget of the Prosecutor's Office for 2014 was increased by funds in connection with this structural change.

## **Croatia**

**(2022):** The stated amount differs from the previously submitted data because of an increase in the base for civil servants and state employees, as well as an increase in the amount for holiday pay, Christmas bonus, and children's gift.

**(2021):** Between 2020 and 2021 there was a significant increase in the budget approved and implemented for the training of public prosecution services because during the Covid pandemic in 2020 trainings were not held.

**(2020):** There is a significant increasing of the total annual budget allocated to the public prosecution services due to the increasing of salaries of the public prosecutors.

The annual public budget allocated to training of public prosecution services is lower than in 2019 due to the fact that in 2019 the Judicial Academy conducted professional training of judicial officials and advisors and a foreign language education program for judicial officials, while in 2020 due to the COVID pandemic these trainings were not held.

**(2019):** There is a significant increasing of the total annual budget allocated to the public prosecution services due to the increasing of salaries of the public prosecutors.

## **Cyprus**

**(2022):** There was a major restructuring of the posts in the public prosecution service as a number of new posts were created. At the same time, there was an increase in the salaries of the counsels working at the Attorney General's Office. In the previous cycle, there were not many trainings as a result of covid.

**(2021):** In 2021 there was a massive increase in the compensation paid in action of 10 million, representing compensation awarded in actions against the state. Less training seminars have been held in person due to covid.

**(2020):** In 2020, there was a significant increase in the salaries of the prosecutors of the office of the Attorney General.

**(2019):** Total implemented budget decreased due to a decrease in the services assigned to external lawyers.

**(2018):** Total annual public budget allocated to the public prosecution services, in € (including 13.1) (implemented budget discrepancy comment): decrease in the services rendered by private lawyers that were needed before as a result of the bail in cases.

**(2017):** The important difference between the implemented and the approved budgets allocated to prosecution services is attributed to the amount of compensations awarded by courts in actions filled against the Republic.

**(2016):** The difference between the approved budget in 2014 and 2016 was the fact that following the bail in 2013 the cases that were tried in 2016 had increased enormously. The reason for the difference between the approved budget and the implemented budget for 2016 was the increase in the services rendered to the prosecution service as well as the compensation and cost. In 2014 the amount for services rendered was 954,000 whereas in 2016 13,036,139. The amount for compensation in 2014 was 6431646 and in 2016 it was 14623187.

**(2012):** The indicated figure refers exclusively to the budget of the Law Office of the Republic headed by the Attorney General.

## **Czech Republic**

**(General Comment):** It is noteworthy that before 2014, the implemented budget was provided instead of the approved one.

**(2022):** There can be movement between the different categories of the budget during the year according to the current needs. Desirable increasing of budget to training.

**(2021):** There can be movement between the different categories of the budget during the year according to the current needs. Moreover, there is also influence of exchange rate. The difference between approved and implemented budget allocated to training is mostly caused by pandemic situation.

**(2020):** There can be movement between the different categories of the budget during the year according to the current needs. Moreover, there is also influence of exchange rate.

**(2019):** There can be movement between the different categories of the budget during the year according to the current needs. Moreover, there is also influence of exchange rate.

## **Denmark**

**(General Comment):** The Danish system presents the peculiarity to include the budget allocated to public prosecution services within the overall budget of the police. Before 2013, it wasn't possible to identify the precise expenditures concerning public prosecution services. As of 2013, due to a change in the registration frame, it is easier to estimate the cost of the public prosecution services.

**(2020):** The increasing expenses compared to previous years are partly due to an increased effort to reduce case processing times and case stocks in the criminal case chain. In 2019, further expenses were incurred in connection with the implementation of several commissions of inquiry set up by the government

**(2017):** The approved budget is manually calculated due to a general change in the method of allocating costs between auxiliary functions and the core task. In order to compare the approved budget with actual costs, it has been necessary to correct the budget figures. Minor deviations may therefore occur compared to the approved budget in previous years.

## **Estonia**

**(2020):** Annual public budget allocated to training of public prosecution services: due to COVID-19 restrictions, there were less trainings.

**(2019):** More resources diverted to training this year.

**(2013):** The approved public budget allocated to prosecution services has increased in 2013 compared to the budget of 2012 due to the increased costs of rent of buildings on the one hand, and the increased budget of salaries, on the other hand.

## **Finland**

**(2022):** Annual public budget allocated to training of public prosecution services: in 2022 the total amount used for training was 715 813 euro. This comprises of: 374 587 euro for salaries related to trainings (+ plus pensions etc. payments), 173 843 euro of travel expenses, 57 925 euro for purchasing different course and conference services, and 109 458 euro (excluding VAT) used for training by the Office of the Prosecutor General. In 2020 the expenses were historically low and in 2022 the expenses were closer to the annual average. In 2022, there were about 50 % more training days than in 2020. More people also participated in the trainings. In addition, the travel costs for trainings increased in 2022. The exact reasons for the low figures in 2020 are no clear, but it can be assumed that the Covid pandemic had an impact.

**(2021):** Annual public budget allocated to training of public prosecution services: in 2021 the total amount used for training was 407 595 euro. This comprises of: 261 683 euro for salaries related to trainings (+ plus pensions etc payments); 29 328 euro of travel expenses (excluding VAT), 73 230 euro for purchasing different course and conference services, and 43 354 euro used for training by the Office of the Prosecutor General.  
The annual public budget allocated to training of public prosecution services increased only slightly since the particular year of the pandemic. In fact, in 2021, the Prosecution Authority had a recommendation on remote work in force and also most of the trainings were organized remotely.

**(2020):** Annual public budget allocated to training of public prosecution services: in 2020 the total amount used for training was 379 043 euro. This comprises of: 208 000 euro for salaries related to trainings (+ plus pensions etc payments); 38 673 euro of travel expenses (excluding VAT), 83 062 euro for purchasing different course and conference services, and 49 300 euro used for training by the Office of the Prosecutor General. It is noteworthy that the travel expenses decreased approximately 170.000. This was due to, amongst others, covid-19 situation which led to holding the training remotely.

## **France**

**(General Comment):** The budget of the Public Prosecution Services is not distinguishable from the budget allocated for the functioning of all courts. It was decided to apply a distribution key of 80% courts/20% public prosecution services.

**(2021):** As in the previous year, as it is not possible to distinguish between data related to courts and data related to the public prosecution services, an 80/20 ratio has been applied to the data from the LFI 2021 of P166 and the annual performance report 2021 of P 166.  
Source DSJ

**(2019):** The budget allocated to the public prosecutor's office is not separated from that allocated to the courts. Nevertheless, a distribution key has been adopted (courts 80%/public ministry 20%).

## **Germany**

**(2022):** In the majority of the federal states, the budget of the courts cannot be separated from budget of the public prosecution. A few federal states that can make this distinction, can, however, not separate the training budget of the public prosecution services from the training budget of the whole judiciary.

Of the 16 federal states - 7 could not provide any data

- 8 have figures available

One federal state has not yet replied. The Federal Ministry of Justice can provide budget information for the Federal Public Prosecutor's office.

**(2021):** In the majority of the Länder, the budget of the courts cannot be separated from budget of the public prosecution. A few Länder that can make this distinction, can, however, not separate the training budget of the public prosecution services from the training budget of the whole judiciary.

**(2020):** The budget of the courts cannot be separated from budget of the public prosecution.

**(2019):** The budget of the courts cannot be separated from budget of the public prosecution.

**(2018):** The budget of the courts cannot be separated from budget from the public prosecution.

**(2017):** The budget of the courts cannot be separated from budget from the public prosecution.

**(2016):** The budget of the courts cannot be separated from budget from the public prosecution.

**(2015):** Most of the Länder were unable to provide information in this regard, meaning that it is not possible to provide an answer to the question that is meaningful in substantive terms

**(2014):** For 2014, most of the Länder were unable to provide information. Accordingly, it was not possible to provide a reply to the question that is meaningful in substantive terms.

**(2013):** For 2013, data was not available for 8 Länder. The indicated total subsumes figures communicated by 8 Länder and the operating budget of the Office of the Federal Public Prosecutor General.

**(2012):** For 2012, data was not available for 6 Länder. The total subsumes figures communicated by 9 Länder and the operating budget of the Office of the Federal Public Prosecutor General.

## **Greece**

**(General Comment):** The public prosecution services budget can not be separated from the courts budget.

**(2022):** As explained in question 6, there is no possibility of separating budgeted expenditures on the one hand and some sub-categories of expenditures (in terms of execution) on the other, between the public prosecutor's offices and other courts in the country.

**(2021):** Not available, cannot be separated.

**(2020):** There is no separate budget for Public Prosecutions included in the special code 1017-201-00000000 .Impossible to fill.

## **Hungary**

**(2022):** Act XC of 2021 on Hungary's central budget for 2022.

The draft act for implemented state budget of 2022 has not yet been adopted by the Parliament.

**(2021):** Statistical data on the human resources of the prosecution service of Hungary;

Data from the 'Persona' electronic human resources database of the prosecution service;

Act CLXIV of 2011 on the status of the General Prosecutor, prosecutors and other employees of the prosecution service, as well as on the career of prosecutors (hereinafter: 'Act on Prosecutors').

**(2020):** Q 13 Act LXXI of 2019 on Hungary's central budget for 2020

The act for implemented state budget of 2020 is before the Parliament (T / 17188. of law proposal ON THE IMPLEMENTATION OF Act LXXI OF 2019 ON HUNGARY'S CENTRAL BUDGET FOR THE YEAR 2020) but not yet adapted.

**(2019):** The implemented budget of 2019 not yet approved by the Parliament.

**(2017):** The Parliament has not yet adopted the law on the implementation of the budget of 2017

**(2015):** Annual implemented public budget of 2015 not yet approved.

**(2012):** In 2012, 84% of the budget were spent on salaries, income taxes, health insurance and social insurance for the staff, 13.5% were spent on functional costs including maintenance of office buildings and 2.5 % constituted a reserve.

## Ireland

**(2020):** Parliament approved a budget of €44.813M for the public prosecution service for 2020. Expenditure by the prosecution service in 2020 amounted to €44.248M. The unspent amount of approved funding was surrendered at the end of the year in accordance with national public expenditure rules.

The annual budget for training is allocated by the prosecution service from within total funds allocated to it annually by Parliament. In 2020 expenditure on training initiatives amounted to €201K. This was down somewhat on previous years because of restrictions in place due to COVID-19.

**(2018):** Parliament approved a budget of €43,502K for the public prosecution service for 2018. Expenditure by the prosecution service in 2018 amounted to €42,582K. The unspent 2% of approved funding was surrendered at the end of the year in accordance with national public expenditure rules.

The annual public budget for the training of the public prosecutor service is allocated by the prosecution service from within total funds allocated to it annually by Parliament. In 2018 total expenditure on training initiatives amounting to €314K.

**(2012):** The values reported are the gross figures as voted and it is comparable between years.

## Italy

**(General Comment):** Due to the structure of the Italian judicial system, the Ministry of Justice has one single budget which does not distinguish between the budget allocated to courts, the budget allocated to public prosecution services and the one allocated to the administration. However an effort is made in order to provide the most reasonable figure for the budget of the prosecution services. The calculation is carried out taking into account several criteria (e.g. the number of staff allocated to the public prosecution services).

**(2022):** The increase in the budget for training is due to the fact that in 2020 the training was mainly delivered online (less expensive) due to the pandemic.

**(2021):** Difference in the implemented budget might be due to spending shifts from one financial year to another.

**(2020):** In general, the budget for training has drastically decreased in 2020 because the majority of the training was provided online rather than in person. This holds for both courts and prosecution offices. The reason why this trend is not evident at Q.6 (item 6) is due to the presence of administrative justice whose investments in terms of training were massive.

**(2014):** The difference between the approved and the implemented budgets is mainly due to the salary of personnel as the retirement age is not exactly foreseeable.

## Latvia

**(General Comment):** Data on budget of the public prosecution includes only State budget for prosecution.

**(2022):** The allocated budget has increased due to the fact that we were implementing the EC co-financed project BALTICS that conducted trainings for prosecutors in the field of financial and economic crime investigation. The project was financed from the funds of the Prosecutor's Office (budget was 28 930 EUR). Decrease observed in the spending of budget in the training activities was due to the fact that several activities implemented in the Prosecution Office were financed by the European Commissions project (in accordance with the Explanatory note, EU fundings are not taken into consideration in Q13). Additionally, during the training period of 2022 many activities for prosecutors were financed by the project run by the Court Administration "Justice for growth".

**(2020):** 1. The cost of reimbursement was EUR 23 492 less due to the absence of 2 new posts.  
2. Expenditure on goods and services of less than EUR 1 254 277, of which EUR 1 191 298 was not exhausted (used) because the original planned repairs were not carried out in the General Prosecutor's Office building on Kalpaka Boulevard 6 in 2020.  
3. Capital expenditure was not fully absorbed at EUR 288 678.  
4. Taking into account that raising the qualification of prosecutors is one of the priorities of the Prosecutor's Office, additional training measures and, accordingly, increased budgetary resources are envisaged.  
On 1 January 2019, the Law "Amendments to the Law on Remuneration of Officials and Employees of State and Local Government Authorities" entered into force, by which there was prescribed a significantly higher remuneration for prosecutors. Consequently, the budget allocated to the Prosecution Office in 2020 is higher than in 2018.  
"Annual public budget allocated to training of public prosecution services": The Prosecution Office is financed from the State budget, then, taking into account the additional State budget funding allocated to the Prosecution Office for 2020, it was possible to increase the funding for the training of prosecutors.

**(2019):** 1) Financial resources of EUR 430 800 were not used due to the decision taken not to perform repairs at the Public Prosecutor's Office building on Kalpaka Boulevard 6, Riga;  
2) In 2019 funding for the training of prosecutors has not been distributed separately.

**(2018):** In 2018, the public budget was allocated to the Prosecutor's Office at EUR 26 921 451, of which EUR 26 860 729 was spent. Accordingly, a total of EUR 60 722 was not spent on the public budget, which was returned to the national budget due to the fact that the expenditure on translation services was less than the funding allocated for that purpose.

**(2017):** In 2017, the Public Prosecutor's Office has received state budget resources of EUR 24 121 346, of which EUR 24 053 679 was spent. Accordingly, from the total amount allocated from the State budget in 2017 EUR 67 667 was not spent, what was received as a subsidy for repair work. These repairs were planned to be carried out in the object registered as a cultural monument, and, when it was recognized that the funds allocated were not adequate for repairs, they were returned to the state budget.

**(2012):** The budget allocated to the General Prosecutor Office was reduced significantly during the economic crises. Financial means were reduced in almost all budget positions, for example the salaries of prosecutors and staff. Nevertheless, starting from 2012, the consequences of the economic crisis have been diminishing and the budget increased up to almost 5 000 000 EUR.

## Lithuania

**(2021):** National Audit Office of Lithuania carried out an audit on the investigation and prevention of cybercrime, which aims to contribute to the creation of a safe environment for society in cyberspace. The audit recommendations highlighted the need for the General Prosecutor's Office to pay more attention to the development of competences in the investigation of cybercrime, as the competences of specialised prosecutors are not sufficiently enhanced due to an insufficient and unsystematic education system and the lack of methodologies for the investigation of cybercrime. Due to the high cost of cybercrime training, an additional budget was requested and a small part of it was received.

**(2020):** In 2020 the decrease in the state budget funds allocated to the training of prosecutors was influenced by objective reasons. It should be noted that the Prosecutor's Office participates in a wide range of international projects, from which it receives funding for capacity building activities. Also, individual trainings, traineeships and exchanges are funded by the European Judicial Training Network. In this context, there was no increased need for funds from the state budget for the training of prosecutors in 2020. In addition, the decrease in the need for allocations in this area has also been influenced by the onset of the COVID-19 pandemic.

**(2016):** In 2016, Prosecutor's Office was allocated the amount of 5 965 820.82 EUR from the State Budget for settling the payment with the State Enterprise „Turto bankas“ („Property bank“) for the renovation of the office building at Rinktinės street 5A in Vilnius, and this amount of money has been transferred to the State Enterprise „Turto bankas“.

**(2014):** The approved public budget allocated to the prosecution services has been approved according to the Law on the approval of State and municipal budget financial rates for 2014. The implemented budget differs, as the prosecution services have been granted funds from the reserve fund of the Government and funds from incomes.

## Luxembourg

**(General Comment):** The budget of public prosecution services cannot be distinguished from the budget of courts.

**(2022):** There exists no separate budget allocated for the Public Prosecution Service.

**(2020):** Il n'existe pas de budget isolé pour les services du ministère public.

**(2019):** There is no isolated budget for the public prosecution services.

**(2018):** There is no isolated budget for the public prosecution services.

**(2017):** There is no isolated budget for the public prosecution services.

**(2016):** There is no isolated budget for the public prosecution services.

## Malta

**(General Comment):** The public prosecution services are carried out by the Attorney General's office. The Attorney General not only acts as a public prosecutor but also as the principal legal advisor of all the Government Departments. As a result, the amount budgeted cannot be considered as being funds allocated solely for public prosecution services, but also for other purposes relating to legal work and advise for the Government, both locally and internationally.

**(2022):** The Office of the Attorney General underwent a recruitment drive that resulted in an increment in wage-related costs.

**(2018):** It is not possible to differentiate the budget used for training purposes from the overall budget of the Agency. Training costs are not itemised in a line item on their own, and are incurred on a need basis depending on the opportunities available.

**(2017):** The public prosecution services are carried out by the Attorney General's office. The Attorney General not only acts as a public prosecutor but also as the principal legal advisor of all the Government Departments. As a result, the amount budgeted cannot be considered as being funds allocated solely for public prosecution services, but also for other purposes relating to legal work and advice for the Government, both locally and internationally.

**(2015):** The difference between the implemented budget and the approved budget results from some additional funds requested to meet recurrent costs, and other funds credited to the account of the Office of the Attorney General derived from reimbursements.

**(2012):** In 2012, funds allocated to the Attorney General's Office were reduced due to reorganization purposes.

## **Netherlands**

**(General Comment):** Approved budget: the first version of the budget (estimated budget); implemented budget: annual financial report on the state expenditure. The budget for public prosecution services includes justice expenses in criminal cases, namely all kinds of cost types (e.g. wiretaps, interpreters, compensations for witnesses). Budget allocated to training of public prosecution services is not registered separately in the budget report. The public prosecution services do have budget reserved for training, but that is for the entire public prosecution services and not just for public prosecutors. Regarding the public prosecutors, the services take part in the training institute of the Rechtspraak, and pay a yearly fee for that.

**(2019):** Budget allocated to training of public prosecution services is not registered separately in the budget report. The public prosecution services do have budget reserved for training, but that is for the entire public prosecution services and not just for public prosecutors. Regarding the public prosecutors, the services take part in the training institute of the Rechtspraak, and pay a yearly fee for that (7 741 000 euros in 2019).

**(2016):** including justice expenses, including public prosecution before the Supreme Court and Council of State in criminal cases;

## **Poland**

**(2022):** The average exchange rate of the National Bank of Poland as at 30 December 2022 was used to convert PLN to €. - PLN 4.6899.

In 2022, the budget of the Public Prosecutor's Office was implemented in 99.99%. The difference between the approved and implemented budget is the amount of PLN 237,656.33. Within this amount, the planned budget expenditure was blocked in the amount of PLN 228,314. The blockage was a result of the failure to realise planned expenditure, primarily under the Operational Programme Knowledge Education Development 2014-2020 in the amount of PLN 176,221, an excess of funds in the financial plan of expenditures due to a lower number of retirements of prosecutors than assumed in the course of work on the Budget Act for 2022, and remaining funds in the Prosecutor's Office units in § 6060 Investment expenditure on budgetary units.

\*13.1

In fact, the prosecutor's budget for training in 2020-2021 was significantly lower than in previous years and in 2022.

In 2020-2021, the epidemiological situation related to the COVID-19 pandemic and the risk of infection with the SARS-CoV-2 virus resulted in a significant reduction in training and workshops in the form of traditional meetings. In fact, online trainings have prevailed.

Prosecution units also held in-house training sessions.

Expenditures on training in 2022 compared to 2020 and 2021 definitely increased. However, the training offerings have changed. Training in the form of traditional meetings returned but largely remained online training, which results in lower training costs. The budget for training in 2022 is 80.53% of the budget for training in 2018. It is likely that this trend will already continue.

It should be noted that prosecution units had a budget in 2022 that was sufficient to implement training at the 2018 level.

**(2021):** \*1 euro= 4,5994 pln

\*In 2020, the epidemiological situation related to the COVID-19 outbreak and the risk of virus infection resulted in a significant reduction in training and workshops in the form of traditional meetings. Training offerings changed and on line training was available. In view of the lack of mobility and the limitation of interpersonal contacts, the prosecution units organised in-house training. The training budget for 2020 represented 35.27% of the 2019 implementation and 36.3% of the 2018 implementation. The budget allocated for training in 2021 increased by 56.16% compared to 2020. The execution of training expenditure did not reach the level of 2018 and 2019. This was mainly influenced by the training offer. The majority of training is offered and delivered on line which results in lower training costs.

**(2020):** 1 euro=4.6148 PLN

The lower implementation of the training budget in 2020 compared to the implementation in previous years is primarily due to constraints related to the COVID-19 pandemic and the risk of SARS-COV-2 virus infection. The epidemiological situation has led to a reduction in training and workshops in the form of traditional meetings. Training offerings have changed. In essence, online training has become available. In view of the lack of mobility and the limitation of interpersonal contacts, the prosecution units organized in-house trainings. The budget for training in 2020 represents 35.7% of the 2019 implementation and 36.3% of the 2018 implementation. Below, I present the amounts of expenditures realized in 2018 - 2020 for training in the common prosecution units: 2018 - 683 618,27 euro, 2019 - 694 686,85 euro, 2020 - 248 164,77 euro. \*The decrease in the approved budget allocated of the training budget is primarily due to constraints related to the COVID-19 pandemic.

**(2019):** For conversion into euro, the average exchange rate of National Bank of Poland as at 31 December 2019 was adopted - 4. 2585.

**(2017):** Changes in public budget allocated to the public prosecution services are caused by several reasons. First of all we indicate on higher employment costs (In 2017 prosecutors salaries and number of prosecutors' assistants increased). In 2017 increased also amount of money allocated to annual extra premiums. In 2017 we bore significant costs of purchasing new properties for public prosecution. Higher spendings are connected also with the higher, than usual, number of prosecutors retirements.

## Portugal

**(2021):** During the economic year, the budget needed to face needs that were not anticipated.

**(2020):** During the economic year, the budget needed to face needs that were not anticipated.

**(2016):** In 2012 the state budget made salary cuts that have now been replaced and therefore have increased the budget allocated to the public prosecutors services.

**(2014):** The differences between the approved and the implemented budgets are due to the declaration of unconstitutionality of some of the measures of the State budget, namely measures regarding remunerations.

## **Romania**

**(2022):** These figures concern the training of civil servants and other categories of staff in this system, not prosecutors - the costs of training magistrates cannot be broken down /highlighted here, being included in the budget of the Superior Council of Magistracy (training of this latter category carried out through the Higher Institute of Magistracy).

**(2021):** The training of judges and prosecutors is provided by the National Institute of Magistracy (Superior Council of Magistracy)- separate budgets. For 13.1, the amounts included only the sums from the state budget provided for the training of civil servants and other categories of non-judge/non-prosecutor staff within the system of the Public Ministry. Post-pandemic, both the frequency of trainings and the number of participants at trainings grew.

**(2020):** The training of judges and prosecutors is provided by the National Institute of Magistracy (Superior Council of Magistracy). For 2020, the amounts included to both Q6 and O13 included the amounts from the state budget provided for the training of civil servants and other categories of non-judge / non-prosecutor staff. In 2018, according to the data provided by the economic department, at these amounts were included, the training within some European training programs (programs within European funds) of a number of judges (and prosecutors )- a separate budget from the budget regarding the training through the National Institute of Magistracy (Superior Council of Magistracy).

**(2019):** Concerning training of public prosecutors, the answer consists mainly in supporting the costs related to the formation of European funds, the funds provided by the Norwegian Financial Mechanism and less from the funds transferred from the State budget. Put differently, less money was needed from the State budget, because a large part of the costs for trainings were covered from the other mentioned funds.

**(2018):** About differences between 2017-2018, must be mainly highlighted the current explanations given above (for Q 6.1 and Q 6.6 ) concerning the influences on the budget given by the changes in the tax legislation (regarding the number of compulsory social contributions that employers must pay) and by the allocated funds ( in 2018) for payment of wage rights established by court decisions.

**(2017):** The increase in the public budget allocated to public prosecution was also due mainly to salary increases in the justice system following the aforementioned jurisprudence of the Constitutional Court.

**(2014):** The difference between the approved and the implemented budgets is mainly due by fluctuations in human resources; funding allotted for pending judicial proceedings which is estimated before the start of the budget execution; debt recovery based on definitive court decisions. The differences affect mainly: personnel outgoes concerning salaries, financial and social rights; goods and services representing amounts coming from the completion of the sting operations fund for December 2014 with the amounts which remained unused during 2014 and from the payment of the expenditures for judiciary and extra judiciary expertise; post-accession projects with the EU contracted to smaller prices than the initial budget provided for. Funds allocated for the payment of wage rights established by court decisions were higher than in previous years.

## **Slovak Republic**

**(2022):** The difference between the approved budget and the implemented budget is 8 609 822 Eurs. The increased funds were allocated to:

- valorisation of prosecutors' salaries
- implementation of the ECRIS TCN Third Country Citizens Registration Project
- expansion of the PATRICIA information system and its connection to the information system of the European Public Prosecutor's Office
- necessary reconstruction of district and regional prosecutor's offices
- more training - relieve of COVID19 restrictions - additional financing of energies.

**(2021):** The difference between the approved budget and the actual budget is EUR 3 197 554.

The increased funds were allocated to:

- valorisation of prosecutors' salaries;
- modernization of the ECRIS software to version 1.6 for the Criminal Register;
- connection of IS Patricia to IS of the European Prosecutor;
- necessary renovation of buildings of the General Prosecutor's Office of the Slovak Republic;
- budget allocated to training of public prosecution services has changed due to the possibility to make face-to-face trainings.

**(2020):** The General Prosecutor of the Slovak republic:

The difference between the approved and the implemented budget is 903 692 euros.

The financial means were allocated to:

- wage valorisation of prosecutors, increase of number of employees of the Prosecutor's - investment into the buildings
- Discrepancies from the previous cycle in the annual public budget allocated to training are due to the COVID 19 pandemic situation due to which the trainings were not planned or applied. The increase in the approved budget in 2020 reflects the implemented budget allocated to training of public prosecution services in 2019. The budgetary needs for training in 2020 were expected similar (higher) as in 2019, therefore the increase. But the training plans were not implemented due the Covid pandemic situation, so the implementation of the budget in this category was much lower.

**(2019):** General Prosecutor of the Slovak republic:

The difference between the approved and the implemented budget is 9017737 euros.

The financial means were allocated to:

- wage valorization of prosecutors, increase of number of employees of the Prosecutor's Office in order to carry out tasks,
- necessary renovation of General Prosecutor's Office buildings, hardware replacement of disks
- connection software IS Patricia to IS Police
- purchase of building for Regional Prosecutor's Office in Košice

The funds in the amount of € 14,328 were budgeted for the educational activities of the prosecutor's office (trainings, participation fees, publications, remuneration for lecture activities). However, during the financial year 2019, the budget on the relevant subheading is subsequently adjusted as necessary. The adjusted budget for educational activities for 2019 is in the amount of € 24,814, which General prosecutor Office claims as the need for these activities.

**(2018):** The difference between the approved budget and the real budget is 2 362 391 €.

The financial means were allocated to:

- raise of salaries, additional functional charges, Prosecutor's recompenses, salary and recompenses of the General Prosecutor and for the salary raise of other employees of the departments of the General Prosecutor's Office of the Slovak Republic following the Section 5 of the Act No. 333/2017 Coll. on State's budget of the year 2018,
- ensuring financial coverage of the implementation of the Law on Reducing Administrative Burdens by using Public Administration Information Systems,
- execution of analytical-programming work necessary for execution of the implementation of the police project "Investigation File Management" on the electronic prosecution file IS PATRICIA, electronic court file in the information system "Development of electronic services of justice".

**(2017):** The increase of the approved budget of the prosecution services has been caused by the adjustment of salaries of prosecutors and public servants (total of 2.291.046 €) and increasing of the operational costs of the General Prosecutor Office (101.873 €)

**(2016):** The difference between the total approved budget and the implemented budget in 2016 for the General Prosecutor's Office of the Slovak Republic is € 12,117,561.

Main reasons for this difference:

- for the settlement of the salary requirements of the prosecutors in 2015 according to the finding of the Constitutional Court of SR sp. no. PL. ÚS 27/2015 for a total amount of € 4,224,311,
- for reconstruction and modernization of the office premises and buildings of district prosecutors and regional prosecutors in the amount of € 195,966,
- to increase salaries, functional surcharges, lump sum compensation of prosecutors, salary and lump sum compensation of the Attorney General and to increase the salaries of other employees of the Chapter of the Prosecutor General's Office in connection with the application of Section 5 of Act no. 411/2015 Z. z. on the state budget of 2016 for € 6 299 638,
- to accomplish the tasks related to the Presidency of the SR in the EU Council - SK PRES 2016 in the amount of € 105,338,
- to finance the project OPIS - Electronic Services of the General Prosecutor's Office in the amount of € 877,500,
- for paying damages according to the amendment to Act no. 514/2003 Z. z. on liability of the state for damage caused by the public authorities in the amount of € 100,000,
- Other costs of € 314,808 provided for the operation of GP SR

**(2015):** The difference between total annual approved budget and implemented one allocated to the Public Prosecution Office of the Slovak Republic in the year 2015 is 7 013 978 €.

The increase in budget was caused by following items:

- allocated funds to implement the project 'Electronic services of the General prosecution office' - 4 763 606 €,
- allocated funds to finance the increased number of the public prosecutors - 969 690 €
- allocated funds to finance the approved adjustment of the salaries of administrative staff - 251 071 €,
- allocated funds to overall modernization of IT system (hardware and internal network) - 1 029 611 €.

**(2014):** The difference between the approved and the implemented budgets is justified by several reasons: financing of the project "Developing global IT services for public administration and development of electronic services on central level of the Ministry of Finance of the Slovak Republic – General Prosecutor's Office of the Slovak Republic" (8 618 909 euros); co-financing of this project (800 000 euros); payment of prosecutors' salaries for 2011 on the basis of a judgment of the Constitutional Court (2 316 973 euros); increase of salaries for employees/staff in order to adapt the scale of salary rates and salary rates to collective agreements of higher level for 2014 (242 552 euros); other operational expenditures of the General Prosecutor's Office (1 523 112 euros).

**(2013):** For 2013, the implemented budget of public prosecution services was of 71.015.906 euros.

**(2012):** For 2012, the implemented budget of public prosecution services was of 69 947 692 euros.

## Slovenia

**(General Comment):** The indicated amount of approved and implemented budget is allocated for the overall functioning of State Prosecutor's Office of the Republic of Slovenia. It does not include budget for functioning of the State Prosecution Council (included in Q15.1 and Q15.2.)

**(2022):** Discrepancies at 13.1 (training): In 2020 and 2021, the budget was impacted by the limitations due to Covid-19 pandemics, hence the increase in 2022 (compared to 2020).

**(2021):** The low implementation in comparison with the adopted budget is a consequence of the COVID- 19 epidemic, as there were no educational events with physical participation, but rather virtual ones. For the aforementioned type of events there were no registration fees, or they were lower, compared to participation fees for events with physical participation. Due to the COVID-19 epidemic, the public prosecution's own educational event - Educational Prosecutor's Days, which represents the largest cost of the state prosecutor's office in the field of education, was held virtually.

**(2020):** Training: the implemented budget was impacted by the limitations due to Covid-19 pandemics.

**(2019):** The figure above does not include budget for functioning of the State Prosecution Council (approved: 165.264 EUR, implemented: 163.025 EUR).

**(2018):** The figure above does not include budget for functioning of the State Prosecution Council (approved: 132.321 EUR, implemented: 130.932 EUR).

**(2016):** The indicated amount of approved and implemented budget is allocated for the overall functioning of State Prosecutor's Office of the Republic of Slovenia. The increase in the budget comparing to the previous exercise is due to employment of additional 40 Judicial Advisors in the autumn of 2014 and nomination of 30 new state prosecutors in the autumn of 2015.

The amount includes budget for alternative resolution of criminal cases (approved: 90000 EUR, implemented: 71587 EUR). It does not include budget for functioning of the State Prosecution Council (approved:126023 EUR, implemented: 97881 EUR).

**(2015):** The data includes all spending for public prosecution services except for the State Prosecution Council (approved budget: 116.148 EUR EUR, implemented budget 115.811 EUR EUR).

The State Prosecution Council (institution) is analogue to the Judicial Council, therefore we feel that its budget should be reported at Q15.1 and Q15.2, rather being included at Q13 (similar as the Judicial Council spending is not reported at Q6, but it is included at Q15.1 and Q15.2).

**(2014):** For 2014, contrary to 2012 and 2013, the data includes the State Prosecution Council (approved budget: 95.249 EUR, amended budget 99.612 EUR, implemented budget 92.753 EUR). The initially approved budget for public prosecution services was 16.830.579 EUR. After the decision to appoint a large number of new State prosecutors was taken, the budget was amended to 17.559.460 EUR. The appointment procedures were not carried out as soon as they were planned, therefore the actually implemented budget was 17.337.132 EUR.

**(2013):** The figure provided does not include the amount for the State Prosecution Council (89401 EUR).

**(2012):** The figure provided does not include the amount for the State Prosecution Council.

## Spain

**(General Comment):** In Spain, it is very difficult to carry out a perfect separation between the budget of Courts and the Budget of Prosecution services, because some concepts are common (civil servants, material resources, buildings, etc). These items cannot be separated from the budget allocated to the functioning of courts. Therefore, the figure provided in respect of the "Total" represents only the salaries.

It is noteworthy that data on the implemented budget is an estimations of the Statistic Department of the General Council of the Judiciary.

**(2022):** The variation in the implemented budget are within normal parameters taking into account the variation in the price of money in two years. The budget allocated to training includes a part of the training institution's budget corresponding to the prosecutors training. Regarding approved budget allocated to training the increase is related to the Program 111R "Training of Prosecution Career" that is financed from the State General Budget.

**(2021):** Regarding the approved annual budget allocated to training, the difference with respect to 2020 lies mainly in the fact that the budgets had been extended for several budget years, starting from a year in which the number of trainee prosecutors was much lower. The increase is due to the approval of budgets for the year 2021 that already took into account much greater promotions of the Prosecution career.

**(2020):** Concerning budget allocated for training of public prosecutors, the difference between the approved and implemented budget, namely the fact that the latter is considerably lower than the former, possibly stems from the pandemic and the impossibility to carry out all the foreseen training courses in 2020.

**(2018):** Prosecution services budget only includes the gross salaries. The rest of the items cannot be separated of the functioning of the Courts.

**(2017):** Prosecution services budget only includes the gross salaries. The rest of the items cannot be separated from the budget allocated to the functioning of courts.

**(2015):** The budget for prosecution service is partial and includes only the budget allocated for personnel and training which can be clearly separated, but there are other expenses referred to the public prosecution service the budget of which is part of the total budget of the Ministry of Justice or it is part of budget approved by the Regions with competences over the justice system. This is the case for items such as buildings and material resources and these costs are included in the budget of courts

**(2014):** The increase in the budget between 2012 and 2014 results mainly from a different estimation of the budget allocated to the public prosecution services.

# **Indicator 5: System for compensation of users**

- System for compensating users

**Table 5.1 System for compensating users: number of requests for compensations and number of granted compensations by specific circumstances in 2022 (Q37)**

States	Total		Excessive length of proceedings		Non-execution of court decisions		Wrongful arrest / detention		Wrongful conviction		Other	
	Number of requests for compensation	Number of compensations granted	Number of requests for compensation	Number of compensations granted	Number of requests for compensation	Number of compensations granted	Number of requests for compensation	Number of compensations granted	Number of requests for compensation	Number of compensations granted	Number of requests for compensation	Number of compensations granted
Austria	NA	NA										
Belgium	NA	NA	NA	NA	NAP	NAP	77	13	NA	NA	NAP	NAP
Bulgaria	NA	NA	536	204	NA	NA	NA	230	NA	NA	NA	NA
Croatia	380	149	196	60	NAP	NAP	184	89	NA	NA	NAP	NAP
Cyprus	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	4 762	2 153	NA	NA								
Denmark	2 921	1 529	NA	NA	NA	NA	261	163	3	4	2 657	1 362
Estonia	NA	NA	NAP	NAP								
Finland	NA	NA	96	75	NAP	NAP	NA	NA	NA	NA	NAP	NAP
France	2 545	1 648	988	759	NA	NA	607	575	NA	NA	950	314
Germany	NA	NA										
Greece	NA	NA										
Hungary	NA	NA										
Ireland	NA	NA	NAP	NAP								
Italy	25 523	24 563	16 897	17 523	7 380	6 471	1 231	560	15	9	NAP	NAP
Latvia	22	50	NA	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Lithuania	93	67	19	15	0	0	16	10	21	10	37	32
Luxembourg	NA	NA	NA	NA	NA	NA	11	5	NA	NA	NA	NA
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NAP	NAP
Netherlands	NA	NA										
Poland	NA	NA	13 589	2 276	NA	NA	NA	246	NA	11	NA	NA
Portugal	NA	NA										
Romania	NA	NA										
Slovak Republic	NA	NA										
Slovenia	17	17	2	2	NAP	NAP	12	12	3	3	NAP	NAP
Spain	673	84	NA	NA								
Sweden	2 508	2 246	15	0	0	0	2 493	2 246	0	0	NAP	NAP
<b>Average</b>	3 944	3 251	3 593	2 324	2 460	2 157	544	377	8	6	1 215	569
<b>Median</b>	1 591	839	196	75	0	0	184	163	3	7	950	314
<b>Minimum</b>	17	17	2	0	0	0	11	5	0	0	37	32
<b>Maximum</b>	25 523	24 563	16 897	17 523	7 380	6 471	2 493	2 246	21	11	2 657	1 362
<b>% of NA</b>	59%	59%	63%	63%	63%	63%	63%	56%	78%	74%	52%	52%
<b>% of NAP</b>	4%	4%	4%	4%	26%	26%	4%	4%	4%	4%	37%	37%

**Table 5.2 System for compensating users: amounts of granted compensations by specific circumstances in 2022 (Q37)**

States	Total amount	Excessive length of proceedings		Non-execution of court decisions		Wrongful arrest/ detention		Wrongful conviction		Other	
		Absolute value	As % of the Total amount	Absolute value	As % pf the Total amount	Absolute value	As % pf the Total amount	Absolute value	As % pf the Total amount	Absolute value	As % pf the Total amount
Austria	1 253 752 €	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NA	NAP	NAP	60 000 €	NA	NA	NA	NAP	NAP
Bulgaria	NA	316 392 €	NA	NA	NA	1 311 388 €	NA	NA	NA	NA	NA
Croatia	3 224 053 €	10 318 €	0,3%	NAP	NAP	3 213 735 €	99,7%	NA	NA	NAP	NAP
Cyprus	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	11 446 891 €	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Denmark	3 705 779 €	NA	NA	NA	NA	117 793 €	3,2%	267 €	0,0%	3 587 720 €	96,8%
Estonia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NAP
Finland	NA	173 250 €	NA	NAP	NAP	NA	NA	NA	NA	NAP	NAP
France	15 729 100 €	3 374 741 €	21,5%	NA	NA	11 265 268 €	71,6%	NA	NA	1 089 091 €	6,9%
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NAP
Italy	NA	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NAP
Latvia	104 314 €	NA	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Lithuania	343 767 €	2 851 €	0,8%	0 €	0,0%	13 000 €	3,8%	244 859 €	71,2%	83 057 €	24,2%
Luxembourg	NA	NA	NA	NA	NA	42 600 €	NA	NA	NA	NA	NA
Malta	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	NA	1 417 787 €	NA	NA	NA	3 918 131 €	NA	74 863 €	NA	NA	NA
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovak Republic	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovenia	1 007 737 €	127 293 €	12,6%	NAP	NAP	874 154 €	86,7%	6 290 €	0,6%	NAP	NAP
Spain	841 296 €	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Sweden	8 832 545 €	0 €	0,0%	0 €	0,0%	8 832 545 €	100,0%	0 €	0,0%	NAP	NAP
<b>Average</b>	4 648 923 €	677 829 €	7%	NA	NA	2 964 861 €	61%	65 256 €	18%	1 586 623 €	43%
<b>Median</b>	2 238 903 €	150 272 €	1%	NA	NA	1 092 771 €	79%	6 290 €	0%	1 089 091 €	24%
<b>Minimum</b>	104 314 €	0 €	0%	NA	NA	13 000 €	3%	0 €	0%	83 057 €	7%
<b>Maximum</b>	15 729 100 €	3 374 741 €	21%	NA	NA	11 265 268 €	100%	244 859 €	71%	3 587 720 €	97%
<b>% of NA</b>	59%	67%	78%	1 €	67%	59%	74%	78%	81%	52%	52%
<b>% of NAP</b>	4%	4%	4%	26%	26%	4%	4%	4%	4%	37%	37%

**Table 5.3 Evolution of the system for compensating users: number of requests for compensations, number of granted compensations and amount paid from 2020 to 2022 (Q37)**

States	Number of requests for compensation			Variation	Number of granted compensations			Variation	Amount paid in compensations			Variation
	2020	2021	2022	2022-2021	2020	2021	2022	2022-2021	2020	2021	2022	2022-2021
Austria	NA	NA	NA	NA	NA	NA	NA	NA	1 310 376 €	1 288 715 €	1 253 752 €	-3%
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	332	332	380	14%	180	131	149	14%	1 290 594 €	1 106 447 €	3 224 053 €	191%
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	NA	5 356	4 762	-11%	NA	2 490	2 153	-14%	NA	9 617 860 €	11 446 891 €	19%
Denmark	NA	3 400	2 921	-14%	NA	1 499	1 529	2%	NA	2 742 529 €	3 705 779 €	35%
Estonia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Finland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
France	908	NA	2 545	NA	249	NA	1 648	NA	1 975 018 €	NA	15 729 100 €	NA
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	NAP	26 964	25 523	-5%	NAP	25 853	24 563	-5%	NAP	NA	NA	NA
Latvia	45	39	22	-44%	NAP	NAP	50	NAP	103 420 €	97 212 €	104 314 €	7%
Lithuania	78	73	93	27%	35	47	67	43%	26 705 €	133 818 €	343 767 €	157%
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovak Republic	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovenia	32	18	17	-6%	11	21	17	-19%	389 871 €	994 446 €	1 007 737 €	1%
Spain	605	656	673	3%	29	113	84	-26%	569 858 €	2 289 703 €	841 296 €	-63%
Sweden	2 125	2 085	2 508	20%	1 880	1 812	2 246	24%	7 170 985 €	7 036 964 €	8 832 545 €	26%
<b>Average</b>	589	4 325	3 944	-2%	397	3 996	3 251	2%	1 604 603 €	2 811 966 €	4 648 923 €	41%
<b>Median</b>	332	656	1 591	-5%	108	815	839	-1%	930 226 €	1 288 715 €	2 238 903 €	19%
<b>Minimum</b>	32	18	17	-44%	11	21	17	-26%	26 705 €	97 212 €	104 314 €	-63%
<b>Maximum</b>	2 125	26 964	25 523	27%	1 880	25 853	24 563	43%	7 170 985 €	9 617 860 €	15 729 100 €	191%
<b>% of NA</b>	67%	63%	59%	63%	67%	63%	59%	63%	63%	63%	59%	63%
<b>% of NAP</b>	7%	4%	4%	4%	11%	7%	4%	7%	7%	4%	4%	4%

# Indicator 5: Legal aid

## Comments provided by the national correspondents

### organised by country

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

#### Austria

**Q037 (General Comment):** The Public Authority's Liability Act (Amtshaftungsgesetz) provides for liability of the state (and other legal entities) for misconduct of their employees in the exercise of public authority, including court proceedings and court decisions, causing damage to persons or property by excessive length of proceedings, wrongful arrest and/or wrongful condemnation. The liability presupposes both wrongfulness and fault. In the case of wrongful arrest or wrongful criminal condemnation, compensation can also be obtained according to the Penal Law's Compensation Act (Strafrechtliches Entschädigungsgesetz) without proving fault of the Authorities. The compensation procedure is laid down in para. 8 ff. Amtshaftungsgesetz and para. 9 ff. Strafrechtliches Entschädigungsgesetz. The injured person may demand – free of costs - of the legal entity against which the claim for damages is to be raised to forward her/him within a three months' term a written statement indicating as to whether it accepts or partially or totally rejects the claim for damages. If the claim is partially or totally rejected, the complaint can still be filed at court.

The exclusive jurisdiction over the claim of the injured person against the legal entity rests in the first instance with the regional court (Landesgericht) in charge of civil matters in whose range of jurisdiction the infringement of law occurred. Compensation is funded by the Public Authority's general budget. The liability is unlimited, indemnity is to be paid in terms of money only. To make sure that compensation is paid following the concrete circumstances of each individual case, there is no such thing as a daily tariff or a flat compensation sum. The amount of compensation depends solely on the magnitude of damage suffered by the victim and the degree of fault attributable to the Public Authority.

According to sec 67 CCP victims have the right to claim reimbursement for the damage caused by the criminal act or compensation for the impairment of their legally protected interests. The extent of the damage or the impairment has to be established ex officio as far as this can be done on the basis of the results of the criminal proceeding or with the help of additional simple investigations. If for the assessment of a bodily injury or damage to the health of a person an expert is appointed, he/she also has to be requested to establish the periods of pain.

**Q037 (2022):** The payments according to the Public Authority's Liability Act, European Convention on Human Rights and the Penal Law's Compensation Act cannot be quantified regarding the different circumstances. Only the total amount of the payments can be provided. On this basis the payments according to the Public Authority's Liability Act and the European Convention on Human Rights in the area of the courts were 458.891,35 Euro and those according to the Penal Law's Compensation Act were 593.651,96 Euro in 2022.

**Q037 (2021):** The payments according to the Public Authority's Liability Act and the Penal Law's Compensation Act cannot be quantified regarding the different circumstances. Only the total amount of the payments can be provided. On this basis the payments according to the Public Authority's Liability Act were 714.676,17 Euro and those according to the Penal Law's Compensation Act were 574.038,47 Euro.

**Q037 (2020):** The payments according to the Public Authority's Liability Act and the Penal Law's Compensation Act cannot be quantified regarding the different circumstances. Only the total amount of the payments can be provided. On this basis the payments according to the Public Authority's Liability Act were 444.740,27 Euro and those according to the Penal Law's Compensation Act were 865.635,22 Euro.

**Q037 (2016):** The Public Authority's Liability Act (Amtshaftungsgesetz) provides for liability of the state (and other legal entities) for misconduct of their employees in the exercise of public authority, including court proceedings and court decisions, causing damage to persons or property by excessive length of proceedings, wrongful arrest and/or wrongful condemnation. The liability presupposes both wrongfulness and fault. In the case of wrongful arrest or wrongful criminal condemnation, compensation can also be obtained according to the Penal Law's Compensation Act (Strafrechtliches Entschädigungsgesetz) without proving fault of the Authorities. The compensation procedure is laid down in para. 8 ff. Amtshaftungsgesetz and para. 9 ff. Strafrechtliches Entschädigungsgesetz. The injured person may demand – free of costs - of the legal entity against which the claim for damages is to be raised to forward her/him within a three months' term a written statement indicating as to whether it accepts or partially or totally rejects the claim for damages. If the claim is partially or totally rejected, the complaint can still be filed at court.

The exclusive jurisdiction over the claim of the injured person against the legal entity rests in the first instance with the regional court (Landesgericht) in charge of civil matters in whose range of jurisdiction the infringement of law occurred. Compensation is funded by the Public Authority's general budget. The liability is unlimited, indemnity is to be paid in terms of money only. To make sure that compensation is paid following the concrete circumstances of each individual case, there is no such thing as a daily tariff or a flat compensation sum. The amount of compensation depends solely on the magnitude of damage suffered by the victim and the degree of fault attributable to the Public Authority.

## Belgium

**Q037 (General Comment):** In Belgian law, the terminology is "inoperative preventive detention" and not "wrongful arrest". Compensation via the civil liability procedure:

In Belgium, the liability of the state for damages resulting from faults committed by the public prosecutor's office or judges, falls under Article 1382 of the Civil Code (action in tort). According to article 1382 of the Civil Code: "Any act of man whatsoever which causes damage to another person obliges the person by whose fault it occurred to make reparation". The fault may consist of negligence according to the terms of article 1383 which provides that "everyone is responsible for the damage he causes not only by his own act but also by his negligence or imprudence". In order to obtain compensation, the plaintiff must demonstrate the existence of a fault, damage and a causal link between the fault and the damage. According to the Constitutional Court (see Constitutional Court ruling of June 30, 2014 (No. 99/2014)), a constitutionally correct interpretation of Article 1382 of the Civil Code implies that the state can be held liable for a fault of a judge/body deciding at the last instance, even if the decision is not repealed, amended, annulled or revoked. It is necessary that the fault consists of a sufficiently serious violation of the applicable rule of law and that, given the limited remedies available against the erroneous decision, it is not possible to obtain an annulment of the decision. Such claims are brought before the civil courts.

Reference should also be made to the Act of 13 March 1973 on compensation for inoperative preventive detention. Article 28 of this law provides that "Any person who has been held in preventive detention for more than eight days without this detention or its continuation having been caused by his own conduct may claim compensation:

- a) if he or she has been directly or indirectly excluded from liability by a judicial decision that has become res judicata;
- b) if he/she has benefited from an order or a ruling of dismissal;
- c) if he/she has been arrested or kept in detention after the public action has been extinguished by prescription;

The amount of such compensation shall be determined in equity, taking into account all the circumstances of public and private interest.

If the person concerned is unable to bring an action for compensation before the ordinary courts, the compensation must be requested in writing to the Minister of Justice, who shall decide within six months.

The compensation shall be awarded by the Minister of Justice at the expense of the Treasury, if the conditions provided for in § 1 are met.

If the compensation or the allocation is refused, if the amount of the compensation or the number of days allocated is deemed insufficient, or if the Minister of Justice has not taken a decision within six months of the request, the person concerned may apply to the Commission for Inoperative Preventive Detention.

With regard to the "number of convictions" for "wrongful arrests": it should be noted that the figure in the table does not correspond to "convictions" but represents the number of cases for which there has been a definitive grant of compensation. In "inoperative preventive detention" cases there is no conviction. It is either a grant of compensation or a refusal of compensation. Therefore, the title of the third column of the table does not correspond to the content (in any case for the ""inoperative preventive detention"")

**Q037 (2022):** The number of ongoing cases (for ineffective pre-trial detention) stands at 29. Compensation has been granted in 13 cases.

**Q037 (2021):** For the item "wrongful arrest" (corresponding in Belgium to "inoperative preventive detention"): concerning the number of decisions taken, there were 20 decisions granting and 21 decisions refusing compensation (+ 39 pending cases), in total 80 applications. Only the 20 decisions granting compensation and the total number of applications are included in the table.

**Q037 (2019):** 1. Reference should also be made to the Law of 13 March 1973 relating to compensation in the event of inoperative preventive detention. Article 28 stipulates the following:

Any person who has been held in preventive detention for more than eight days without this detention or its extension having been caused by his/her own conduct is entitled to compensation:

- a) if s/he has been exonerated directly or indirectly by a court decision that has the force of *res judicata*;
- (b) if s/he has benefited from an order or judgment of dismissal;
- (c) if s/he has been arrested or detained after the termination of the prosecution by prescription;

The amount of such compensation shall be fixed in equity and taking into account all circumstances of public and private interest.

If the person concerned is unable to bring an action for compensation before the ordinary courts, the compensation must be requested by written request addressed to the Minister of Justice, who shall decide within six months. If compensation or imputation is refused, if the amount of compensation or the number of days imputed is deemed insufficient, or if the Minister of Justice has not made a decision within six months of the request, the interested party may apply to the "Inoperative Preventive Detention" Commission.

2. Compensation through the civil liability procedure:

In Belgium, the State liability for damage resulting from faults made by the public prosecutor office or judges, falls under the article 1382 of the Civil Code (claims on the basis of tort). According to article 1382 Civil Code: "Any act whatever of man which cause damage to another obliges him by whose fault it occurred to make reparation". To obtain compensation, the plaintiff must demonstrate the existence of a fault, of damage and of a causal link between the fault and damage. According to the Constitutional Court a constitutionally correct interpretation of article 1382 of the Civil Code implies that the State may be held liable for a fault of a judicial body deciding in last instance, even if the decision is not repealed, amended, annulled or revoked. It is required that the fault consists in a sufficiently serious breach of the applicable legal rule and that, given the limited legal remedies available against the wrongful decision, it is not possible to obtain an annulment of the decision. These claims are brought before the civil courts.

Exceeding a reasonable time is also to be considered as a fault. However, article 21ter of the Code of Criminal Procedure provides that as a consequence of a violation of the right to be tried within a reasonable time, the courts can either impose a penalty below the statutory minimum or simply pronounce a guilty verdict without imposing a sentence. In addition, the Court of Cassation has ruled that the *Chambre du conseil* (which is the investigative court that intervenes in case of a judicial inquiry) can declare the criminal claim inadmissible if the rights of the defence have been seriously and irretrievably damaged due to the violation of the right to be tried within a reasonable time. In other less serious cases, the *Chambre du conseil* may establish the violation of the right to be tried within a reasonable time and commit the case for trial, after which the trial court is bound to give a proper response to this violation, in accordance with Article 21ter of the Preliminary Title of the Code of Criminal Procedure.

**Q037 (2016):** Compensation is only awarded for wrongful arrest. Excessive length may have consequences to the extent that a reduction of the sentence granted is possible: If the length of criminal proceedings exceeds a reasonable time, the judge may convict the offender simply by conviction or impose a sentence that is less than the minimum sentence prescribed by law.

## Bulgaria

**Q037 (General Comment):** The Act on the Liability for Damage Incurred by the State and the Municipalities sets out the procedure for liability for activity of the Administration, law-enforcement authorities, Commission for Forfeiture of Unlawfully Acquired Assets and Liability for actions of the judiciary bodies, for violation of the right to a hearing and pronouncement of judgment within a reasonable time.

Chapter Three "a" of the Judiciary System Act (JSA) establishes a procedure for the examination of applications submitted by citizens or legal persons against instruments, actions or omissions of the judicial authorities which infringe the right of the citizen or legal person to have the case thereof heard and disposed of within a reasonable time. The verification of the applications is carried out by the Inspectorate to the Supreme Judicial Council, and after its completion the documents in the file are sent to the Minister of Justice. The Minister of Justice or a person authorized by him/her rejects the application as unfounded or determines the amount of compensation in accordance with the case law of the European Court of Human Rights and proposes an agreement with the applicant, in cases where the applicant's right to a hearing within a reasonable time is violated. The verification of the circumstances and the ruling on the application shall be carried out within 6 months from its receipt. The maximum amount of compensation may not exceed BGN 10,000. The persons who have received compensation under the Judiciary System Act may not seek compensation on the same grounds in court.

Pursuant to the Act on the Liability for Damage Incurred by the State and the Municipalities (ALDISM), the state and the municipalities shall be liable for any damage inflicted on individuals and legal persons by legally non-conforming acts, actions or omissions of State bodies and municipal authorities and officials upon or in connection with the performance of administrative activity, as well as for the damages caused by the action of repealed as illegal or declared as null and void legal acts (Art. 1, para 1).

Art. 2, para. 1 and para. 2 of the ALDISM, lists the cases in which the State shall be liable for any damage inflicted on citizens by criminal investigation authorities, public prosecution authorities or court.

The scope of the ALDISM includes the responsibility for illegal acts, actions or omissions of the bodies and officials under the Anti-Corruption and Confiscation of Illegally Acquired Property Act, performed during or on the occasion of exercising their powers or service, as well as the responsibility of the bodies of the judiciary for violation of the right to consider and resolve the case within a reasonable time.

**Q037 (2022):** Prosecutor's Office of RB: In the Republic of Bulgaria, there are two mechanisms for compensation for damages in connection with criminal proceedings.

The first mechanism is regulated in the Law on the Liability of the State and Municipalities for Damages (LLSMD). The state and municipalities are responsible for the damages caused to citizens and legal entities by illegal acts, actions or inactions of their bodies and officials during or on the occasion of the performance of administrative activities, as well as for the damages caused by the action of canceled as illegal or declared as null and void by-laws. According to Art. 2 of this law, the state is responsible for the damages caused to citizens by the investigative bodies, the prosecutor's office or the court in the hypotheses specified in this text of the law.

The Prosecutor's Office does not keep statistics in the form of the indicators in the table in this questionnaire. The data for 2022 regarding the conviction of the Prosecutor's Office under LLSMD are as follows:

In 2022, the Prosecutor's Office was convicted by 255 persons on claims with a legal basis, Art. 2 and Art. 2b LLSMD, with 248 convictions entering into force.

Of the 248 convictions that entered into force, 134 were based on upheld claims with a legal basis, Art. 2, para. 1, item 3, item 1 LLSMD (acquittal entered into force), and 92 - with legal basis, Art. 2, para. 1, item 3, item 2 LLSMD (decree on termination of criminal proceedings entered into force).

2 court decisions were issued on the basis of Art. 2, para. 1, item 2 LLSMD (violation of rights protected by Art. 5, § 2-4 of the ECHR.)

Pursuant to Art. 2, para. 1, item 1, item 1 LLSMD, 2 convictions were rendered (illegal detention).

For claims with a legal basis, Art. 2b LLSMD (violation of the right to consider the case within a reasonable time, according to Art. 6, § 1 of the Criminal Procedure Code) 18 convictions were issued and entered into force.

There are no claims filed with a legal basis under Art. 2, para. 1, item 1, proposal last LLSMD (imprisonment, in violation of Art. 5, § 1 ECHR), under Art. 2, para. 1, item 7 of LLSMD (illegal use of Special Intelligence Means) and under Art. 2, para. 1, item 6 LLSMD (execution of an imposed penalty exceeding the specified term or amount).

The total amount of compensation awarded for claims brought against the Prosecutor's Office under the LLSMD procedure for 2022 is BGN 2,564,814.75 (EUR 1,311,369).

The second legal mechanism for compensation is regulated in the Law on the Judiciary (Chapter Three "a" Judiciary System Act- consideration of applications against violation of the right to consider and resolve the case within a reasonable time.

In accordance with the procedure of this chapter, applications of citizens and legal entities against acts, actions or inactions of the bodies of judicial power, which violate their right to consider and resolve the case within a reasonable time, are considered. Applications are submitted by citizens and legal entities that are:

1. parties to closed civil, administrative and criminal proceedings;
2. accused, injured or damaged legal entities in terminated pre-trial proceedings.

In accordance with the procedure of this chapter, compensation is determined and paid in accordance with the practice of the European Court of Human Rights in the amount of no more than BGN 10,000.

Data on the implementation of the mechanism under Chapter Three "a" of the Judicial System Act are not collected in the Prosecutor's Office. The applications under para. 1 shall be submitted within 6 months from the completion of the relevant

**Q037 (2021):** Statistics on excessive length of proceedings use data by the Procedural Representation before the ECHR Directorate of the Ministry of Justice on the review of applications for the domestic compensatory remedy for an excessive length of proceedings under the Judicial System Act. Sums paid may include payments under applications from December of the previous year. Statistics on wrongful arrest include prosecution data (on detention in custody and house arrest, but also on wrongful charges, because the numbers on the provision for seeking compensation for those are aggregate) and on 24-hour police detention.

**Q037 (2019):** Chapter Three "a" of the Judiciary System Act (JSA) establishes a procedure for the examination of applications submitted by citizens or legal persons against instruments, actions or omissions of the judicial authorities which infringe the right of the citizen or legal person to have the case thereof heard and disposed of within a reasonable time. The verification of the applications is carried out by the Inspectorate to the Supreme Judicial Council, and after its completion the documents in the file are sent to the Minister of Justice. The Minister of Justice or a person authorized by him/her rejects the application as unfounded or determines the amount of compensation in accordance with the case law of the European Court of Human Rights and proposes an agreement with the applicant, in cases where the applicant's right to a hearing within a reasonable time is violated. The verification of the circumstances and the ruling on the application shall be carried out within 6 months from its receipt. The maximum amount of compensation may not exceed BGN 10,000. The persons who have received compensation under the Judiciary System Act may not seek compensation on the same grounds in court.

Pursuant to the Act on the Liability for Damage Incurred by the State and the Municipalities (ALDISM), the state and the municipalities shall be liable for any damage inflicted on individuals and legal persons by legally non-conforming acts, actions or omissions of State bodies and municipal authorities and officials upon or in connection with the performance of administrative activity, as well as for the damages caused by the action of repealed as illegal or declared as null and void legal acts (Art. 1, para 1).

Art. 2, para. 1 and para. 2 of the ALDISM, lists the cases in which the State shall be liable for any damage inflicted on citizens by criminal investigation authorities, public prosecution authorities or court.

The scope of the ALDISM includes the responsibility for illegal acts, actions or omissions of the bodies and officials under the Anti-Corruption and Confiscation of Illegally Acquired Property Act, performed during or on the occasion of exercising their powers or service, as well as the responsibility of the bodies of the judiciary for violation of the right to consider and resolve the case within a reasonable time.

**Q037 (2016):** The Act on the Liability for Damage Incurred by the State and the Municipalities sets out the procedure for liability for activity of the Administration, law-enforcement authorities, Commission for Forfeiture of Unlawfully Acquired Assets and Liability for actions of the judiciary bodies, for violation of the right to a hearing and pronouncement of judgment within a reasonable time.

Chapter Three A of the Judiciary System Act regulates the rules for reviewing applications against the right to be heard within a reasonable time, payment of compensation in case of violations and the relevant measures to remedy the breaches.

## Croatia

**Q037 (2022):** The information in the table also refers to Wrongful arrest/detention and wrongful conviction.

The request for compensation for unfounded arrest and unjustified conviction is submitted to the Ministry of Justice and Administration, which is also responsible for peaceful proceedings. In case the applicant does not accept the offer of the Ministry of Justice and Administration, he has the right to file a complaint with the competent court.

The amount of compensation that the Ministry offers to the injured parties as a fair monetary compensation on this basis is unique in all cases and amounts to HRK 280.00 per day of deprivation of liberty. The amount paid for 2022 refers to payments based on decisions made in a peaceful procedure. The amount is expressed in kuna.

**Q037 (2020):** The data in the table refer to the compensation for unjustified arrest and unjustified conviction

An application for compensation for unjustified arrest and unjustified conviction shall be submitted to the Ministry of Justice and Public Administration. If the applicant does not accept the offer of the Ministry of Justice and Public Administration, he has a right to sue at the competent court.

The Ministry of Justice of the Administration issued a Decision on 19 November 2019, which established that the financial compensation in the mediation procedure amounts to HRK 280.00 for each day of imprisonment for unfounded arrest or unjustified conviction. Therefore, there was an increase in the amount of compensation and a greater number of acceptance of bids, and for that reason there was a greater number of resolved cases.

The amount paid for 2020 refers to payments based on decisions rendered in amicable procedure and court judgments, cases and from previous years in which the payment was made in 2020.

For excessive length of proceedings, the compensation can not exceed 35.000 Croatian kunas (cca 4.600 EUR) per case.

**Q037 (2018):** \* The information in the table also refers to compensation for wrongful arrest and unjustified conviction. An application for compensation for unjustified arrest and unjustified conviction shall be submitted to the Ministry of Justice. If the applicant does not accept the offer of the Ministry of Justice, the Ministry of Justice has the right to bring an action before the competent court. The amount of compensation offered by the Ministry to the parties as just financial compensation on that basis is unique in all cases and ranges from the following amounts - up to 30 days in custody in the amount of HRK 200.00 per day of deprivation of liberty, for custody of 30 to 90 days in the amount of HRK 160.00 per day of imprisonment, for detention of more than 90 days in the amount of HRK 120.00 per day of imprisonment. The amount paid for 2018 relates to payments made under the amicable settlement and court rulings.

**Q037 (2016):** Number of requests for compensation and number of condemnation is 167 and refers both to compensation for wrongful arrest and wrongful conviction. The amount of compensation that the Ministry offers to the injured parties as a fair monetary compensation for claim for damages for wrongful and unjustified conviction is unique in all cases and ranges in the following amounts - for a custody of up to 30 days in the amount of 200,00 HRK per day of deprivation of liberty, for a custody from 30 to 90 days in the amount of HRK 160,00 HRK per day of deprivation of liberty, for a custody of more than 90 days in the amount of HRK 120,00 HRK per day of deprivation of liberty. The amount paid in 2016 (3 155 925 EUR) refers to payments based on decisions issued in a friendly settlement and on court judgements.

- Excessive length of proceedings

According to the Constitution of the Republic of Croatia, everyone shall be entitled have his/her rights and obligations, or suspicion or accusation of a criminal offence decided upon fairly before a legally established, independent and impartial court within a reasonable period.

According to the Courts Act, a party considering that the competent court has not reached a decision within a reasonable time on the party's right or obligation or criminal suspicion or charge, can file an application to the Court President where the proceedings is conducted, for the right to trial within reasonable time. The Court President shall demand from the judge conducting the case the report on the file and determine the term by which the case has to be resolved. Conduct term shall not be longer than 6 months. If the case is not resolved within set time, the judge conducting the case is obliged to deliver a written report to the Court President, President of the immediately superior court and to the Ministry of Justice on the reasons for not resolving the case.

If the court does not decide within the set time, the party can address the request for right to trial within reasonable time to the immediately superior court. If the court decides positively on the merits of the application filed by the applicant, it shall determine a time framework for the court before which the case is heard to decide on the right or obligation or suspicion or criminal charge against the applicant, and shall determine a just compensation to the applicant for violation of the right to trial within reasonable time.

The compensation shall be paid out from the State budget within 4 months from the day the party submits the request for payment of the compensation. The amount of the compensation for the proceeding concerned cannot exceed the amount of 35.000,00 Croatian kunas.

The number of requests for compensation provided in the table above is the total number of the requests received in the 2016 for the compensation for violation of the right to trial within reasonable time (in county courts, High Commercial Court of RoC, Supreme Court of RoC); the number of condemnation is the number of requests that were considered founded by the courts and the total amount is the amount of the just compensation awarded in the judgments.

- Non-execution of court decisions The Republic of Croatia provides the compensation in cases related to the non-execution of final decisions of the European court of Human Rights, according to the Convention for the Protection of Human Rights and Fundamental freedoms. If this question refers to non-execution of court decisions only of domestic courts, then we can confirm that there is no compensation system for non-execution of court decision.

**Q037 (2014):** According to 2014 data and in respect of the excessive length of proceedings, the right to a fair trial within a reasonable time is enshrined in the Constitution. Besides, according to the Courts Act (2013), a party considering that the competent court has not reached a decision within a reasonable time, can file an application to the Court President (according to the previous Courts Act, a party could file an application with the immediately superior court). The latter shall demand from the judge conducting the case the report on the file and determine the term by which the case has to be resolved (not longer than 6 months). If the case is not resolved within the set time, the judge conducting the case has to deliver a written report to the Court President, the President of the immediately superior court and the Ministry of Justice on the reasons for not resolving the case. If the court does not decide within the set time, the party can apply to the immediately superior court. If the latter decides positively on the merits of the application, it shall determine a time framework for the court before which the case is heard, and shall determine a just compensation to the applicant for violation of the right to a trial within a reasonable time. The compensation shall be paid out from the State budget within 4 months from the day the party submits the request and the amount cannot exceed 35000 Croatian kunas.

As for the non-execution of court judgments, compensation can be granted in case of non-execution of final decisions of the European Court of Human Rights, according to the Convention for the Protection of Human Rights and Fundamental freedoms. Conversely, there is no compensation system for non-execution of domestic courts' judgments.

With regard to wrongful arrest, detention or condemnation, the Constitution provides for the right to an indemnification and a public apology, in compliance with the law. According to the Criminal Procedure Act (2008), a person unjustifiably convicted of a criminal offence or unfoundedly arrested shall be entitled to full rehabilitation, compensation of damage from the State budget and other rights established by law. No compensation is possible if the proceedings were discontinued or the charge rejected because in the new proceedings the subsidiary prosecutor or private prosecutor desisted from prosecution on the basis of an agreement with the defendant. Moreover, a person who caused his arrest by illicit acts is not entitled to compensation of damages.

The compensation can be requested within three years from the day the first instance judgment of acquittal or judgment rejecting the charge became final or from the day the first instance ruling discontinuing the proceedings became final, and if a higher court decided on an appeal, from the day of receipt of the decision of the higher court.

Before bringing a civil action for the compensation of damages, the injured person is bound to submit his request to the Ministry of Justice in order to reach a settlement on the existence of damage and the type and amount of compensation. The Ministry of Justice annually receives an average of between 200 and 250 requests for compensation, while the settlement is reached in approximately 50%.

A person who was unjustifiably detained is entitled to all types of monetary and non-monetary damages according to the provisions of the Obligations Act (OG 35/05, 41/08 and 125/11), for the full amount of damages suffered. An injured person may be awarded compensation for non-monetary damages in case of harm inflicted on his/her individual rights, namely the right to freedom, honor, reputation and respect. Monetary compensation is usually awarded as a result of the loss of earnings and income. The amount of monetary compensation offered to injured persons on the basis of non-monetary damages depends

## Cyprus

**Q037 (2019):** The law providing effective remedies for exceeding reasonable time in identifying civil rights and obligations provides for the filing of an action against the government for undue delay in the hearing of a case. The cases are still pending.

## Czech Republic

**Q037 (2021):** There were 5 356 requests for compensation in 2021, from this number 3 045 requests filed to the Ministry of Justice and 2 311 requests filed to the courts. In 2 490 cases in total was the applicant successful, either fully or partially. 9 617 860 Euro in total was paid.

## Denmark

**Q037 (2022):** We can only supply data for the two sub-groups that can be filtered correct. The figures that do not fit under the other categories now appear under "other". It should be noted that the data comes from a case filing tool, and therefore is not a statistics tool. Data may be subject to entry-errors of all sorts such as compensation amount, categorization etc.

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**Q037 (2020):** Data in the table (Q37) has been created outside the standard model. Specifically developed data models are tested, but there is a greater risk of unidentified errors than when using the standard model. Data in the table are thus associated with considerable uncertainty. All figures indicating condemnations of requests and total amount are the sum of cases and amounts fully or partially granted. In regards to the "Other" category, the figures given are total numbers minus the numbers in the three categories for which separate figures are given (excessive length of proceedings, wrongful arrest and wrongful conviction).

**Q037 (2019):** The Danish Administration of Justice Act contains rules concerning the possibility to obtain compensation for criminal prosecution. These rules allow for compensation under certain circumstances for example due to the excessive length of proceedings, wrongful arrest and wrongful conviction. The Prosecution Service decide on requests for compensation for criminal prosecution and these decisions can be brought before the courts. The Prosecution Service annually decides on approximately 2000 requests for compensation of which approximately 100 are brought before the courts. The budget for the total amount of compensation due criminal prosecution paid in accordance with the rules of the Danish Administration of Justice Act was approximately DKK 31.400.000. This amount is however revised at the end of the year.

**Q037 (2018):** The Danish Administration of Justice Act contains rules concerning the possibility to obtain compensation for criminal prosecution. These rules allow for compensation under certain circumstances for example due to the excessive length of proceedings, wrongful arrest and wrongful conviction. The Prosecution Service decide on requests for compensation for criminal prosecution and these decisions can be brought before the courts. The Prosecution Service annually decides on approximately 2000 requests for compensation of which approximately 100 are brought before the courts. In 2018 the total amount of compensation due criminal prosecution paid in accordance with the rules of the Danish Administration of Justice Act was approximately DKK 23.000.000.

### **Estonia**

**Q037 (2016):** There is now a system for excessive length of proceedings or non-execution of court decision, but we do not have the numbers.

### **Finland**

**Q037 (2022):** In criminal cases the primary means to compensate excessive length of proceedings for a convicted person is to reduce the sentence. Therefore the number of compensation paid does not reflect the whole picture of the cases where the proceeding has taken too long. For excessive length the compensation is 1500 euro/unduly delayed year, maximum 10.000 euro, which may be exceeded if there are special circumstances.

The information on wrongful arrest and wrongful conviction are compiled together. There were 459 requests. A total of 2 200 000 euros has been paid as compensation. For wrongful arrest the compensation is in practice approximately 120 euro/day but it can be higher due to the circumstances. For wrongful conviction the compensation covers fair legal costs.

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The information on wrongful arrest and wrongful conviction are compiled together. There were 415 requests. A total of 1 530 000 euros has been paid as compensation. For wrongful arrest the compensation is in practice approximately 120 euro/day but it can be higher due to the circumstances. For wrongful conviction the compensation covers fair legal costs.

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The information on wrongful arrest and wrongful conviction are compiled together. There were 437 requests. A total of 2 916 000 euros has been paid as compensation. For wrongful arrest the compensation is in practice approximately 120 euro/day but it can be higher due to the circumstances. For wrongful conviction the compensation covers fair legal costs.

**Q037 (2019):** Correction: Excessive length of proceedings number of Number of condemnations in year 2018 should have been 41, not reported 28. The number reported was the number of rejected.

### **France**

**Q037 (General Comment):** The sub-department of legal affairs at the Ministry of Justice closely monitors, in conjunction with the State's judicial agent, actions for liability arising from the defective operation of public justice services (primarily based on Article L. 141-1 of the Judicial Organization Code concerning users of said services).

The State's judicial agent directly oversees compensation claims for pre-trial detention within criminal proceedings that have concluded with a decision of dismissal, acquittal or non-prosecution (Articles 149 and subsequent articles of the Criminal Procedure Code).

Regarding liability actions related to defective operation of public justice services:

The vast majority are based on Article L. 141-1 of the Judicial Organization Code.

According to this article, The state is required to redress damage caused by defective functioning within its justice system. Unless otherwise specified, such liability only arises from gross negligence or denial of justice. This regime solely concerns users' rights regarding public justice service; third parties involved in judicial procedures may only hold state responsibility without fault due to inequality before public burdens.

With regard to actions brought under Article 149 and subsequent articles of the Code of Criminal Procedure, Article 149 thereof entitles individuals, under certain conditions, to full compensation for damages suffered as a result of detention in connection with proceedings that have resulted in a decision of dismissal, acquittal or non-prosecution.

Any person who has been subject to pre-trial detention within proceedings concluded by a definitive decision of dismissal, acquittal or non-prosecution is entitled, unless specifically exempted by Article 149 of the Code of Criminal Procedure, upon request, to full redress for both moral and material harm caused by such detention. The compensation awarded shall be borne by the State.

It falls upon the President of the Court of Appeal within whose jurisdiction the decision resulting in exoneration was rendered – ~~thus establishing competence~~ – to rule on this matter. This ruling shall be made following a public and adversarial procedure.

**Q037 (2022):** Similar commentary to that of 2020: no alteration in the compensation procedure.

**Q037 (2021):** The sub-directorate for legal affairs of the Ministry of Justice, in conjunction with the State judicial agent, monitors liability actions relating to the defective functioning of the public service of Justice (essentially based on Article L. 141-1 of the Code of Judicial Organisation, with regard to users of this service). The State judicial agent directly follows up actions for compensation for pre-trial detention undergone in the context of criminal proceedings that have ended with a decision to dismiss, discharge or acquit (Articles 149 et seq. of the Code of Criminal Procedure).

1. Regarding liability actions relating to the defective functioning of the public service of Justice: The vast majority of them are based on Article L. 141-1 of the Code of Judicial Organisation. According to this article, the State is obliged to allow a compensation for damage caused by the defective functioning of the Justice service. Except in the case of special provisions, this liability is incurred only in the event of serious fault or a denial of justice. This regime of liability concerns only the user of the public service of Justice, the third party to the legal proceedings being able to engage only the liability without fault of the State for breach of equality before public charges.

During 2021, the number of new liability actions brought against the State in connection with the functioning of the civil and criminal justice is 1 016 (compared with 908 in 2020, and 510 in 2019). Of these 1 016 new cases, 754 relate to the excessive length of proceedings before labour courts. In 2021, 580 decisions condemned the State for malfunctioning of the public Justice service, out of a total of 717 decisions on the merits of the case (compared with 249 convictions out of 398 decisions in 2020, and 352 convictions out of 485 decisions in 2019).

Out of the 717 decisions, 530 decisions involve the State's responsibility for the excessive length of proceedings, of which 31 decisions concern the length of proceedings in criminal matters and 499 in civil matters (compared with 17 convictions for excessive length in criminal matters and 200 in civil matters in 2020).

The amount of the condemnations is of 2 514 646,05 euro for excessive length of proceedings out of a total amount of 5 225 167,81 euros (compared with 1 388 393 euros out of a total of 1 975 018 euros in 2020).

2) With regard to actions based on Article 149 et seq. of the Code of Criminal Procedure: article 149 of the Code of Criminal Procedure gives the right, under certain conditions, to full compensation for the damage suffered as a result of detention in proceedings that have been dismissed, acquitted or discharged. Any person who has been held in pre-trial detention during proceedings which have ended in a decision to dismiss, discharge or acquit that has become final, shall be entitled, subject to the exceptions precisely defined by Article 149 of the CCP, at his or her request, to full compensation for the moral and material damage caused by this detention. The compensation awarded is payable by the State.

It is the First president of the court of appeal within whose jurisdiction the decision to dismiss, discharge or acquit, resulting in the detainee's innocence, has been taken, who decides, after a public and contradictory procedure, by a reasoned decision that can be appealed to the national commission for compensation for detention placed at the Court of Cassation (CNRD). According to data from the State Judicial Agent (SJA) (Sillage application and dashboards), the key data for 2021 are as follows: 571 new cases registered; 575 decisions handed down by the First presidents of the courts of appeal; 19 settlements concluded; 53 decisions rendered by the CNRD with an average detention period of almost 140 days; 28 appeals to the CNRD in 2021 (12 at the initiative of the SJA and 16 at the initiative of the applicants). Source - Sub-Directorate for Legal Affairs, SEM, General Secretariat

**Q037 (2020):** "The sub-directorate for legal affairs of the Ministry of Justice, in conjunction with the State judicial agent, monitors liability actions relating to the defective operation of the public justice service (essentially based on Article L. 141-1 of the Code of Judicial Organization, with regard to users of this service).

The State's judicial agent directly follows up actions for compensation for pre-trial detention undergone in the context of criminal proceedings that have ended with a decision to dismiss, discharge or acquit (Articles 149 et seq. of the Code of Criminal Procedure).

1. With regard to liability actions relating to the defective functioning of the public service of justice:

The vast majority of them are based on article L. 141-1 of the Code of Judicial Organization.

Under the terms of this article, the State is obliged to repair the damage caused by the defective functioning of the judicial service. Except in the case of specific provisions, this liability is only incurred by gross negligence or by a denial of justice. This system of liability concerns only the user of the public service of justice, the third party to the legal proceedings being able to engage only the liability without fault of the State for breach of equality before public charges.

During the year 2020, the number of new liability actions brought against the State for gross negligence or denial of justice is 908 compared to 510 in 2019. During the same year 2020, 249 decisions condemned the State for malfunctioning of the public service of justice against 352 in 2019, out of a total of 398 decisions on the merits rendered in this matter.

Of the 249 condemnation decisions, 217 decisions implicated the responsibility of the State due to the excessive length of the proceedings, of which 17 decisions concerned proceedings in criminal matters and 200 in civil matters.

The amount of the sentences pronounced is 1,388,393 euros for excessive length of proceedings out of a total amount of 1,975,018 euros. 2. Article 149 of the Code of Criminal Procedure gives the right, under certain conditions, to full compensation for the damage suffered as a result of detention in the context of proceedings that have been dismissed, acquitted or discharged.

Any person who has been remanded in custody in the course of proceedings that have ended in a decision to dismiss, discharge or acquit that has become final, is entitled, with the exceptions specifically defined by Article 149 of the Code of Criminal Procedure, at his or her request, to full compensation for the moral and material damage caused by this detention. The compensation awarded is to be paid by the State.

It is the first president of the court of appeal in whose jurisdiction the decision to dismiss the case, acquit or acquit the detainee was handed down, which results in the detainee's innocence, who decides, after a public and contradictory procedure, by a reasoned decision that can be appealed to the national commission for compensation for detentions placed at the Court of Cassation (CNRD).

According to data from the State Judicial Agent (Sillage application and follow-up tables), the key data for the year 2020 are as follows

- 423 new cases registered.
- 436 decisions rendered by the first presidents of the courts of appeal.
- 8 settlements reached.
- 83 decisions rendered by the CNRD with an average length of compensated detention of less than 400 days.

27 appeals to the CNRD in 2020 (4 at the initiative of the AJE and 23 at the initiative of the claimants)

**Q037 (2019):** 1) The Legal Affairs Sub-Directorate of the Ministry of Justice monitors, in conjunction with the State's judicial agent, liability actions relating to the defective operation of the public service of justice. The vast majority of them are based on Art. L. 141-1 of the Judicial Organization Code. The State is required to repair the damage caused by the defective functioning of the justice system. Except in the case of special provisions, this liability is engaged in respect of court users in case of gross negligence or denial of justice. The third party in the proceedings can engage only the no-fault liability of the State for breach of equality.

In 2019, the number of new liability actions brought against the State for gross negligence or denial of justice is 510, compared with 482 in 2018. 352 decisions condemned the State for malfunctioning of the justice against 393 in 2018 (out of a total of 513). Of the 352 convictions, 302 decisions involved State responsibility due to the excessive length of proceedings (20 in criminal matters and 283 in civil matters) and the amount of 1,599,340 euros was paid out of a total amount of 5 292 676, 47 euros.

2) Article 149 of the Criminal Procedure Code entitles the accused to full compensation from the State, under certain conditions, for damages suffered as a result of detention in connection with proceedings that have been dismissed, discharged or acquitted. It is the first president of the court of appeal in whose jurisdiction the decision of dismissal/ acquittal was pronounced, who decides, after a public and contradictory procedure, by a motivated decision that can be appealed to the national commission for reparation of detentions before the Court of Cassation (CNRD). The State's judicial officer directly follows such actions for compensation. The key data for the year 2019 are as follows: 519 new cases registered; 408 decisions handed down by the first presidents of courts of appeal; 4 transactions concluded. 83 decisions handed down by CNRD with an average compensated detention period of less than 400 days. 55 appeals to the CNRD in 2019 (7 at the initiative of the AJE and 48 at the initiative of the claimants).

**Q037 (2016):** The category “other” refers to compensation for pre-trial detention. Indeed, article 149 of the Criminal Procedure Code provides for the right, under certain conditions, to full compensation for the damage suffered as a result of detention in the context of proceedings which have been the subject of a decision of dismissal, release or acquittal. Any person who has been detained in custody in the frame of proceedings terminated by a decision of dismissal, release or acquittal that has become final is entitled, subject to exceptions specifically pinpointed by article 149 of the Criminal Procedure Code, at his/her request, to full compensation for the moral and material damage caused by such detention. The compensation awarded shall be borne by the State. It is the first president of the Court of Appeal in whose jurisdiction the decision of dismissal, release or acquittal resulting in the innocence of the detainee has been pronounced, who rules, after a public and contradictory procedure, by a reasoned decision subject to appeal before the National Commission for Compensation of Detentions placed within the Court of Cassation (CNRD).

According to the computer application of the State judicial officer, the latter would have recorded 468 requests in 2012, 480 in 2013, 553 in 2014, 521 in 2015 and 491 in 2016. In 2015, 528 decisions were rendered by the First Presidents of Courts of Appeal. Of these 528 decisions, 84 resulted in rejection and 444 in compensation. 499 decisions were rendered in 2016 (the rejection/compensation ratio is not available). The number of appeals brought before the National Commission for Reparation of Detentions is stable in 2015 and 2016 since the NCRD registered 62 and 61 appeals respectively for these two years. CNRD rendered 84 decisions for the year 2015 and 64 decisions for the year 2016.

## Germany

**Q037 (General Comment):** According to the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings (Gesetz über den Rechtsschutz bei überlangen Gerichtsverfahren und strafrechtlichen Ermittlungsverfahren) a person affected may file a complaint about undue delay (censure of delay) to the court seized of the case if proceedings seem unreasonably long. Subsequently, the person affected may bring a court action claiming compensation. The claim may be brought even before completion of the main proceedings. Adequate compensation is granted for pecuniary and nonpecuniary disadvantages. In criminal proceedings, the passage of time between the offence and the conviction, as well as the length of the proceedings, must also be taken into account and compensated ex officio by the court and the public prosecutor’s office in favour of the accused. Depending on the extent of the delay and the disadvantages suffered by the accused as a result, compensation may be provided by a ruling that a quantified part of the sentence imposed is already deemed to have been enforced (this will be stated in the operative part of the judgment). In individual cases, it may suffice – even at the investigation stage by the public prosecutor’s office – to discontinue proceedings (e.g. pursuant to Sections 153, 153a or 154 of the German Code of Criminal Procedure [Strafprozessordnung – StPO]), to dispense with imposing a penalty (Section 60 of the German Criminal Code [Strafgesetzbuch – StGB]) or, in the event of minor delays, to establish in the grounds of the judgment that the proceedings have been delayed in breach of the rule of law. In extreme cases, undue delay may constitute a procedural impediment that requires the court to terminate proceedings. If compensation has been provided in the criminal proceeding, except for compensation for material damage, the accused has received sufficient redress and is not further entitled to compensation in accordance with the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings. If parties to a legal dispute suffer damage due to the excessive length of court proceedings, a compensation claim may also ensue under Section 839 of the German Civil Code (Bürgerliches Gesetzbuch – BGB) in conjunction with Article 34 of the German Basic Law (Grundgesetz – GG). A claim under these provisions requires that an official intentionally or negligently breaches the official duty incumbent upon him in relation to a third party. If the official breaches his duties in a judicial decision in a legal matter, then the state is only liable if the breach of duty consists in a criminal offence. This limitation does not apply if the official refuses or delays the exercise of his duty. However, the manner in which a judge conducts the legal proceedings may only be examined for its justifiability due to the constitutional principle of judicial independence. If the official responsible for the execution of the court decision has delayed compulsory enforcement intentionally or negligently and in breach of his official duty, a compensation claim may ensue under Section 839 of the German Civil Code in conjunction with Article 34 of the German Basic Law. A claim may also exist under Section 839 of the German Civil Code in conjunction with Article 34 of the German Basic Law in cases of wrongful arrest if the official responsible intentionally or negligently breaches the official duty. Decisions by the judge responsible for matters of custody, as well as discretionary decisions by the public prosecution office in criminal investigation proceedings, may, however, only be examined for their justifiability. In the case of a wrongful conviction a state liability claim requires that the judge responsible intentionally or negligently breaches the official duty in such a way that the breach of duty consists in a criminal offence.

Anyone who has suffered damage from a criminal conviction is compensated by the Treasury if the conviction is quashed or reduced in reopened proceedings or otherwise in criminal proceedings after having become final and binding (Section 1(1) of the Act on Compensation for Criminal Prosecution Measures [Gesetz über die Entschädigung für Strafverfahrensmaßnahmen]).

**Q037 (2020):** According to the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings (Gesetz über den Rechtsschutz bei überlangen Gerichtsverfahren und strafrechtlichen Ermittlungsverfahren) a person affected may file a complaint about undue delay (censure of delay) to the court seized of the case if proceedings seem unreasonably long. Subsequently, the person affected may bring a court action claiming compensation. The claim may be brought even before completion of the main proceedings. Adequate compensation is granted for pecuniary and non-pecuniary disadvantages.

In criminal proceedings, the passage of time between the offence and the conviction, as well as the length of the proceedings, must also be taken into account and compensated *ex officio* by the court and the public prosecutor's office in favour of the accused. Depending on the extent of the delay and the disadvantages suffered by the accused as a result, compensation may be provided by a ruling that a quantified part of the sentence imposed is already deemed to have been enforced (this will be stated in the operative part of the judgment). In individual cases, it may suffice – even at the investigation stage by the public prosecutor's office – to discontinue proceedings (e.g. pursuant to Sections 153, 153a or 154 of the German Code of Criminal Procedure [Strafprozessordnung – StPO]), to dispense with imposing a penalty (Section 60 of the German Criminal Code [Strafgesetzbuch – StGB]) or, in the event of minor delays, to establish in the grounds of the judgment that the proceedings have been delayed in breach of the rule of law. In extreme cases, undue delay may constitute a procedural impediment that requires the court to terminate proceedings. If compensation has been provided in the criminal proceeding, except for compensation for material damage, the accused has received sufficient redress and is not further entitled to compensation in accordance with the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings.

If parties to a legal dispute suffer damage due to the excessive length of court proceedings, a compensation claim may also ensue under Section 839 of the German Civil Code (Bürgerliches Gesetzbuch – BGB) in conjunction with Article 34 of the German Basic Law (Grundgesetz – GG). A claim under these provisions requires that an official intentionally or negligently breaches the official duty incumbent upon him in relation to a third party. If the official breaches his duties in a judicial decision in a legal matter, then the state is only liable if the breach of duty consists in a criminal offence. This limitation does not apply if the official refuses or delays the exercise of his duty. However, the manner in which a judge conducts the legal proceedings may only be examined for its justifiability due to the constitutional principle of judicial independence.

If the official responsible for the execution of the court decision has delayed compulsory enforcement intentionally or negligently and in breach of his official duty, a compensation claim may ensue under Section 839 of the German Civil Code in conjunction with Article 34 of the German Basic Law.

A claim may also exist under Section 839 of the German Civil Code in conjunction with Article 34 of the German Basic Law in cases of wrongful arrest if the official responsible intentionally or negligently breaches the official duty. Decisions by the judge responsible for matters of custody, as well as discretionary decisions by the public prosecution office in criminal investigation proceedings, may, however, only be examined for their justifiability.

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**Q037 (2019):** According to the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings (Gesetz über den Rechtsschutz bei überlangen Gerichtsverfahren und strafrechtlichen Ermittlungsverfahren) a person affected may file a complaint about undue delay (censure of delay) to the court seized of the case if proceedings seem unreasonably long. Subsequently, the person affected may bring a court action claiming compensation. The claim may be brought even before completion of the main proceedings. Adequate compensation is granted for pecuniary and non-pecuniary disadvantages.

If parties to a legal dispute suffer damage due to the excessive length of court proceedings, a compensation claim may also ensue under Section 839 of the German Civil Code (Bürgerliches Gesetzbuch – BGB) in conjunction with Article 34 of the German Basic Law (Grundgesetz – GG). A claim under these provisions requires that an official intentionally or negligently breaches the official duty incumbent upon him in relation to a third party. If the official breaches his duties in a judicial decision in a legal matter, then the state is only liable if the breach of duty consists in a criminal offence. This limitation does not apply if the official refuses or delays the exercise of his duty. However, the manner in which a judge conducts the legal proceedings may only be examined for its justifiability due to the constitutional principle of judicial independence.

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A claim may also exist under Section 839 of the German Civil Code in conjunction with Article 34 of the German Basic Law in cases of wrongful arrest if the official responsible intentionally or negligently breaches the official duty. Decisions by the judge responsible for matters of custody, as well as discretionary decisions by the public prosecution office in criminal investigation proceedings, may, however, only be examined for their justifiability.

In the case of a wrongful conviction a state liability claim requires that the judge responsible intentionally or negligently breaches the official duty in such a way that the breach of duty consists in a criminal offence.

Anyone who has suffered damage from a criminal conviction is compensated by the Treasury if the conviction is quashed or reduced in reopened proceedings or otherwise in criminal proceedings after having become final and binding (Section 1(1) of the Act on Compensation for Criminal Prosecution Measures [Gesetz über die Entschädigung für Strafverfolgungsmaßnahmen – StrEG]). The same applies if a measure of correction and prevention or an ancillary measure has been ordered without a conviction (Section 1(2) of the Act on Compensation for Criminal Prosecution Measures). In cases of acquittal, discontinuation of the proceedings or refusal to initiate the main proceedings, Section 2(1) of the Act on Compensation for Criminal Prosecution Measures provides for compensation for the damage suffered due to the execution of remand detention or temporary arrest. Where the proceedings are discontinued in accordance with a discretionary provision, compensation may be granted ex bono (Section 3 of the Act on Compensation for Criminal Prosecution Measures).

The subject of the compensation is the property damage caused by the criminal prosecution measure. In cases of deprivation of liberty on the basis of a court ruling, this can also be immaterial damage (section 7(1) of the Act on Compensation for Criminal Prosecution Measures). The current immaterial compensation is €25 for each day of deprivation of liberty commenced. Currently, legislative proceedings are ongoing to raise this amount of compensation up to €75 per day (BT-Drs. 1614700).

**Q037 (2018):** As a general rule, in the case of excessively long court proceedings, the person concerned has to file a complaint about undue delay (*Verzögerungsrüge*) with the court at which the proceedings seem excessively long. If necessary, he or she can then file an application for compensation even if the original proceedings have not yet been concluded. Adequate compensation is granted for pecuniary disadvantages. To the extent that an alternative form of redress would appear insufficient, a fixed amount of €1,200 per year is granted as a general rule for non-pecuniary disadvantages. The law of state liability is only partly regulated by national law (see below). In addition, there are provisions of Land law, as well as customary and judge-made law.

Provisions of federal law

If the parties to a legal dispute suffer damage because of the excessive length of proceedings, a compensation claim may ensue from section 839 of the Civil Code (*Bürgerliches Gesetzbuch, BGB*) in conjunction with Article 34 of the Basic Law (*Grundgesetz, GG*) if there is a case of an official being culpable of refusal or delay in exercising a public function in breach of duty (section 839 (2), second sentence, of the Civil Code). However, the manner in which a judge conducts the proceedings within the scope of section 839 (2), second sentence, of the Civil Code may only be examined for its justifiability due to the constitutional principle of judicial independence.

A creditor's first port of call in procedural terms against the non-execution of a court decision by a bailiff is to lodge a reminder in accordance with section 766 (2) of the Code of Civil Procedure. The court responsible for execution rules on the reminder. If a senior judicial officer of the court responsible for execution wholly or partially rejects a creditor's motion to issue a compulsory enforcement measure, the creditor may lodge an immediate complaint (section 567 (1) no. 2 of the Code of Civil Procedure). If the organ responsible for execution has delayed compulsory enforcement culpably and in breach of duty, there may be a compensation claim under section 839 (1) of the Civil Code in conjunction with Article 34 of the Basic Law.

A claim may also exist under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law in the case of wrongful arrest if the acting official can be accused of a culpable breach of official duty. As regards rulings by the judge responsible for matters of custody, as well as discretionary decisions by the public prosecution office in the investigation proceedings, the decision may only be examined for its justifiability.

In the case of a wrongful judgment, there is an official liability claim under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law if the breach of duty consists of a criminal offence (section 839 (2), first sentence, of the Civil Code).

The claim under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law is to be asserted in the courts of ordinary jurisdiction.

Distinct from these claims are compensation claims under provisions of special statutes, which as a rule are not intended to compensate for the entire damage, but provide lump sums instead.

In cases of acquittal, discontinuation of the proceedings or refusal to initiate the main proceedings, section 2 (1) of the Act on Compensation for Criminal Prosecution Measures (*Gesetz über die Entschädigung für Strafverfolgungsmaßnahmen, StrEG*) provides for compensation for the damage suffered due to the execution of remand detention or temporary arrest. Where the proceedings are discontinued in accordance with a discretionary provision, compensation may be granted ex lege (section 2 of the Act on Compensation for Criminal Prosecution Measures). The

**Q037 (2016):** As a general rule, in the case of excessively long court proceedings, the person concerned has to file a complaint about undue delay (*Verzögerungsrüge*) with the court at which the proceedings seem excessively long. If necessary, he can then file a complaint for compensation even if the original proceedings have not yet been concluded. Adequate compensation is granted for pecuniary disadvantages. To the extent that an alternative form of redress would appear insufficient, a fixed amount of € 1,200 per year is granted as a general rule for non-pecuniary disadvantages.

The law of state liability is only partly regulated by national law (see below). There are in addition provisions of Land law, as well as common and judges' law.

Provisions of federal law

If the parties to a legal dispute suffer damage because of excessive length of proceedings, a damage claim may ensue from section 839 of the Civil Code (*Bürgerliches Gesetzbuch, BGB*) in conjunction with Article 34 of the Basic Law (*Grundgesetz, GG*) if a case of culpable refusal or delay of execution of the office in breach of duty applies, section 839 (2), second sentence, of the Civil Code. However, the manner in which a judge pursues the proceedings within the scope of section 839 (2), second sentence, of the Civil Code may only be examined for justifiability because of the constitutional principle of judicial independence.

A creditor's first port of call in procedural terms against the non-execution of court decisions by a bailiff is to lodge a reminder in accordance with section 766 (2) of the Code of Civil Procedure. The execution court rules on the reminder. If a senior judicial officer of the execution court rejects a creditor's motion completely or in part to issue a compulsory enforcement measure, the creditor may lodge an immediate complaint (section 567 (1) no. 2 of the Code of Civil Procedure). If the execution organ has delayed compulsory enforcement culpably and in breach of duty, there may be a compensation claim under section 839 (1) of the Civil Code in conjunction with Article 34 of the Basic Law.

A claim may also exist under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law in the case of wrongful arrest if the acting official can be accused of a culpable breach of official duty. With rulings of the judge responsible for matters of custody, as well as with discretionary decisions of the public prosecution office in the investigation proceedings, the decision may only be examined for its justifiability.

In the case of a wrongful judgment, there is an official liability claim under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law if the breach of duty consists of a criminal offence, section 839 (2), first sentence, of the Civil Code. The claim under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law is to be asserted in the courts of ordinary jurisdiction.

Distinct from these claims are compensation claims under provisions of special statutes, which as a rule are not intended to compensate for the entire damage, but provide lump sums.

Section 2 (1) of the Act on Compensation for Criminal Prosecution Measures (*Gesetz über die Entschädigung für Strafverfolgungsmaßnahmen, StrEG*) provides in cases of acquittal, discontinuation of the proceedings or refusal to initiate the main proceedings for compensation for the damage suffered by remand detention or temporary arrest that have been carried out. Where the proceedings are discontinued in accordance with a discretionary provision, compensation can be granted *ex bono*, section 3 of the Act on Compensation for Criminal Prosecution Measures. The subject of the compensation is the property damage caused by the criminal prosecution measures in the case

## Greece

**Q037 (2022):** -Articles 538,539,540 of the Code of Criminal Procedure

-According to the Council of the State (1501/2014) and in line with the case law of the CJUE, the State may be held liable for damages to the citizen in case of an erroneous judicial decision if there is a manifest error.

-Law 4239/2014 as amended by Law 4842/2021 provides for fair compensation for excessive length of proceedings

**Q037 (2018):** Chapter C L.4055/2012 and Articles 1-7 L.4239/2014 provide for the compensation system for the cases brought before administrative, Civil and Criminal courts.

Furthermore, according to Criminal Procedure Court there is a provisional compensation between 8,804 euro and 29,347 euro per day, for the wrongly convicted, which is granted by a relevant judicial decision.

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Furthermore, according to Criminal Procedure Court there is a provisional compensation between 8,804 euro and 29,347 euro per day, for the wrongly convicted, which is granted by a relevant judicial decision.

## Hungary

**Q037 (General Comment):** Excessive length: If the court is not able to finish the cases within reasonable time a compensation may be awarded to the parties. The court decides about the compensation in a fast track procedure. Non-execution of court decisions: Usually the court orders a 15 day deadline for fulfilling its final decision. If the party that is obliged to do so does not fulfil this obligation he/she also has to pay an interest from that day. Wrongful arrest: The damages occurred for wrongful arrest, house arrest or preliminary detention at a psychiatric institution shall be compensated. Wrongful condemnation: If the person was convicted, but later - as a result of an extraordinary review procedure - he/she was not found guilty or received a lenient punishment. Any pecuniary punishment or cost of the procedure that was paid by the accused person should be repaid with interest included. Other: the court awards a compensation if the circumstances of the imprisonment of a convicted or arrested person violate his/her fundamental rights.

**Q037 (2022):** As regards private law, we highlight the possibility to enforce claims based on Act XCIV of 2021 on the Enforcement of Property Compensation for Delay in Civil Proceedings.

The act defines the timeframe which may be regarded as reasonable and which is absolutely sufficient for the court to carry out the procedural steps necessary for a well-founded decision in the case.

As a general rule, the duration of court proceedings is considered reasonable if it does not exceed sixty months from the date of commencement of the proceedings at first instance to the date of notification of the final decision closing the proceedings. A claim may also be brought in the event of a delay in the procedure phase. The duration of the procedural phase is considered reasonable if, for example, the duration of procedural phase at first instance does not exceed thirty months, the duration of procedural phase at second instance does not exceed eighteen months, and the duration of the review proceedings does not exceed twelve months. A shorter objective timeframe is set for specific cases that need to be dealt with quickly such as cases related to personal status, child support and employment. However, depending on the circumstances of a given case, the court seized may, at its judicial discretion, set a shorter timeframe as reasonable. A claim for compensation may be brought in relation to both pending and concluded cases if either the duration of the entire proceedings or a procedural phase exceeds the reasonable timeframe defined by law.

If the duration of the court proceedings or procedural phase exceeds the timeframe considered reasonable, the party may claim monetary compensation from the court conducting the delayed proceedings at the rate set by government decree (HUF 400,- per day). The compensation awarded is in proportion to the duration of the court proceedings. [see also the Government Decree 372/2021 (VI. 30.) on the amount of property compensation for delay in civil proceedings and the rules for calculating the amount to be paid.]

Concerning criminal law, we would add that in case of an unlawful arrest, imprisonment, confinement, placement in a juvenile correctional institution or compulsory psychiatric treatment, a recompensation procedure as included in the Criminal Procedural Act, may be initiated. The person entitled to compensation may choose to enter into an agreement with the Ministry of Justice in a simplified procedure, in the framework of which a settlement is reached on the amount of the compensation, or to file a lawsuit and the court will decide on the amount of the compensation.

In case of an agreement in the simplified compensation procedure, the compensation is adjusted to the number of days of unlawful deprivation of liberty, the amount per day is seven thousand forints (in the case of criminal supervision, the amount per day of compensation is three thousand five hundred forints).

**Q037 (2020):** There is no national level database containing the data for the question.

**Q037 (2019):** Excessive length:

If the court is not able to finish the cases within reasonable time a compensation may be awarded to the parties. The court decides about the compensation in a fast track procedure. The government given before the Parliament in October 2018 a bill proposal on the financial compensation related to the prolongation of certain court proceedings.

Non-execution of court decisions:

Usually the court orders a 15 day deadline for fulfilling its final decision. If the party that is obliged to do so does not fulfil this obligation he/she also has to pay an interest from that day.

Wrongful arrest:

The damages occurred for wrongful arrest, house arrest or preliminary detention at a psychiatric institution shall be compensated.

Wrongful condemnation:

If the person was convicted, but later - as a result of an extraordinary review procedure - he/she was not found guilty or received a lenient punishment. Any pecuniary punishment or cost of the procedure that was paid by the accused person should be repaid with interest included.

Other: the court awards a compensation if the circumstances of the imprisonment of a convicted or arrested person violate his/her fundamental rights.

**Q037 (2018): Excessive length:**

If the court is not able to finish the cases within reasonable time a compensation may be awarded to the parties. The court decides about the compensation in a fast track procedure. The government given before the Parliament in October 2018 a bill proposal on the financial compensation related to the prolongation of certain court proceedings.

**Non-execution of court decisions:**

Usually the court orders a 15 day deadline for fulfilling its final decision. If the party that is obliged to do so does not fulfil this obligation he/she also has to pay an interest from that day.

**Wrongful arrest:**

The damages occurred for wrongful arrest, house arrest or preliminary detention at a psychiatric institution shall be compensated.

**Wrongful condemnation:**

If the person was convicted, but later - as a result of an extraordinary review procedure - he/she was not found guilty or received a lenient punishment. Any pecuniary punishment or cost of the procedure that was paid by the accused person should be repaid with interest included.

Other: the court awards a compensation if the circumstances of the imprisonment of a convicted or arrested person violate his/her fundamental rights.

## Italy

**Q037 (2021):** The number of condemnations is higher than the number of requests because the former refers to condemnations in year 2021 and some of them were initiated in previous years.

**Q037 (2019):** Unfortunately, the total amount in € is not available at this stage. This is a figure whose source is external to our administration (Ministry of Economy and Finance), hence we cannot guarantee its reliability.

**Q037 (2018):** Please note that the last two columns at Q.37 (number of condemnations and total amount in euros) refer to those compensating procedures cleared (actually paid) in 2018. Therefore, not necessary they refer to compensation procedures initiated in 2018 (first column).

PS: Given the wide diversity of such procedures we believe that the total doesn't make much sense, hence NA.

## Latvia

**Q037 (General Comment):** In Latvia, there is no compensation in the category "Non-execution of court decisions". In civil proceedings it is possible for individuals in Latvia to bring an action against the State for damages caused by the malfunctioning, or abnormal functioning, of the justice system (for example in case of excessive length of proceedings). The basis for bringing such an action is Article 92 of the Constitution of Latvia, which states that "Everyone, where his or her rights are violated without basis, has a right to commensurate compensation."

**Q037 (2022):** Number of requests for compensation - received at the Ministry of Justice (no data about requests received at prosecutor's office).

The Ministry of Justice informs that the total amount of compensation in 2022 consists of non-pecuniary damages 62147.40 euros, damages 35 699.71 euros, state social insurance contributions 4 776.49 euros and personal income tax compensation 1 912.68 euros.

The Ministry of Justice also informs that the compensation procedure and the calculation method for the compensation is regulated in a Law on compensation for damage caused in criminal proceedings and administrative violations. According to Article 15 the compensation calculation method of non-pecuniary damages for one unjustified detention day is minimum wage for month divided by 30, then the result without decimal places is multiply by 2. For example compensation for one unjustified detention day in 2021 was 32 euros ((500 euros : 30 = 16,66 euros); 16 euro x 2 x 1 day = 32 euros).

**Q037 (2021):** The Ministry of Justice informs that it does not have a separate statistic about circumstances mentioned in Article 037.

The Ministry of Justice informs that the total amount of compensation in 2021 consists of non-pecuniary damages 75350 euros, damages 18708,39 euros, state social insurance contributions 2053,21 euros and personal income tax compensation 1100,40 euros.

The Ministry of Justice also informs that the compensation procedure and the calculation method for the compensation is regulated in a Law on compensation for damage caused in criminal proceedings and administrative violations. According to Article 15 the compensation calculation method of non-pecuniary damages for one unjustified detention day is minimum wage for month divided by 30, then the result without decimal places is multiply by 2. For example compensation for one unjustified detention day in 2021 was 32 euros ((500 euros : 30 = 16,66 euros); 16 euro x 2 x 1 day = 32 euros).

**Q037 (2020):** The Ministry of Justice informs that it does not have a separate statistic about circumstances mentioned in Article 037.

The Ministry of Justice informs that the total amount of compensation in 2020 consists of non-pecuniary damages 69 889,70 euros, damages 31 471,31 euros, state social insurance contributions 1867,12 euros and personal income tax compensation 820,09 euros.

The Ministry of Justice also informs that the compensation procedure and the calculation method for the compensation is regulated in a Law on compensation for damage caused in criminal proceedings and administrative violations. According to Article 15 the compensation calculation method of non-pecuniary damages for one unjustified detention day is minimum wage for month divided by 30, then the result without decimal places is multiply by 2. For example compensation for one unjustified detention day in 2020 was 28 euros ((430 euros : 30 = 14,33 euros); 14 euro x 2 x 1 day = 28 euros).

In Latvia, there is no compensation in the categories "Non-execution of court decisions" and "Number of condemnations".

**Q037 (2019):** For 2019 the number of requests is almost the same than for 2018, while the amount decreased considerably. In 2018, in respect of separate legal proceedings and damages decisions, significant amounts of compensation have been determined compared to other cases. In 5 cases the amount of compensations was bigger than 10 000 euro, representing together 118,687.31 euro. Among those 5 cases, one compensation amount was 50 000 euro. Important compensations are an exception, not a routine, but sometimes they are and have a significant impact on the amount of reimbursement paid.

**Q037 (2018):** Cost increase exist because in 2016 there was less disbursement than in previous five years as well as the lowest expense rate since 2010. It is alleged that there was simply a coincidence in the cost of the claims, where no serious infringement of the rights of the individual could be established to determine a high level of non-pecuniary damage, or the amount of the loss was not high.

**Q037 (2016):** The Law on Compensation for Damages Caused by Unlawful or Unfounded Actions of Investigators, Prosecutors or Judges (Par izziņas izdarītāja, prokurora vai tiesneša nelikumīgas vai nepamatotas rīcības rezultātā nodarīto zaudējumu atlīdzināšanu; hereafter – "the Law on Compensation") determines the extent and the procedure of recovering losses, which as a result of the unlawful or groundless action of an investigator, prosecutor or judge in the course of fulfilling their official duties, are caused to natural

persons, as well as establishes the procedure in which the offended social and employment guarantees of such persons are ensured.

Article 2 of the Law on Compensation determines that legal basis for compensation for losses is: 1) a judgment of acquittal, regardless of the reason for acquittal; 2) termination of a criminal case due to person's exonerating circumstances; 3) recognition of an administrative apprehension as unlawful, and termination of the administrative proceedings.

Paragraph 1 of Article 7 of the Law on Compensation determines that the requests for damages must be submitted to the Ministry of Justice or the Office of the Prosecutor General, depending on the stage in which the proceedings have been terminated.

Paragraph 3 of Article 5 of the Law on Compensation determines that the in relation to non-pecuniary damages, a person is entitled to submit a civil claim to a court of general jurisdiction. The court of general jurisdiction determines the amount of the compensation in civil cases considering the severity of the non-pecuniary damage and other circumstances, for example, excessive length of proceedings.

The Ministry of Justice collects information only about the total number of requests for compensation and the total paid amount.

## Lithuania

**Q037 (2020):** Total - compensation for damage caused by public authorities + compensation for damage caused by public prosecutors and courts;

Other - compensation for damage caused by public authorities;

**Q037 (2019):** In category "other" the data on the number of requests for compensation is from the Ministry of Justice only, and the number of condemnations data is related to the judgements of all the State institutions, thus the number of condemnations is that much higher. The major part of applicants apply against the State to the court directly, thus the Ministry of Justice has information about the claims against the State in cases where it is the representative of the State only. Also the Ministry of Justice has data on satisfied claims in courts as it is responsible for the enforcement of these judgements.

Category "other" includes damage awarded because of the illegal actions of state institutions or officers and damage awarded because of improper imprisonment conditions.

**Q037 (2018):** Under the Civil Code and the Law on the Compensation of the Harm Caused by Illegal Actions of Public Authorities and Representation of the State of the Republic of Lithuania the damage resulting from the unlawful condemnation, unlawful arrest, unlawful detention, unlawful application of procedural coercive measures, illegal application of administrative penalty – arrest has to be reimbursed by the state in full, regardless of pre-trial investigation officers, prosecutors and court officials' fault. Compensations for unlawful arrest and unlawful condemnation are paid from separate budgetary program on compensation of damages operated by the Ministry of Justice. These compensations may be paid according to court decisions on damages as well as through out-of-court procedure.

Damages can be compensated after court trial and without court trial (the property damage cannot exceed 1500 EUR, the moral damage cannot exceed 2900 EUR). Information above has been given on both cases.

N.B. In 2016 there was provided information about out-of-court procedure only. In 2018 in order to disclose the complete situation the data is provided also including situations when applicants take an application to the court directly. This can cause some differences in two periods (2016 and 2018).

**Q037 (2016):** Under the Civil Code and the Law on the Compensation of the Harm Caused by Illegal Actions of Public Authorities and Representation of the State the damage resulting from the unlawful condemnation, unlawful arrest, unlawful detention, unlawful application of procedural coercive measures, illegal application of administrative penalty – arrest has to be reimbursed by the state in full, regardless of pre-trial investigation officers, prosecutors and court officials' fault. Compensations for unlawful arrest and unlawful condemnation are paid from separate budgetary program on compensation of damages operated by the Ministry of Justice. These compensations may be paid according to court decisions on damages as well as through out-of-court procedure. Damages can be compensated after court trial and without court trial (the property damage can not exceed 1500 EUR, the moral damage can not exceed 2900 EUR).

## Luxembourg

**Q037 (General Comment):** The law of 1st September 1988 concerning the civil liability of the State and public authorities allows for bringing before ordinary courts the civil liability of the State if a litigant considers themselves to have been a victim of defective functioning within judicial bodies. Excessive duration of procedures or a conviction resulting from such dysfunction could motivate such action. These complaints are brought before first instance courts. However, complaints regarding excessive duration of proceedings may also be brought before the European Court of Human Rights (violation of Article 6 ECHR) or result in procedural sanctions during proceedings. The latter actions do not, however, feature prominently within our systems. Thus, diversity among stakeholders makes it challenging to identify claims and compensation decisions for different categories, rendering it difficult to provide figures reflecting reality. Nonetheless, we were able to supplement data pertaining to compensation for unjustified arrest as provided by the law dated 30th December 1981 on indemnification in cases involving ineffective pre-trial detention.

**Q037 (2021):** The law of 1 September 1988 on the civil liability of the State and public authorities allows the State to be held civilly liable before the ordinary courts if a person considers that he or she has been victim of a defective functioning of the judicial bodies. Excessive length of proceedings or a conviction resulting from such malfunctioning could be grounds for such an action. These complaints are brought before first instance courts. However, complaints about excessive length of proceedings can also be brought before the European Court of Human Rights (violation of Article 6 of the European Convention on Human Rights) or result in a procedural sanction during the proceedings. However, these last procedural steps do not appear in our systems. Thus, the diversity of the actors involved makes it difficult to identify the claims and decisions on compensation for the different categories and does not allow us to provide figures that reflect reality. However, it was possible to complete the table concerning compensation for wrongful arrest, provided for by the law of 30 December 1981, concerning compensation for inoperative preventive detention. The figures available for compensation for wrongful arrest represent the requests and decisions granting compensation for inoperative preventive detention (IPD) (<https://mj.gouvernement.lu/fr/service-citoyens/detentionpreventive.html>) as well as the total amount paid. We would like to point out, however, that in the context of the aforementioned law of 30 December 1981, it is not appropriate to speak of convictions, but of administrative decisions that can be appealed before the administrative courts.

**Q037 (2020):** The law of September 1, 1988 on the civil liability of the State and public authorities allows the State to be held civilly liable before the ordinary courts if a person believes that he or she has been the victim of a defective operation of the judicial bodies. Excessive length of proceedings or a conviction resulting from such malfunctioning could be grounds for such an action. These complaints are brought before the courts of first instance. However, complaints about excessive length of proceedings can also be brought before the European Court of Human Rights (violation of Article 6 of the Convention on Human Rights) or result in a procedural sanction during the proceedings. However, these last approaches do not appear in our systems. Thus, the diversity of the actors involved makes it difficult to identify the claims and decisions on compensation for the different categories and does not allow us to provide figures that reflect reality. However, it was possible to complete the table concerning compensation for unjustified arrest, provided for by the law of December 30, 1981, concerning compensation for inoperative preventive detention. The figures available for compensation for wrongful arrest represent the requests and decisions granting compensation for inoperative preventive detention (IPD) (<https://mj.gouvernement.lu/fr/service-citoyens/detentionpreventive.html>) as well as the total amount paid. We would like to point out, however, that in the context of the aforementioned law of December 30, 1981, it is not appropriate to speak of convictions, but of administrative decisions.

**Q037 (2019):** The law of September 1, 1988 on the civil liability of the State and public authorities allows the State to be held civilly liable before the ordinary courts if a litigant considers that s/he has been the victim of a malfunctioning of the judicial bodies. An excessive length of proceedings or a conviction resulting from such a malfunction could motivate such an action. Such complaints are brought before first instance courts. However, complaints concerning the excessive length of proceedings may also be brought before the European Court of Human Rights (violation of article 6 of the ECHR) or result in a procedural sanction during the proceedings. However, these latter steps do not appear in our systems. Thus, the diversity of the actors involved makes the identification of claims and compensation decisions for the different categories difficult and does not allow for the provision of figures reflecting reality. However, it was possible for us to complete the table concerning compensation for unjustified arrest, provided for by the law of December 30, 1981 on compensation for inoperative pre-trial detention. The figures available for compensation for unjustified arrest represent the claims and decisions granting compensation in the context of inoperative preventive detention (IPR) (<https://mj.gouvernement.lu/fr/service-citoyens/detention-preventive.html>) as well as the total amount paid. However, we would like to point out that, in the framework of the above-mentioned law of December 30, 1981, we should not speak of convictions, but of administrative decisions.

**Q037 (2016):** In all cases compensation, in particular on the basis of the civil liability of the State, is possible, but there is no data.

## Malta

**Q037 (2022):** Under article 3 of the 7th protocol of the European Convention for Human Rights there is the right to compensation for wrongful conviction whilst under article 5(5) of the European Convention of Human Rights (transposed as Chapter 319 of the Laws of Malta), there is the right to compensation for unlawful detention. However no data is available.

**Q037 (2021):** Under article 3 of the 7th protocol of the European Convention for Human Rights there is the right to compensation for wrongful conviction whilst under article 5(5) of the European Convention of Human Rights (transposed as Chapter 319 of the Laws of Malta), there is the right to compensation for unlawful detention. For the purpose of the evaluation, 'unlawful detention' falls under the category 'Wrongful arrest' even if the difference between the two is being acknowledged. For both categories, no data is available.

**Q037 (2020):** Under article 3 of the 7th protocol of the European Convention for Human Rights there is the right to compensation for wrongful conviction whilst under article 5(5) of the European Convention of Human Rights (transposed as Chapter 319 of the Laws of Malta), there is the right to compensation for unlawful detention. However no data is available.

**Q037 (2018):** The items listed at Q37 form the basis of constitutional remedies on the basis of breaches of fundamental human rights. In this respect, such grievances are not covered by our compensation procedure and legislation.

**Q037 (2016):** The above requested data is not available, as in accordance with our system, an individual has to institute constitutional redress proceedings in order for the court to declare that the individual suffered a violation of his fundamental human rights resulting from length of proceedings or arbitrariness through detention. The compensation awarded by the domestic courts depends on the length of proceedings and the gravity of the case, and whilst such cases are instituted in accordance to Maltese law, this data is not available.

## Netherlands

**Q037 (General Comment):** Numbers cannot be provided, as compensation may involve people who were held in custody but were either not accused or not found guilty, damages due to an arrest, or possessed goods that have been damaged, sold, destroyed or gone missing. Numbers for compensation for wrongful arrest or wrongful conviction used to be generated by the Statistics Bureau (CBS), but that line of research was discontinued after 2016.

**Q037 (2022):** There are compensation regulations for certain situations (see 4th Book, Title VIa of the Penal Code). If an offender is acquitted, he/she may request compensation for travel- and accommodation costs, the costs of a lawyer, or because of being held in temporary custody.

**Q037 (2019):** It's not possible to give specific numbers for these categories.

Compensation may involve people who were in custody, but were not accused or found guilty, it may involve damages due to an arrest, or possessed goods that have been damaged, sold, destroyed or have gone missing. Numbers for compensation for wrongful arrest or wrongful conviction used to be generated by the Statistics Bureau (CBS), but that line of research was discontinued after 2016.

**Q037 (2018):** Numbers cannot be provided for this question, as the compensation may involve people who have been in custody but where not accused of found guilty, it may involve damages due to an arrest, or possessed goods that have been damaged / sold / destroyed / gone missing. I don't have numbers specific to the categories you ask for. Also, this involves only a restricted group of 'users'.

**Q037 (2012):** In 2012, in 4 783 cases compensation was awarded for wrongful detention.

## Poland

**Q037 (General Comment):** The rules for granting a sum of money in case of finding excessive length of proceedings are specified in the Act of 17 June 2004 on complaints of violation of the right of a party to hear a case in preparatory proceedings conducted or supervised by a prosecutor and court proceedings without unreasonable delay. According to art. 12 para. 4 of this Act, having regard to the complaint on (excessive), the court adjudicates from the Treasury, and in the case of complaints about the length of the proceedings conducted by the bailiff - from the bailiff, a sum of PLN 2,000 to PLN 20,000. The amount of the monetary sum, within the limits specified in the first sentence, is not less than PLN 500 for each year of the current duration of the proceedings, regardless of the number of stages of proceedings related to the excessive length of proceedings. The court may award a sum of money higher than PLN 500 for each year of the current duration of the proceedings, if the case is of particular importance to the applicant, who by his attitude did not contribute in a manner to prolonging the proceedings. This sum includes the amounts already awarded 16 to the applicant as a sum of money in the same case. No monetary sum is granted in the event of a complaint filed by the State Treasury or public sector units of the public finance sector. The accused, who was acquitted or condemned to a more lenient punishment as a result of the resumption of the proceedings or cassation, serves the State Treasury for damages and compensation for the harm suffered resulting from the execution of all or part of the punishment he was not supposed to incur. This provision shall also apply if the proceedings were discontinued after the convicting decision was abrogated as a result of circumstances which were not taken into account in the earlier proceedings. The right to compensation and redress also arises in connection with the application of a safeguard measure under the conditions laid down in those circumstances. Compensation and redress also apply in the event of undoubtedly unjustified detention or detention (Article 552 of the Code of Criminal Procedure).

**Q037 (2022):** \*246 - number of persons

11 - number of persons

**Q037 (2021):** \*272- number of persons; \*12 - number of persons

The amounts of compensations from chapter 75595 paid in 2021 ordered from the State Treasury are presented below, together with an indication of the legal acts on the basis of which the compensations were ordered.

Specification of damages from chapter 75595 amounts paid in 2021

1. Act of 23 February 1991 on declaring invalid judgments issued against persons repressed for activities in favour of the independent existence of the Polish state = EUR 21,625

2 Article 552 of the Act of 6 June 1997 - Code of Criminal Procedure = €6,707; 3 Act of 17 June 2004 on Complaint for Infringement of the Right of a Party to Investigate a Case in Pre-trial Proceedings Conducted or Supervised by a Public Prosecutor and in Judicial Proceedings without Undue Delay € 1,188

4 other damages: inter alia, compensatory pensions, compensation for property damage, unlawful eviction € 324

5 Act of 7 July 2005 on State compensation to victims of certain criminal acts 71 euro

Total compensation in chapter 75595 137 590 pln 29 915 euro

The amount of funds spent on the payment of compensation to entitled persons results directly from the content of judgments of independent courts deciding on the legitimacy of claims and the amount of compensation awarded. Course of implementation of the expenditure plan in chapter 75595 in the course of the financial year is therefore independent of the activities of the financial services of individual courts, since the payment of funds by the financial branch of the court occurs only on the basis of a final court ruling on the payment of compensation to the entitled person.

**Q037 (2020):** \*229 - number of persons

\*19 - number of persons

Regarding the content of question 37, we would like to inform you that the Ministry of Justice, within its jurisdiction has the following data on the amount of compensation payments also from Section 15 of the State Budget, Chapter 75595, adjudged by the State Treasury in 2020

Specification of compensation from Chapter 75595 in 2020 in euro: 1. On the basis of the Act of 23 February 1991 on the recognition of invalid rulings issued against persons repressed for activities for the benefit of the independent state of Poland -

EUR 13 123 0002 On the basis of Article 552 of the Act of 6 June 1997 Code of Criminal Procedure (Journal of Laws of

2018, item 1987) 4 552 000 euro3. pursuant to the Act of 17 June 2004 on a complaint for violation of a party's right to

examine a case in preparatory proceedings conducted or supervised by a prosecutor and court proceedings without undue

delay (Journal of Laws of 2018, item 75) EUR 1 005 0004. other compensations: inter alia, compensatory pensions,

compensation in property damage, unlawful eviction 114 000 euro

5. under the Act of 7 July 2005 on State Compensation to victims of certain criminal acts 32 000 euro

Total compensations from chapter 75595 - 18 826 000 euro

The amount of funds spent on compensation payments to entitled persons results directly from the content of judgments of independent courts deciding on the legitimacy of claims and the amount of awarded compensation. The course of implementation of the expenditure plan in chapter 75595 during the budget year is therefore independent of the actions of the financial services of individual courts, because the payment of funds by the financial branch of the court, occurs only on the basis of a final court decision to pay compensation to the entitled person.

**Q037 (2019):** The course of the implementation of the expenditure plan in chapter 75595 during the financial year is therefore independent of the actions of the financial services of individual courts, because the payment of funds by the financial department of the court takes place only on the basis of a final court ruling on the payment of compensation to the entitled person.

\*Non execution of decision - 317- number of persons

\*Wrongful conviction - 26- number of persons

## Portugal

**Q037 (General Comment):** There is no data with these levels of disaggregation in Portugal.

**Q037 (2022):** The right to compensation in the cases listed is provided for in Law no. 67/2007 of December 31, which establishes the regime of non-contractual civil liability of the State and other Public Entities, specifically providing for an autonomous regime of State liability for damages arising from the exercise of the judicial function (chapter III, arts. 12 to 14). In particular, with regard to Wrongful arrest/detention, it is important to mention article 225 and 226 of the Criminal Procedure Code, which provide for the right to compensation for illegal or unjustified deprivation of liberty by establishing a special regime. These articles also give effect to Article 27(5) CRP, which states that "Deprivation of liberty contrary to the provisions of the Constitution and the law shall constitute the State's duty to compensate the injured party under the terms established by law".

## Romania

**Q037 (General Comment):** There is no mechanism for calculating the compensation. The courts take into consideration the national case law and the jurisprudence of the European Court of Human Rights in similar cases.

Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as a compensation. In criminal matters, the only possibility to obtain damages in case of procedural delays is the civil claim for damages, based on the provisions of the Civil Code. The Civil Procedure Code (the Law 134/2010) provides for a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 para. (1) of the CPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, he/she solicits the adoption of legal measures remedying to this situation. Please, refer to the regulations of the CPC as concerns the guarantee of the right to a fair trial and a case settlement within a reasonable time-limit.

The non-observance of judgments is incriminated as offence by Art. 287 of the Criminal Code. Within the criminal trial there may be also formulated the civil claim for damages for the non-enforcement of the judgment. The civil action may be also introduced separately, at the civil court. Both actions shall be judged according to the provisions of the Civil Code, regulating the delictual civil responsibility.

Illegal arrest and illegal conviction are situations circumscribed to judicial errors for which the Romanian state is responsible according to Art. 538-539 and the following of the Criminal Procedure Code (the Law 135/2010). For the appreciation in substance of the civil responsibility, common law rules laid down by the Civil Code apply. According to the provisions of the art. 538 of the Criminal Procedure Code, any person who suffered a wrongful condemnation or was, during a criminal trial, illegally deprived of his/her liberty is entitled to receive a compensation. The compensation should cover both the material and moral prejudices caused to that person. The amount of the compensation is to be determined by the court (the tribunal) in whose district the entitled person has its domicile. The entitled person should introduce a civil action against the state (which is represented by the Ministry of Public Finances), action which is exempted of any judicial fees.

Regarding the excessive duration of the criminal procedures, there is a remedy, but it is not compensatory - see art. 488 (index1) and the following of the Criminal Procedure Code. Law no. 201/2023 introduced a new article in the Criminal Procedure Code (the Law 135/2010) art. 359/1, stating the right to compensation for damage in the case of technical surveillance measures or activities specific to the collection of information illegally arranged ( 1 ) The person against whom he was ordered, confirmed, extended or illegally enforced a technical surveillance measure is entitled to compensation for the damage caused by this measure.

**Q037 (2020):** There is no mechanism for calculating the compensation. The courts take into consideration the national case law and the jurisprudence of the European Court of Human Rights in similar cases.

Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as a compensation. In criminal matters, the only possibility to obtain damages in case of procedural delays is the civil claim for damages, based on the provisions of the Civil Code. The new Civil Procedure Code (the Law 134/2010) provides for a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 para. (1) of the NCPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, he/she solicits the adoption of legal measures remedying to this situation. Please, refer to the regulations of the NCPC as concerns the guarantee of the right to a fair trial and a case settlement within a reasonable time-limit.

The non-observance of judgments is incriminated as offence by Art. 287 of the Criminal Code. Within the criminal trial there may be also formulated the civil claim for damages for the non-enforcement of the judgment. The civil action may be also introduced separately, at the civil court. Both actions shall be judged according to the provisions of the Civil Code, regulating the delictual civil responsibility.

Illegal arrest and illegal conviction are situations circumscribed to judicial errors for which the Romanian state is responsible according to Art. 538-539 and the following of the Criminal Procedure Code (the Law 135/2010). For the appreciation in substance of the civil responsibility, common law rules laid down by the Civil Code apply. According to the provisions of the art. 538 of the Criminal Procedure Code, any person who suffered a wrongful condemnation or was, during a criminal trial, illegally deprived of his/her liberty is entitled to receive a compensation. The compensation should cover both the material and moral prejudices caused to that person. The amount of the compensation is to be determined by the court (the tribunal) in whose district the entitled person has its domicile. The entitled person should introduce a civil action against the state (which is represented by the Ministry of Public Finances), action which is exempted of any judicial fees.

Regarding the excessive duration of the criminal procedures, there is a remedy, but it is not compensatory - see art. 488 (index1) and the following of the Criminal Procedure Code.

**Q037 (2019):** There is no mechanism for calculating the compensation. The courts take into consideration the national case law and the jurisprudence of the European Court of Human Rights in similar cases.

Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as compensation. In the criminal matter, the only possibility to obtain damages in the case of the procedural delays is the civil claim for damages, made on the provisions of the Civil Code. In the new Civil Procedure Code (the Law 134/2010), there is stipulated a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 para. (1) of the NCPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, to solicit the taking of the legal measures for the removal of this situation. See, for completion, the regulations stipulated in the civil matter (the NCPC) as concerns the guarantee of the right to a fair trial and at the case settlement within a reasonable time-limit.

The non-observance of judgments is incriminated as offence by Art. 287 of the Criminal Code. Within the criminal trial there may be also formulated the civil claim for damages for the non-enforcement of the judgment. The civil action may be also introduced separately, at the civil court. Both actions shall be judged according to the provisions of the Civil Code, regulating the delictual civil responsibility.

Illegal arrest and illegal conviction are situations circumscribed to judicial errors for which the Romanian state is responsible according to Art. 538-539 and the following of the Criminal Procedure Code (the Law 135/2010). For the appreciation in substance of the civil responsibility, there shall apply the common law rules laid down by the Civil Code. According to the provisions of the art. 538 of the Criminal Procedure Code, any person who suffered a wrongful condemnation or was, during a criminal trial, illegally deprived of his/her liberty is entitled to receive a compensation.

The compensation should cover both the material and moral prejudices caused to that person.

The amount of the compensation is to be determined by the court (the tribunal) in whose district the entitled person has its domicile.

The entitled person should introduce a civil action against the state (which is represented by the Ministry of Public Finances), action which is exempted of any judicial fees.

Regarding the excessive duration of the criminal procedures, there is a remedy, but it is not compensatory - see art. 488 (index1) and the following of the Criminal Procedure Code.

**Q037 (2018):** There is no mechanism for calculating the compensation. The courts take into consideration the national case law and the jurisprudence of the European Court of Human Rights in similar cases. Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as compensation. In the criminal matter, the only possibility to obtain damages in the case of the procedural delays is the civil claim for damages, made on the provisions of the Civil Code. In the new Civil Procedure Code (the Law 134/2010), there is stipulated a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 para. (1) of the NCPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, to solicit the taking of the legal measures for the removal of this situation. See, for completion, the regulations stipulated in the civil matter (the NCPC) as concerns the guarantee of the right to a fair trial and at the case settlement within a reasonable time-limit.

The non-observance of judgments is incriminated as offence by Art. 287 of the Criminal Code. Within the criminal trial there may be also formulated the civil claim for damages for the non-enforcement of the judgment. The civil action may be also introduced separately, at the civil court. Both actions shall be judged according to the provisions of the Civil Code, regulating the delictual civil responsibility.

Illegal arrest and illegal conviction are situations circumscribed to judicial errors for which the Romanian state is responsible according to Art. 538-539 and the following of the Criminal Procedure Code( the Law 135/2010) For the appreciation in substance of the civil responsibility, there shall apply the common law rules laid down by the Civil Code. According to the provisions of the art. 538 of the Criminal Procedure Code, any person who suffered a wrongful condemnation or was, during a criminal trial, illegally deprived of his/her liberty is entitled to receive a compensation.

The compensation should cover both the material and moral prejudices caused to that person.

The amount of the compensation is to be determined by the court (the tribunal) in whose district the entitled person has its domicile.

The entitled person should introduce a civil action against the state (which is represented by the Ministry of Public Finances), action which is exempted of any judicial fees.

Regarding the excessive duration of the criminal procedures, there is a remedy, but it is not compensatory - see art. 488 (index1) and the following of the Criminal Procedure Code.

**Q037 (2016):** There is no mechanism for calculating the compensation. The courts take into consideration the national case law and the jurisprudence of the European Court of Human Rights in similar cases. Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as compensation. In the criminal matter, the only possibility to obtain damages in the case of the procedural delays is the civil claim for damages, made on the provisions of the Civil Code. In the new Civil Procedure Code (the Law 134/2010), entered into force on the 15th of February 2013), there is stipulated a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 paragraph (1) of the NCPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, to solicit the taking of the legal measures for the removal of this situation. See, for completion, the regulations stipulated in the civil matter (the NCPC) as concerns the guarantee of the right to a fair trial and at the case settlement within a reasonable time-limit.

The non-observance of judgments is incriminated as offence by Art. 287 of the Criminal Code. Within the criminal trial there may be also formulated the civil claim for damages for the non-enforcement of the judgment. The civil action may be also introduced separately, at the civil court. Both actions shall be judged according to the provisions of the Civil Code, regulating the delictual civil responsibility.

Illegal arrest and illegal conviction are situations circumscribed to judicial errors for which the Romanian state is responsible according to Art. 538-539 and the following of the Criminal Procedure Code( the Law 135/2010) For the appreciation in substance of the civil responsibility, there shall apply the common law rules laid down by the Civil Code. According to the provisions of the art. 538 of the Criminal Procedure Code, any person who suffered a wrongful condemnation or was, during a criminal trial, illegally deprived of his/her liberty is entitled to receive a compensation.

The compensation should cover both the material and moral prejudices caused to that person.

The amount of the compensation is to be determined by the court (the tribunal) in whose district the entitled person has its domicile.

The entitled person should introduce a civil action against the state (which is represented by the Ministry of Public Finances), action which is exempted of any judicial fees.

## Slovak Republic

**Q037 (General Comment):** The compensations for the excessive length of proceedings can awarded by the Constitutional court in the finding on violation of the right to trial in the reasonable time. The compensation for wrongful arrest or conviction, non-execution of court decisions can be awarded by the court in the civil procedure. The aggrieved person can seek compensation against the state according to the Act on State Liability for Damage in Exercise of the Public Power.

**Q037 (2022):** The data are not collected in this structure in our judicial system.

**Q037 (2019):** The compensations for the excessive length of proceedings can awarded by the Constitutional court in the finding on violation of the right to trial in the reasonable time. The compensation was awarded in the amount of 375 912 eur in 2019.

The compensation for wrongful arrest or conviction, non-execution of court decisions can be awarded by the court in the civil procedure. The aggrieved person can seek compensation against the state according to the Act on State Liability for Damage in Exercise of the Public Power.

The number of requests for compensation delivered on the Ministry of Justice of the SVK was 214. Out of these only 4 request were satisfied:

one non-execution of court decisions (allocated amount 8.640,65 €),

one wrongful conviction (167,78 €),

two other (administrative mistake of the court, allocated amount 980,16 €).

Some of the unsatisfied request end up on the court in the civil procedure. During 2019 Ministry of Justice of SVK compensated in addition (due the court decision) in 45 cases in the amount of 553 395 euros. In these cases, we do not provide precise information on the reason for compensation, but we can say that in most cases it was compensation for wrongful conviction, in which the applicant was not found guilty.

**Q037 (2018):** The compensations for the excessive length of proceedings can awarded by the Constitutional court in the finding on violation of the right to trial in the reasonable time.

The compensation for wrongful arrest or conviction can be awarded by the court in the civil procedure. The aggrieved person can seek compensation against the state according to the Act on State Liability for Damage in Exercise of the Public Power.

## Slovenia

**Q037 (General Comment):** The Protection of Right to Trial without Undue Delay Act gives a party to court proceedings the right to have his rights, duties and any charges brought against him in his case before the court to be decided upon by the court without undue delay, as well as a right to compensation, if the aforementioned right was infringed.

The procedure for compensation in the case of wrongful arrest and wrongful condemnation is regulated by the Criminal Procedure Act.

The compensation, offered by the State Attorney's Office for wrongful arrest varies from case to case, since circumstances of the individual case (e.g. length of wrongful arrest, effect on the injured person's family life and his closest social circle, effects of media exposure, effect to injured person's health, etc.), as well as court decisions in similar cases, are taken into account.

**Q037 (2022):** The figures above represent cases, closed in 2022, with compensations to be paid in 2022 or later. The figures above represent cases before courts only.

Data for procedures at the State Attorney for 2022 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 5;

Number of settlements: 1;

Total amount (in €): 6.810;

2. Wrongful arrest - Number of requests for compensation: 35;

Number of settlements: 18;

Total amount (in €): 157.893

3. Wrongful conviction - Number of requests for compensation: 56;

Number of settlements: 23;

Total amount (in €): 42.209.

**Q037 (2021):** \*The figures above represent cases, closed in 2021, with compensations to be paid in 2021 or later. The figures above represent cases before courts only (court decisions and court settlements).

Data for procedures at the State Attorney for 2021 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 33;

Number of settlements: 10;

Total amount (in €): 21.715 EUR;

2. Wrongful arrest - Number of requests for compensation: 32;

Number of settlements: 8;

Total amount (in €): 63.174 EUR;

3. Wrongful conviction - Number of requests for compensation: 5;

Number of settlements: 0;

Total amount (in €): 0.

**Q037 (2020):** \*The figures above represent cases, closed in 2020, with compensations to be paid in 2020 or later. The figures above represent cases before courts only.

Data for procedures at the State Attorney for 2020 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 60;

Number of settlements: 10;

Total amount (in €): 23.222;

2. Wrongful arrest - Number of requests for compensation: 30;

Number of settlements: 8

Total amount (in €): 140.330

3. Wrongful conviction - Number of requests for compensation: 8;

Number of settlements: 1;

Total amount (in €): 1.260.

**Q037 (2019):** \*The figures above do not include cases at ECHR.

\*The figures above represent cases, closed in 2019, with compensations to be paid in 2019 or later. The figures above represent cases before courts only.

Data for procedures at the State Attorney for 2019 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 69;

Number of settlements: 22;

Total amount (in €): 35.956;

2. Wrongful arrest - Number of requests for compensation: 44;

Number of settlements: 16;

Total amount (in €): 99.493;

3. Wrongful conviction - Number of requests for compensation: 5;

Number of settlements: 1;

Total amount (in €): 36.460.

**Q037 (2018):** \*The figures above do not include cases at ECHR.

\*The figures above represent cases, closed in 2018, with compensations to be paid in 2018 or later. The figures above represent cases before courts only.

Data for procedures at the State Attorney for 2018 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 68;

Number of settlements: 17;

Total amount (in €): 31.105;

2. Wrongful arrest - Number of requests for compensation: 15;

Number of settlements: 9

Total amount (in €): 36.213,22

3. Wrongful conviction - Number of requests for compensation: 9;

Number of settlements: 2;

Total amount (in €): 68.648,98.

**Q037 (2016):** \*The figures above do not include cases at ECHR.

\*The figures above represent cases, closed at the State Attorney in 2016, with compensations to be paid in 2016 or later. \*The figures above represent cases before courts only. Before filing the claim for damages with the court, the injured person has to address his claim to the Office of the State Attorney General to try and reach agreement about the existence of the damage and the type and extent of compensation. If the request for recovery of damages is not granted or the Office of the State Attorney General and the injured person do not reach accord within three months of the filing of the request, the injured person may file a claim for damages with the court. The compensation, offered by the State Attorney's Office for wrongful arrest varies from case to case, since circumstances of the individual case (e.g. length of wrongful arrest, effect on the injured person's family life and his closest social circle, effects of media exposure, effect to injured person's health, etc.), as well as court decisions in similar cases, are taken into account. Data for procedures at the State Attorney for 2016: 1. Excessive length of proceedings - Number of requests for compensation: 71; Number of settlements: 37; Total amount (in €): 430.262; 2. Wrongful arrest - Number of requests for compensation: 50; Number of settlements: 31 Total amount (in €): 144.881 3. Wrongful conviction - Number of requests for compensation: 0; Number of condemnations: 0; Total amount (in €): 0.

The Protection of Right to Trial without Undue Delay Act gives a party to court proceedings the right to have his rights, duties and any charges brought against him in his case before the court to be decided upon by the court without undue delay. For detailed explanation on Excessive length of proceedings see Q40.

The procedure for compensation in the case of wrongful arrest and wrongful condemnation is regulated by the Criminal Procedure Act.

## Spain

**Q037 (2021):** In 2021, 368 files were initiated for abnormal functioning of the Administration of Justice, 205 for preventive detention, 83 for judicial error. € 802.735 were paid for administrative condemnations and € 1.486.968 for judicial condemnations.

It is noteworthy that in Spain the causes of civil liability of the Administration of Justice are divided into a number of categories greater

than the one proposed by the CEPEJ. SOURCE: La Justicia dato a dato, (document issued by the CGPJ)

**Q037 (2020):** In 2020, 320 files were initiated for abnormal functioning of the Administration of Justice, 62 for preventive detention, 223 for judicial error. € 124.367,5 were paid for administrative condemnations and €445.491,3 for judicial condemnations.

It is noteworthy that in Spain the causes of civil liability of the Administration of Justice are divided into a number of categories greater

than the one proposed by the CEPEJ. The answer tries to group the Spanish categories into those of the CEPEJ.

**Q037 (2019):** In 2019, 347 files were initiated for abnormal functioning of the Administration of Justice, 151 for preventive detention, 79 for judicial error. € 3.484.896 were paid for administrative condemnations and €934.491,7 for judicial condemnations.

It is noteworthy that in Spain the causes of civil liability of the Administration of Justice are divided into a number of categories greater than the one proposed by the CEPEJ. The answer tries to group the Spanish categories into those of the CEPEJ. In the section 'wrongful conviction', we give the cases of the Spanish category of 'judicial error'. Possibly, other years these cases have simply been included in 'other'. It is a change of criteria with no effect on the total.

**Q037 (2018):** In 2018, 332 files were initiated for abnormal functioning, 104 for preventive detention, 94 for judicial error. € 722,888.06 were paid for administrative condemnations and € 1,210,585.35 for judicial condemnations

**Q037 (2016):** According Article 293 of the Organic Law of the Judicial Power: The interested party will direct his indemnification petition directly to the Ministry of Justice, processing it according to the regulatory norms of the patrimonial responsibility of the state. A contentious-administrative appeal will be available against the resolution. The right to claim compensation shall expire a year, from the day on which it could be exercised.

The number of requests because of "judicial error" (non exactly the same concept as Wrongful conviction) that were estimated in 2016 was ONE (1).



# Indicator 5: Legal aid

## Comments provided by the national correspondents organised by question no.

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

### Question 037

#### Austria

**(General Comment):** The Public Authority's Liability Act (Amtshaftungsgesetz) provides for liability of the state (and other legal entities) for misconduct of their employees in the exercise of public authority, including court proceedings and court decisions, causing damage to persons or property by excessive length of proceedings, wrongful arrest and/or wrongful condemnation. The liability presupposes both wrongfulness and fault. In the case of wrongful arrest or wrongful criminal condemnation, compensation can also be obtained according to the Penal Law's Compensation Act (Strafrechtliches Entschädigungsgesetz) without proving fault of the Authorities. The compensation procedure is laid down in para. 8 ff. Amtshaftungsgesetz and para. 9 ff. Strafrechtliches Entschädigungsgesetz. The injured person may demand – free of costs - of the legal entity against which the claim for damages is to be raised to forward her/him within a three months' term a written statement indicating as to whether it accepts or partially or totally rejects the claim for damages. If the claim is partially or totally rejected, the complaint can still be filed at court.

The exclusive jurisdiction over the claim of the injured person against the legal entity rests in the first instance with the regional court (Landesgericht) in charge of civil matters in whose range of jurisdiction the infringement of law occurred. Compensation is funded by the Public Authority's general budget. The liability is unlimited, indemnity is to be paid in terms of money only. To make sure that compensation is paid following the concrete circumstances of each individual case, there is no such thing as a daily tariff or a flat compensation sum. The amount of compensation depends solely on the magnitude of damage suffered by the victim and the degree of fault attributable to the Public Authority.

According to sec 67 CCP victims have the right to claim reimbursement for the damage caused by the criminal act or compensation for the impairment of their legally protected interests. The extent of the damage or the impairment has to be established ex officio as far as this can be done on the basis of the results of the criminal proceeding or with the help of additional simple investigations. If for the assessment of a bodily injury or damage to the health of a person an expert is appointed, he/she also has to be requested to establish the periods of pain.

**(2022):** The payments according to the Public Authority's Liability Act, European Convention on Human Rights and the Penal Law's Compensation Act cannot be quantified regarding the different circumstances. Only the total amount of the payments can be provided. On this basis the payments according to the Public Authority's Liability Act and the European Convention on Human Rights in the area of the courts were 458.891,35 Euro and those according to the Penal Law's Compensation Act were 593.651,96 Euro in 2022.

**(2021):** The payments according to the Public Authority's Liability Act and the Penal Law's Compensation Act cannot be quantified regarding the different circumstances. Only the total amount of the payments can be provided. On this basis the payments according to the Public Authority's Liability Act were 714.676,17 Euro and those according to the Penal Law's Compensation Act were 574.038,47 Euro.

**(2020):** The payments according to the Public Authority's Liability Act and the Penal Law's Compensation Act cannot be quantified regarding the different circumstances. Only the total amount of the payments can be provided. On this basis the payments according to the Public Authority's Liability Act were 444.740,27 Euro and those according to the Penal Law's Compensation Act were 865.635,22 Euro.

**(2016):** The Public Authority's Liability Act (Amtshaftungsgesetz) provides for liability of the state (and other legal entities) for misconduct of their employees in the exercise of public authority, including court proceedings and court decisions, causing damage to persons or property by excessive length of proceedings, wrongful arrest and/or wrongful condemnation. The liability presupposes both wrongfulness and fault. In the case of wrongful arrest or wrongful criminal condemnation, compensation can also be obtained according to the Penal Law's Compensation Act (Strafrechtliches Entschädigungsgesetz) without proving fault of the Authorities. The compensation procedure is laid down in para. 8 ff. Amtshaftungsgesetz and para. 9 ff. Strafrechtliches Entschädigungsgesetz. The injured person may demand – free of costs - of the legal entity against which the claim for damages is to be raised to forward her/him within a three months' term a written statement indicating as to whether it accepts or partially or totally rejects the claim for damages. If the claim is partially or totally rejected, the complaint can still be filed at court.

The exclusive jurisdiction over the claim of the injured person against the legal entity rests in the first instance with the regional court (Landesgericht) in charge of civil matters in whose range of jurisdiction the infringement of law occurred. Compensation is funded by the Public Authority's general budget. The liability is unlimited, indemnity is to be paid in terms of money only. To make sure that compensation is paid following the concrete circumstances of each individual case, there is no such thing as a daily tariff or a flat compensation sum. The amount of compensation depends solely on the magnitude of damage suffered by the victim and the degree of fault attributable to the Public Authority.

## Belgium

**(General Comment):** In Belgian law, the terminology is "inoperative preventive detention" and not "wrongful arrest".

Compensation via the civil liability procedure:

In Belgium, the liability of the state for damages resulting from faults committed by the public prosecutor's office or judges, falls under Article 1382 of the Civil Code (action in tort). According to article 1382 of the Civil Code: "Any act of man whatsoever which causes damage to another person obliges the person by whose fault it occurred to make reparation". The fault may consist of negligence according to the terms of article 1383 which provides that "everyone is responsible for the damage he causes not only by his own act but also by his negligence or imprudence". In order to obtain compensation, the plaintiff must demonstrate the existence of a fault, damage and a causal link between the fault and the damage. According to the Constitutional Court (see Constitutional Court ruling of June 30, 2014 (No. 99/2014)), a constitutionally correct interpretation of Article 1382 of the Civil Code implies that the state can be held liable for a fault of a judge/body deciding at the last instance, even if the decision is not repealed, amended, annulled or revoked. It is necessary that the fault consists of a sufficiently serious violation of the applicable rule of law and that, given the limited remedies available against the erroneous decision, it is not possible to obtain an annulment of the decision. Such claims are brought before the civil courts.

Reference should also be made to the Act of 13 March 1973 on compensation for inoperative preventive detention. Article 28 of this law provides that "Any person who has been held in preventive detention for more than eight days without this detention or its continuation having been caused by his own conduct may claim compensation:

- a) if he or she has been directly or indirectly excluded from liability by a judicial decision that has become res judicata;
- b) if he/she has benefited from an order or a ruling of dismissal;
- c) if he/she has been arrested or kept in detention after the public action has been extinguished by prescription;

The amount of such compensation shall be determined in equity, taking into account all the circumstances of public and private interest.

If the person concerned is unable to bring an action for compensation before the ordinary courts, the compensation must be requested in writing to the Minister of Justice, who shall decide within six months.

The compensation shall be awarded by the Minister of Justice at the expense of the Treasury, if the conditions provided for in § 1 are met.

If the compensation or the allocation is refused, if the amount of the compensation or the number of days allocated is deemed insufficient, or if the Minister of Justice has not taken a decision within six months of the request, the person concerned may apply to the Commission for Inoperative Preventive Detention.

With regard to the "number of convictions" for "wrongful arrests": it should be noted that the figure in the table does not correspond to "convictions" but represents the number of cases for which there has been a definitive grant of compensation. In "inoperative preventive detention" cases there is no conviction. It is either a grant of compensation or a refusal of compensation. Therefore, the title of the third column of the table does not correspond to the content (in any case for the ""inoperative preventive detention"")

**(2022):** The number of ongoing cases (for ineffective pre-trial detention) stands at 29. Compensation has been granted in 13 cases.

**(2021):** For the item "wrongful arrest" (corresponding in Belgium to "inoperative preventive detention"): concerning the number of decisions taken, there were 20 decisions granting and 21 decisions refusing compensation (+ 39 pending cases), in total 80 applications. Only the 20 decisions granting compensation and the total number of applications are included in the table.

**(2019): 1.** Reference should also be made to the Law of 13 March 1973 relating to compensation in the event of inoperative preventive detention. Article 28 stipulates the following:

Any person who has been held in preventive detention for more than eight days without this detention or its extension having been caused by his/her own conduct is entitled to compensation:

- a) if s/he has been exonerated directly or indirectly by a court decision that has the force of *res judicata*;
- (b) if s/he has benefited from an order or judgment of dismissal;
- (c) if s/he has been arrested or detained after the termination of the prosecution by prescription;

The amount of such compensation shall be fixed in equity and taking into account all circumstances of public and private interest.

If the person concerned is unable to bring an action for compensation before the ordinary courts, the compensation must be requested by written request addressed to the Minister of Justice, who shall decide within six months. If compensation or imputation is refused, if the amount of compensation or the number of days imputed is deemed insufficient, or if the Minister of Justice has not made a decision within six months of the request, the interested party may apply to the "Inoperative Preventive Detention" Commission.

2. Compensation through the civil liability procedure:

In Belgium, the State liability for damage resulting from faults made by the public prosecutor office or judges, falls under the article 1382 of the Civil Code (claims on the basis of tort). According to article 1382 Civil Code: "Any act whatever of man which cause damage to another obliges him by whose fault it occurred to make reparation". To obtain compensation, the plaintiff must demonstrate the existence of a fault, of damage and of a causal link between the fault and damage. According to the Constitutional Court a constitutionally correct interpretation of article 1382 of the Civil Code implies that the State may be held liable for a fault of a judicial body deciding in last instance, even if the decision is not repealed, amended, annulled or revoked. It is required that the fault consists in a sufficiently serious breach of the applicable legal rule and that, given the limited legal remedies available against the wrongful decision, it is not possible to obtain an annulment of the decision. These claims are brought before the civil courts.

Exceeding a reasonable time is also to be considered as a fault. However, article 21ter of the Code of Criminal Procedure provides that as a consequence of a violation of the right to be tried within a reasonable time, the courts can either impose a penalty below the statutory minimum or simply pronounce a guilty verdict without imposing a sentence. In addition, the Court of Cassation has ruled that the *Chambre du conseil* (which is the investigative court that intervenes in case of a judicial inquiry) can declare the criminal claim inadmissible if the rights of the defence have been seriously and irretrievably damaged due to the violation of the right to be tried within a reasonable time. In other less serious cases, the *Chambre du conseil* may establish the violation of the right to be tried within a reasonable time and commit the case for trial, after which the trial court is bound to give a proper response to this violation, in accordance with Article 21ter of the Preliminary Title of the Code of Criminal Procedure.

**(2016):** Compensation is only awarded for wrongful arrest. Excessive length may have consequences to the extent that a reduction of the sentence granted is possible: If the length of criminal proceedings exceeds a reasonable time, the judge may convict the offender simply by conviction or impose a sentence that is less than the minimum sentence prescribed by law.

## Bulgaria

**(General Comment):** The Act on the Liability for Damage Incurred by the State and the Municipalities sets out the procedure for liability for activity of the Administration, law-enforcement authorities, Commission for Forfeiture of Unlawfully Acquired Assets and Liability for actions of the judiciary bodies, for violation of the right to a hearing and pronouncement of judgment within a reasonable time.

Chapter Three "a" of the Judiciary System Act (JSA) establishes a procedure for the examination of applications submitted by citizens or legal persons against instruments, actions or omissions of the judicial authorities which infringe the right of the citizen or legal person to have the case thereof heard and disposed of within a reasonable time. The verification of the applications is carried out by the Inspectorate to the Supreme Judicial Council, and after its completion the documents in the file are sent to the Minister of Justice. The Minister of Justice or a person authorized by him/her rejects the application as unfounded or determines the amount of compensation in accordance with the case law of the European Court of Human Rights and proposes an agreement with the applicant, in cases where the applicant's right to a hearing within a reasonable time is violated. The verification of the circumstances and the ruling on the application shall be carried out within 6 months from its receipt. The maximum amount of compensation may not exceed BGN 10,000. The persons who have received compensation under the Judiciary System Act may not seek compensation on the same grounds in court.

Pursuant to the Act on the Liability for Damage Incurred by the State and the Municipalities (ALDISM), the state and the municipalities shall be liable for any damage inflicted on individuals and legal persons by legally non-conforming acts, actions or omissions of State bodies and municipal authorities and officials upon or in connection with the performance of administrative activity, as well as for the damages caused by the action of repealed as illegal or declared as null and void legal acts (Art. 1, para 1).

Art. 2, para. 1 and para. 2 of the ALDISM, lists the cases in which the State shall be liable for any damage inflicted on citizens by criminal investigation authorities, public prosecution authorities or court.

The scope of the ALDISM includes the responsibility for illegal acts, actions or omissions of the bodies and officials under the Anti-Corruption and Confiscation of Illegally Acquired Property Act, performed during or on the occasion of exercising their powers or service, as well as the responsibility of the bodies of the judiciary for violation of the right to consider and resolve the case within a reasonable time.

**(2022):** Prosecutor's Office of RB: In the Republic of Bulgaria, there are two mechanisms for compensation for damages in connection with criminal proceedings.

The first mechanism is regulated in the Law on the Liability of the State and Municipalities for Damages (LLSMD). The state and municipalities are responsible for the damages caused to citizens and legal entities by illegal acts, actions or inactions of their bodies and officials during or on the occasion of the performance of administrative activities, as well as for the damages caused by the action of canceled as illegal or declared as null and void by-laws. According to Art. 2 of this law, the state is responsible for the damages caused to citizens by the investigative bodies, the prosecutor's office or the court in the hypotheses specified in this text of the law.

The Prosecutor's Office does not keep statistics in the form of the indicators in the table in this questionnaire. The data for 2022 regarding the conviction of the Prosecutor's Office under LLSMD are as follows:

In 2022, the Prosecutor's Office was convicted by 255 persons on claims with a legal basis, Art. 2 and Art. 2b LLSMD, with 248 convictions entering into force.

Of the 248 convictions that entered into force, 134 were based on upheld claims with a legal basis, Art. 2, para. 1, item 3, item 1 LLSMD (acquittal entered into force), and 92 - with legal basis, Art. 2, para. 1, item 3, item 2 LLSMD (decree on termination of criminal proceedings entered into force).

2 court decisions were issued on the basis of Art. 2, para. 1, item 2 LLSMD (violation of rights protected by Art. 5, § 2-4 of the ECHR.)

Pursuant to Art. 2, para. 1, item 1, item 1 LLSMD, 2 convictions were rendered (illegal detention).

For claims with a legal basis, Art. 2b LLSMD (violation of the right to consider the case within a reasonable time, according to Art. 6, § 1 of the Criminal Procedure Code) 18 convictions were issued and entered into force.

There are no claims filed with a legal basis under Art. 2, para. 1, item 1, proposal last LLSMD (imprisonment, in violation of Art. 5, § 1 ECHR), under Art. 2, para. 1, item 7 of LLSMD (illegal use of Special Intelligence Means) and under Art. 2, para. 1, item 6 LLSMD (execution of an imposed penalty exceeding the specified term or amount).

The total amount of compensation awarded for claims brought against the Prosecutor's Office under the LLSMD procedure for 2022 is BGN 2,564,814.75 (EUR 1,311,369).

The second legal mechanism for compensation is regulated in the Law on the Judiciary (Chapter Three "a" Judiciary System Act- consideration of applications against violation of the right to consider and resolve the case within a reasonable time.

In accordance with the procedure of this chapter, applications of citizens and legal entities against acts, actions or inactions of the bodies of judicial power, which violate their right to consider and resolve the case within a reasonable time, are considered. Applications are submitted by citizens and legal entities that are:

1. parties to closed civil, administrative and criminal proceedings;
2. accused, injured or damaged legal entities in terminated pre-trial proceedings.

In accordance with the procedure of this chapter, compensation is determined and paid in accordance with the practice of the European Court of Human Rights in the amount of no more than BGN 10,000.

Data on the implementation of the mechanism under Chapter Three "a" of the Judicial System Act are not collected in the Prosecutor's Office. The applications under para. 4 shall be submitted within 6 months from the completion of the relevant

**(2021):** Statistics on excessive length of proceedings use data by the Procedural Representation before the ECHR Directorate of the Ministry of Justice on the review of applications for the domestic compensatory remedy for an excessive length of proceedings under the Judicial System Act. Sums paid may include payments under applications from December of the previous year. Statistics on wrongful arrest include prosecution data (on detention in custody and house arrest, but also on wrongful charges, because the numbers on the provision for seeking compensation for those are aggregate) and on 24-hour police detention.

**(2019):** Chapter Three "a" of the Judiciary System Act (JSA) establishes a procedure for the examination of applications submitted by citizens or legal persons against instruments, actions or omissions of the judicial authorities which infringe the right of the citizen or legal person to have the case thereof heard and disposed of within a reasonable time. The verification of the applications is carried out by the Inspectorate to the Supreme Judicial Council, and after its completion the documents in the file are sent to the Minister of Justice. The Minister of Justice or a person authorized by him/her rejects the application as unfounded or determines the amount of compensation in accordance with the case law of the European Court of Human Rights and proposes an agreement with the applicant, in cases where the applicant's right to a hearing within a reasonable time is violated. The verification of the circumstances and the ruling on the application shall be carried out within 6 months from its receipt. The maximum amount of compensation may not exceed BGN 10,000. The persons who have received compensation under the Judiciary System Act may not seek compensation on the same grounds in court. Pursuant to the Act on the Liability for Damage Incurred by the State and the Municipalities (ALDISM), the state and the municipalities shall be liable for any damage inflicted on individuals and legal persons by legally non-conforming acts, actions or omissions of State bodies and municipal authorities and officials upon or in connection with the performance of administrative activity, as well as for the damages caused by the action of repealed as illegal or declared as null and void legal acts (Art. 1, para 1). Art. 2, para. 1 and para. 2 of the ALDISM, lists the cases in which the State shall be liable for any damage inflicted on citizens by criminal investigation authorities, public prosecution authorities or court. The scope of the ALDISM includes the responsibility for illegal acts, actions or omissions of the bodies and officials under the Anti-Corruption and Confiscation of Illegally Acquired Property Act, performed during or on the occasion of exercising their powers or service, as well as the responsibility of the bodies of the judiciary for violation of the right to consider and resolve the case within a reasonable time.

**(2016):** The Act on the Liability for Damage Incurred by the State and the Municipalities sets out the procedure for liability for activity of the Administration, law-enforcement authorities, Commission for Forfeiture of Unlawfully Acquired Assets and Liability for actions of the judiciary bodies, for violation of the right to a hearing and pronouncement of judgment within a reasonable time. Chapter Three A of the Judiciary System Act regulates the rules for reviewing applications against the right to be heard within a reasonable time, payment of compensation in case of violations and the relevant measures to remedy the breaches.

## Croatia

**(2022):** The information in the table also refers to Wrongful arrest/detention and wrongful conviction. The request for compensation for unfounded arrest and unjustified conviction is submitted to the Ministry of Justice and Administration, which is also responsible for peaceful proceedings. In case the applicant does not accept the offer of the Ministry of Justice and Administration, he has the right to file a complaint with the competent court. The amount of compensation that the Ministry offers to the injured parties as a fair monetary compensation on this basis is unique in all cases and amounts to HRK 280.00 per day of deprivation of liberty. The amount paid for 2022 refers to payments based on decisions made in a peaceful procedure. The amount is expressed in kuna.

**(2020):** The data in the table refer to the compensation for unjustified arrest and unjustified conviction. An application for compensation for unjustified arrest and unjustified conviction shall be submitted to the Ministry of Justice and Public Administration. If the applicant does not accept the offer of the Ministry of Justice and Public Administration, he has a right to sue at the competent court. The Ministry of Justice of the Administration issued a Decision on 19 November 2019, which established that the financial compensation in the mediation procedure amounts to HRK 280.00 for each day of imprisonment for unfounded arrest or unjustified conviction. Therefore, there was an increase in the amount of compensation and a greater number of acceptance of bids, and for that reason there was a greater number of resolved cases. The amount paid for 2020 refers to payments based on decisions rendered in amicable procedure and court judgments, cases and from previous years in which the payment was made in 2020. For excessive length of proceedings, the compensation can not exceed 35.000 Croatian kunas (cca 4.600 EUR) per case.

**(2018):** \* The information in the table also refers to compensation for wrongful arrest and unjustified conviction.

An application for compensation for unjustified arrest and unjustified conviction shall be submitted to the Ministry of Justice. If the applicant does not accept the offer of the Ministry of Justice, the Ministry of Justice has the right to bring an action before the competent court. The amount of compensation offered by the Ministry to the parties as just financial compensation on that basis is unique in all cases and ranges from the following amounts - up to 30 days in custody in the amount of HRK 200.00 per day of deprivation of liberty, for custody of 30 to 90 days in the amount of HRK 160.00 per day of imprisonment, for detention of more than 90 days in the amount of HRK 120.00 per day of imprisonment. The amount paid for 2018 relates to payments made under the amicable settlement and court rulings.

**(2016):** Number of requests for compensation and number of condemnation is 167 and refers both to compensation for wrongful arrest and wrongful conviction.

The amount of compensation that the Ministry offers to the injured parties as a fair monetary compensation for claim for damages for wrongful and unjustified conviction is unique in all cases and ranges in the following amounts - for a custody of up to 30 days in the amount of 200,00 HRK per day of deprivation of liberty, for a custody from 30 to 90 days in the amount of HRK 160,00 HRK per day of deprivation of liberty, for a custody of more than 90 days in the amount of HRK 120,00 HRK per day of deprivation of liberty. The amount paid in 2016 (3 155 925 EUR) refers to payments based on decisions issued in a friendly settlement and on court judgements.

- Excessive length of proceedings

According to the Constitution of the Republic of Croatia, everyone shall be entitled have his/her rights and obligations, or suspicion or accusation of a criminal offence decided upon fairly before a legally established, independent and impartial court within a reasonable period.

According to the Courts Act, a party considering that the competent court has not reached a decision within a reasonable time on the party's right or obligation or criminal suspicion or charge, can file an application to the Court President where the proceedings is conducted, for the right to trial within reasonable time. The Court President shall demand from the judge conducting the case the report on the file and determine the term by which the case has to be resolved. Conduct term shall not be longer than 6 months. If the case is not resolved within set time, the judge conducting the case is obliged to deliver a written report to the Court President, President of the immediately superior court and to the Ministry of Justice on the reasons for not resolving the case.

If the court does not decide within the set time, the party can address the request for right to trial within reasonable time to the immediately superior court. If the court decides positively on the merits of the application filed by the applicant, it shall determine a time framework for the court before which the case is heard to decide on the right or obligation or suspicion or criminal charge against the applicant, and shall determine a just compensation to the applicant for violation of the right to trial within reasonable time.

The compensation shall be paid out from the State budget within 4 months from the day the party submits the request for payment of the compensation. The amount of the compensation for the proceeding concerned cannot exceed the amount of 35.000,00 Croatian kunas.

The number of requests for compensation provided in the table above is the total number of the requests received in the 2016 for the compensation for violation of the right to trial within reasonable time (in county courts, High Commercial Court of RoC, Supreme Court of RoC); the number of condemnation is the number of requests that were considered founded by the courts and the total amount is the amount of the just compensation awarded in the judgments.

- Non-execution of court decisions The Republic of Croatia provides the compensation in cases related to the non-execution of final decisions of the European court of Human Rights, according to the Convention for the Protection of Human Rights and Fundamental freedoms. If this question refers to non-execution of court decisions only of domestic courts, then we can confirm that there is no compensation system for non-execution of court decision.

**(2014):** According to 2014 data and in respect of the excessive length of proceedings, the right to a fair trial within a reasonable time is enshrined in the Constitution. Besides, according to the Courts Act (2013), a party considering that the competent court has not reached a decision within a reasonable time, can file an application to the Court President (according to the previous Courts Act, a party could file an application with the immediately superior court). The latter shall demand from the judge conducting the case the report on the file and determine the term by which the case has to be resolved (not longer than 6 months). If the case is not resolved within the set time, the judge conducting the case has to deliver a written report to the Court President, the President of the immediately superior court and the Ministry of Justice on the reasons for not resolving the case. If the court does not decide within the set time, the party can apply to the immediately superior court. If the latter decides positively on the merits of the application, it shall determine a time framework for the court before which the case is heard, and shall determine a just compensation to the applicant for violation of the right to a trial within a reasonable time. The compensation shall be paid out from the State budget within 4 months from the day the party submits the request and the amount cannot exceed 35000 Croatian kunas.

As for the non-execution of court judgments, compensation can be granted in case of non-execution of final decisions of the European Court of Human Rights, according to the Convention for the Protection of Human Rights and Fundamental freedoms. Conversely, there is no compensation system for non-execution of domestic courts' judgments.

With regard to wrongful arrest, detention or condemnation, the Constitution provides for the right to an indemnification and a public apology, in compliance with the law. According to the Criminal Procedure Act (2008), a person unjustifiably convicted of a criminal offence or unfoundedly arrested shall be entitled to full rehabilitation, compensation of damage from the State budget and other rights established by law. No compensation is possible if the proceedings were discontinued or the charge rejected because in the new proceedings the subsidiary prosecutor or private prosecutor desisted from prosecution on the basis of an agreement with the defendant. Moreover, a person who caused his arrest by illicit acts is not entitled to compensation of damages.

The compensation can be requested within three years from the day the first instance judgment of acquittal or judgment rejecting the charge became final or from the day the first instance ruling discontinuing the proceedings became final, and if a higher court decided on an appeal, from the day of receipt of the decision of the higher court.

Before bringing a civil action for the compensation of damages, the injured person is bound to submit his request to the Ministry of Justice in order to reach a settlement on the existence of damage and the type and amount of compensation. The Ministry of Justice annually receives an average of between 200 and 250 requests for compensation, while the settlement is reached in approximately 50%.

A person who was unjustifiably detained is entitled to all types of monetary and non-monetary damages according to the provisions of the Obligations Act (OG 35/05, 41/08 and 125/11), for the full amount of damages suffered. An injured person may be awarded compensation for non-monetary damages in case of harm inflicted on his/her individual rights, namely the right to freedom, honor, reputation and respect. Monetary compensation is usually awarded as a result of the loss of earnings or income. The amount of monetary compensation offered to injured persons on the basis of non-monetary damages depends

## Cyprus

**(2019):** The law providing effective remedies for exceeding reasonable time in identifying civil rights and obligations provides for the filing of an action against the government for undue delay in the hearing of a case. The cases are still pending.

## Czech Republic

**(2021):** There were 5 356 requests for compensation in 2021, from this number 3 045 requests filed to the Ministry of Justice and 2 311 requests filed to the courts. In 2 490 cases in total was the applicant successful, either fully or partially. 9 617 860 Euro in total was paid.

## Denmark

**(2022):** We can only supply data for the two sub-groups that can be filtered correct. The figures that do not fit under the other categories now appear under "other". It should be noted that the data comes from a case filing tool, and therefore is not a statistics tool. Data may be subject to entry-errors of all sorts such as compensation amount, categorization etc.

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**(2020):** Data in the table (Q37) has been created outside the standard model. Specifically developed data models are tested, but there is a greater risk of unidentified errors than when using the standard model. Data in the table are thus associated with considerable uncertainty. All figures indicating condemnations of requests and total amount are the sum of cases and amounts fully or partially granted. In regards to the "Other" category, the figures given are total numbers minus the numbers in the three categories for which separate figures are given (excessive length of proceedings, wrongful arrest and wrongful conviction).

**(2019):** The Danish Administration of Justice Act contains rules concerning the possibility to obtain compensation for criminal prosecution. These rules allow for compensation under certain circumstances for example due to the excessive length of proceedings, wrongful arrest and wrongful conviction. The Prosecution Service decide on requests for compensation for criminal prosecution and these decisions can be brought before the courts. The Prosecution Service annually decides on approximately 2000 requests for compensation of which approximately 100 are brought before the courts. The budget for the total amount of compensation due criminal prosecution paid in accordance with the rules of the Danish Administration of Justice Act was approximately DKK 31.400.000. This amount is however revised at the end of the year.

**(2018):** The Danish Administration of Justice Act contains rules concerning the possibility to obtain compensation for criminal prosecution. These rules allow for compensation under certain circumstances for example due to the excessive length of proceedings, wrongful arrest and wrongful conviction. The Prosecution Service decide on requests for compensation for criminal prosecution and these decisions can be brought before the courts. The Prosecution Service annually decides on approximately 2000 requests for compensation of which approximately 100 are brought before the courts. In 2018 the total amount of compensation due criminal prosecution paid in accordance with the rules of the Danish Administration of Justice Act was approximately DKK 23.000.000.

## **Estonia**

**(2016):** There is now a system for excessive length of proceedings or non-execution of court decision, but we do not have the numbers.

## **Finland**

**(2022):** In criminal cases the primary means to compensate excessive length of proceedings for a convicted person is to reduce the sentence. Therefore the number of compensation paid does not reflect the whole picture of the cases where the proceeding has taken too long. For excessive length the compensation is 1500 euro/unduly delayed year, maximum 10.000 euro, which may be exceeded if there are special circumstances.

The information on wrongful arrest and wrongful conviction are compiled together. There were 459 requests. A total of 2 200 000 euros has been paid as compensation. For wrongful arrest the compensation is in practice approximately 120 euro/day but it can be higher due to the circumstances. For wrongful conviction the compensation covers fair legal costs.

**(2021):** In criminal cases the primary means to compensate excessive length of proceedings for a convicted person is to reduce the sentence. Therefore the number of compensation paid does not reflect the whole picture of the cases where the proceeding has taken too long. For excessive length the compensation is 1500 euro/unduly delayed year, maximum 10.000 euro, which may be exceeded if there are special circumstances.

The information on wrongful arrest and wrongful conviction are compiled together. There were 415 requests. A total of 1 530 000 euros has been paid as compensation. For wrongful arrest the compensation is in practice approximately 120 euro/day but it can be higher due to the circumstances. For wrongful conviction the compensation covers fair legal costs.

**(2020):** In criminal cases the primary means to compensate excessive length of proceedings for a convicted person is to reduce the sentence. Therefore the number of compensation paid does not reflect the whole picture of the cases where the proceeding has taken too long. For excessive length the compensation is 1500 euro/unduly delayed year, maximum 10.000 euro, which may be exceeded if there are special circumstances.

The information on wrongful arrest and wrongful conviction are compiled together. There were 437 requests. A total of 2 916 000 euros has been paid as compensation. For wrongful arrest the compensation is in practice approximately 120 euro/day but it can be higher due to the circumstances. For wrongful conviction the compensation covers fair legal costs.

**(2019):** Correction: Excessive length of proceedings number of Number of condemnations in year 2018 should have been 41, not reported 28. The number reported was the number of rejected.

## France

**(General Comment):** The sub-department of legal affairs at the Ministry of Justice closely monitors, in conjunction with the State's judicial agent, actions for liability arising from the defective operation of public justice services (primarily based on Article L. 141-1 of the Judicial Organization Code concerning users of said services).

The State's judicial agent directly oversees compensation claims for pre-trial detention within criminal proceedings that have concluded with a decision of dismissal, acquittal or non-prosecution (Articles 149 and subsequent articles of the Criminal Procedure Code).

Regarding liability actions related to defective operation of public justice services:

The vast majority are based on Article L. 141-1 of the Judicial Organization Code.

According to this article, The state is required to redress damage caused by defective functioning within its justice system. Unless otherwise specified, such liability only arises from gross negligence or denial of justice. This regime solely concerns users' rights regarding public justice service; third parties involved in judicial procedures may only hold state responsibility without fault due to inequality before public burdens.

With regard to actions brought under Article 149 and subsequent articles of the Code of Criminal Procedure, Article 149 thereof entitles individuals, under certain conditions, to full compensation for damages suffered as a result of detention in connection with proceedings that have resulted in a decision of dismissal, acquittal or non-prosecution.

Any person who has been subject to pre-trial detention within proceedings concluded by a definitive decision of dismissal, acquittal or non-prosecution is entitled, unless specifically exempted by Article 149 of the Code of Criminal Procedure, upon request, to full redress for both moral and material harm caused by such detention. The compensation awarded shall be borne by the State.

It falls upon the President of the Court of Appeal within whose jurisdiction the decision resulting in exoneration was rendered – ~~thus establishing innocence~~ – to rule on this matter. This ruling shall be made following a public and adversarial procedure.

**(2022):** Similar commentary to that of 2020: no alteration in the compensation procedure.

**(2021):** The sub-directorate for legal affairs of the Ministry of Justice, in conjunction with the State judicial agent, monitors liability actions relating to the defective functioning of the public service of Justice (essentially based on Article L. 141-1 of the Code of Judicial Organisation, with regard to users of this service). The State judicial agent directly follows up actions for compensation for pre-trial detention undergone in the context of criminal proceedings that have ended with a decision to dismiss, discharge or acquit (Articles 149 et seq. of the Code of Criminal Procedure).

1. Regarding liability actions relating to the defective functioning of the public service of Justice: The vast majority of them are based on Article L. 141-1 of the Code of Judicial Organisation. According to this article, the State is obliged to allow a compensation for damage caused by the defective functioning of the Justice service. Except in the case of special provisions, this liability is incurred only in the event of serious fault or a denial of justice. This regime of liability concerns only the user of the public service of Justice, the third party to the legal proceedings being able to engage only the liability without fault of the State for breach of equality before public charges.

During 2021, the number of new liability actions brought against the State in connection with the functioning of the civil and criminal justice is 1 016 (compared with 908 in 2020, and 510 in 2019). Of these 1 016 new cases, 754 relate to the excessive length of proceedings before labour courts. In 2021, 580 decisions condemned the State for malfunctioning of the public Justice service, out of a total of 717 decisions on the merits of the case (compared with 249 convictions out of 398 decisions in 2020, and 352 convictions out of 485 decisions in 2019).

Out of the 717 decisions, 530 decisions involve the State's responsibility for the excessive length of proceedings, of which 31 decisions concern the length of proceedings in criminal matters and 499 in civil matters (compared with 17 convictions for excessive length in criminal matters and 200 in civil matters in 2020).

The amount of the condemnations is of 2 514 646,05 euro for excessive length of proceedings out of a total amount of 5 225 167,81 euros (compared with 1 388 393 euros out of a total of 1 975 018 euros in 2020).

2) With regard to actions based on Article 149 et seq. of the Code of Criminal Procedure: article 149 of the Code of Criminal Procedure gives the right, under certain conditions, to full compensation for the damage suffered as a result of detention in proceedings that have been dismissed, acquitted or discharged. Any person who has been held in pre-trial detention during proceedings which have ended in a decision to dismiss, discharge or acquit that has become final, shall be entitled, subject to the exceptions precisely defined by Article 149 of the CCP, at his or her request, to full compensation for the moral and material damage caused by this detention. The compensation awarded is payable by the State.

It is the First president of the court of appeal within whose jurisdiction the decision to dismiss, discharge or acquit, resulting in the detainee's innocence, has been taken, who decides, after a public and contradictory procedure, by a reasoned decision that can be appealed to the national commission for compensation for detention placed at the Court of Cassation (CNRD). According to data from the State Judicial Agent (SJA) (Sillage application and dashboards), the key data for 2021 are as follows: 571 new cases registered; 575 decisions handed down by the First presidents of the courts of appeal; 19 settlements concluded; 53 decisions rendered by the CNRD with an average detention period of almost 140 days; 28 appeals to the CNRD in 2021 (12 at the initiative of the SJA and 16 at the initiative of the applicants). Source - Sub-Directorate for Legal Affairs, SEM, General Secretariat

**(2020):** "The sub-directorate for legal affairs of the Ministry of Justice, in conjunction with the State judicial agent, monitors liability actions relating to the defective operation of the public justice service (essentially based on Article L. 141-1 of the Code of Judicial Organization, with regard to users of this service).

The State's judicial agent directly follows up actions for compensation for pre-trial detention undergone in the context of criminal proceedings that have ended with a decision to dismiss, discharge or acquit (Articles 149 et seq. of the Code of Criminal Procedure).

1. With regard to liability actions relating to the defective functioning of the public service of justice:

The vast majority of them are based on article L. 141-1 of the Code of Judicial Organization.

Under the terms of this article, the State is obliged to repair the damage caused by the defective functioning of the judicial service. Except in the case of specific provisions, this liability is only incurred by gross negligence or by a denial of justice. This system of liability concerns only the user of the public service of justice, the third party to the legal proceedings being able to engage only the liability without fault of the State for breach of equality before public charges.

During the year 2020, the number of new liability actions brought against the State for gross negligence or denial of justice is 908 compared to 510 in 2019. During the same year 2020, 249 decisions condemned the State for malfunctioning of the public service of justice against 352 in 2019, out of a total of 398 decisions on the merits rendered in this matter.

Of the 249 condemnation decisions, 217 decisions implicated the responsibility of the State due to the excessive length of the proceedings, of which 17 decisions concerned proceedings in criminal matters and 200 in civil matters.

The amount of the sentences pronounced is 1,388,393 euros for excessive length of proceedings out of a total amount of 1,975,018 euros. 2. Article 149 of the Code of Criminal Procedure gives the right, under certain conditions, to full compensation for the damage suffered as a result of detention in the context of proceedings that have been dismissed, acquitted or discharged.

Any person who has been remanded in custody in the course of proceedings that have ended in a decision to dismiss, discharge or acquit that has become final, is entitled, with the exceptions specifically defined by Article 149 of the Code of Criminal Procedure, at his or her request, to full compensation for the moral and material damage caused by this detention. The compensation awarded is to be paid by the State.

It is the first president of the court of appeal in whose jurisdiction the decision to dismiss the case, acquit or acquit the detainee was handed down, which results in the detainee's innocence, who decides, after a public and contradictory procedure, by a reasoned decision that can be appealed to the national commission for compensation for detentions placed at the Court of Cassation (CNRD).

According to data from the State Judicial Agent (Sillage application and follow-up tables), the key data for the year 2020 are as follows

- 423 new cases registered.
- 436 decisions rendered by the first presidents of the courts of appeal.
- 8 settlements reached.
- 83 decisions rendered by the CNRD with an average length of compensated detention of less than 400 days.
- 27 appeals to the CNRD in 2020 (4 at the initiative of the AJE and 23 at the initiative of the claimants)

**(2019): 1)** The Legal Affairs Sub-Directorate of the Ministry of Justice monitors, in conjunction with the State's judicial agent, liability actions relating to the defective operation of the public service of justice. The vast majority of them are based on Art. L. 141-1 of the Judicial Organization Code. The State is required to repair the damage caused by the defective functioning of the justice system. Except in the case of special provisions, this liability is engaged in respect of court users in case of gross negligence or denial of justice. The third party in the proceedings can engage only the no-fault liability of the State for breach of equality.

In 2019, the number of new liability actions brought against the State for gross negligence or denial of justice is 510, compared with 482 in 2018. 352 decisions condemned the State for malfunctioning of the justice against 393 in 2018 (out of a total of 513). Of the 352 convictions, 302 decisions involved State responsibility due to the excessive length of proceedings (20 in criminal matters and 283 in civil matters) and the amount of 1,599,340 euros was paid out of a total amount of 5 292 676, 47 euros.

2) Article 149 of the Criminal Procedure Code entitles the accused to full compensation from the State, under certain conditions, for damages suffered as a result of detention in connection with proceedings that have been dismissed, discharged or acquitted. It is the first president of the court of appeal in whose jurisdiction the decision of dismissal/ acquittal was pronounced, who decides, after a public and contradictory procedure, by a motivated decision that can be appealed to the national commission for reparation of detentions before the Court of Cassation (CNRD). The State's judicial officer directly follows such actions for compensation. The key data for the year 2019 are as follows: 519 new cases registered; 408 decisions handed down by the first presidents of courts of appeal; 4 transactions concluded. 83 decisions handed down by CNRD with an average compensated detention period of less than 400 days. 55 appeals to the CNRD in 2019 (7 at the initiative of the AJE and 48 at the initiative of the claimants).

**(2016):** The category “other” refers to compensation for pre-trial detention. Indeed, article 149 of the Criminal Procedure Code provides for the right, under certain conditions, to full compensation for the damage suffered as a result of detention in the context of proceedings which have been the subject of a decision of dismissal, release or acquittal. Any person who has been detained in custody in the frame of proceedings terminated by a decision of dismissal, release or acquittal that has become final is entitled, subject to exceptions specifically pinpointed by article 149 of the Criminal Procedure Code, at his/her request, to full compensation for the moral and material damage caused by such detention. The compensation awarded shall be borne by the State. It is the first president of the Court of Appeal in whose jurisdiction the decision of dismissal, release or acquittal resulting in the innocence of the detainee has been pronounced, who rules, after a public and contradictory procedure, by a reasoned decision subject to appeal before the National Commission for Compensation of Detentions placed within the Court of Cassation (CNRD).

According to the computer application of the State judicial officer, the latter would have recorded 468 requests in 2012, 480 in 2013, 553 in 2014, 521 in 2015 and 491 in 2016. In 2015, 528 decisions were rendered by the First Presidents of Courts of Appeal. Of these 528 decisions, 84 resulted in rejection and 444 in compensation. 499 decisions were rendered in 2016 (the rejection/compensation ratio is not available). The number of appeals brought before the National Commission for Reparation of Detentions is stable in 2015 and 2016 since the NCRD registered 62 and 61 appeals respectively for these two years. CNRD rendered 84 decisions for the year 2015 and 64 decisions for the year 2016.

## Germany

**(General Comment):** According to the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings (Gesetz über den Rechtsschutz bei überlangen Gerichtsverfahren und strafrechtlichen Ermittlungsverfahren) a person affected may file a complaint about undue delay (censure of delay) to the court seized of the case if proceedings seem unreasonably long. Subsequently, the person affected may bring a court action claiming compensation. The claim may be brought even before completion of the main proceedings. Adequate compensation is granted for pecuniary and nonpecuniary disadvantages. In criminal proceedings, the passage of time between the offence and the conviction, as well as the length of the proceedings, must also be taken into account and compensated ex officio by the court and the public prosecutor’s office in favour of the accused. Depending on the extent of the delay and the disadvantages suffered by the accused as a result, compensation may be provided by a ruling that a quantified part of the sentence imposed is already deemed to have been enforced (this will be stated in the operative part of the judgment). In individual cases, it may suffice – even at the investigation stage by the public prosecutor’s office – to discontinue proceedings (e.g. pursuant to Sections 153, 153a or 154 of the German Code of Criminal Procedure [Strafprozessordnung – StPO]), to dispense with imposing a penalty (Section 60 of the German Criminal Code [Strafgesetzbuch – StGB]) or, in the event of minor delays, to establish in the grounds of the judgment that the proceedings have been delayed in breach of the rule of law. In extreme cases, undue delay may constitute a procedural impediment that requires the court to terminate proceedings. If compensation has been provided in the criminal proceeding, except for compensation for material damage, the accused has received sufficient redress and is not further entitled to compensation in accordance with the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings. If parties to a legal dispute suffer damage due to the excessive length of court proceedings, a compensation claim may also ensue under Section 839 of the German Civil Code (Bürgerliches Gesetzbuch – BGB) in conjunction with Article 34 of the German Basic Law (Grundgesetz – GG). A claim under these provisions requires that an official intentionally or negligently breaches the official duty incumbent upon him in relation to a third party. If the official breaches his duties in a judicial decision in a legal matter, then the state is only liable if the breach of duty consists in a criminal offence. This limitation does not apply if the official refuses or delays the exercise of his duty. However, the manner in which a judge conducts the legal proceedings may only be examined for its justifiability due to the constitutional principle of judicial independence. If the official responsible for the execution of the court decision has delayed compulsory enforcement intentionally or negligently and in breach of his official duty, a compensation claim may ensue under Section 839 of the German Civil Code in conjunction with Article 34 of the German Basic Law. A claim may also exist under Section 839 of the German Civil Code in conjunction with Article 34 of the German Basic Law in cases of wrongful arrest if the official responsible intentionally or negligently breaches the official duty. Decisions by the judge responsible for matters of custody, as well as discretionary decisions by the public prosecution office in criminal investigation proceedings, may, however, only be examined for their justifiability. In the case of a wrongful conviction a state liability claim requires that the judge responsible intentionally or negligently breaches the official duty in such a way that the breach of duty consists in a criminal offence.

Anyone who has suffered damage from a criminal conviction is compensated by the Treasury if the conviction is quashed or reduced in reopened proceedings or otherwise in criminal proceedings after having become final and binding (Section 1(1) of the Act on Compensation for Criminal Prosecution Measures [Gesetz über die Entschädigung für Strafverfahrensmaßnahmen]).

**(2020):** According to the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings (Gesetz über den Rechtsschutz bei überlangen Gerichtsverfahren und strafrechtlichen Ermittlungsverfahren) a person affected may file a complaint about undue delay (censure of delay) to the court seized of the case if proceedings seem unreasonably long. Subsequently, the person affected may bring a court action claiming compensation. The claim may be brought even before completion of the main proceedings. Adequate compensation is granted for pecuniary and non-pecuniary disadvantages.

In criminal proceedings, the passage of time between the offence and the conviction, as well as the length of the proceedings, must also be taken into account and compensated *ex officio* by the court and the public prosecutor's office in favour of the accused. Depending on the extent of the delay and the disadvantages suffered by the accused as a result, compensation may be provided by a ruling that a quantified part of the sentence imposed is already deemed to have been enforced (this will be stated in the operative part of the judgment). In individual cases, it may suffice – even at the investigation stage by the public prosecutor's office – to discontinue proceedings (e.g. pursuant to Sections 153, 153a or 154 of the German Code of Criminal Procedure [Strafprozessordnung – StPO]), to dispense with imposing a penalty (Section 60 of the German Criminal Code [Strafgesetzbuch – StGB]) or, in the event of minor delays, to establish in the grounds of the judgment that the proceedings have been delayed in breach of the rule of law. In extreme cases, undue delay may constitute a procedural impediment that requires the court to terminate proceedings. If compensation has been provided in the criminal proceeding, except for compensation for material damage, the accused has received sufficient redress and is not further entitled to compensation in accordance with the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings.

If parties to a legal dispute suffer damage due to the excessive length of court proceedings, a compensation claim may also ensue under Section 839 of the German Civil Code (Bürgerliches Gesetzbuch – BGB) in conjunction with Article 34 of the German Basic Law (Grundgesetz – GG). A claim under these provisions requires that an official intentionally or negligently breaches the official duty incumbent upon him in relation to a third party. If the official breaches his duties in a judicial decision in a legal matter, then the state is only liable if the breach of duty consists in a criminal offence. This limitation does not apply if the official refuses or delays the exercise of his duty. However, the manner in which a judge conducts the legal proceedings may only be examined for its justifiability due to the constitutional principle of judicial independence.

If the official responsible for the execution of the court decision has delayed compulsory enforcement intentionally or negligently and in breach of his official duty, a compensation claim may ensue under Section 839 of the German Civil Code in conjunction with Article 34 of the German Basic Law.

A claim may also exist under Section 839 of the German Civil Code in conjunction with Article 34 of the German Basic Law in cases of wrongful arrest if the official responsible intentionally or negligently breaches the official duty. Decisions by the judge responsible for matters of custody, as well as discretionary decisions by the public prosecution office in criminal investigation proceedings, may, however, only be examined for their justifiability.

In the case of a wrongful conviction a state liability claim requires that the judge responsible intentionally or negligently breaches the official duty in such a way that the breach of duty consists in a criminal offence.

A person who has suffered damage from a criminal conviction is compensated by the Treasury if the conviction is quashed or

**(2019):** According to the Act on Legal Redress for Excessive Length of Court Proceedings and of Criminal Investigation Proceedings (Gesetz über den Rechtsschutz bei überlangen Gerichtsverfahren und strafrechtlichen Ermittlungsverfahren) a person affected may file a complaint about undue delay (censure of delay) to the court seized of the case if proceedings seem unreasonably long. Subsequently, the person affected may bring a court action claiming compensation. The claim may be brought even before completion of the main proceedings. Adequate compensation is granted for pecuniary and non-pecuniary disadvantages.

If parties to a legal dispute suffer damage due to the excessive length of court proceedings, a compensation claim may also ensue under Section 839 of the German Civil Code (Bürgerliches Gesetzbuch – BGB) in conjunction with Article 34 of the German Basic Law (Grundgesetz – GG). A claim under these provisions requires that an official intentionally or negligently breaches the official duty incumbent upon him in relation to a third party. If the official breaches his duties in a judicial decision in a legal matter, then the state is only liable if the breach of duty consists in a criminal offence. This limitation does not apply if the official refuses or delays the exercise of his duty. However, the manner in which a judge conducts the legal proceedings may only be examined for its justifiability due to the constitutional principle of judicial independence.

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In the case of a wrongful conviction a state liability claim requires that the judge responsible intentionally or negligently breaches the official duty in such a way that the breach of duty consists in a criminal offence.

Anyone who has suffered damage from a criminal conviction is compensated by the Treasury if the conviction is quashed or reduced in reopened proceedings or otherwise in criminal proceedings after having become final and binding (Section 1(1) of the Act on Compensation for Criminal Prosecution Measures [Gesetz über die Entschädigung für Strafverfolgungsmaßnahmen – StrEG]). The same applies if a measure of correction and prevention or an ancillary measure has been ordered without a conviction (Section 1(2) of the Act on Compensation for Criminal Prosecution Measures). In cases of acquittal, discontinuation of the proceedings or refusal to initiate the main proceedings, Section 2(1) of the Act on Compensation for Criminal Prosecution Measures provides for compensation for the damage suffered due to the execution of remand detention or temporary arrest. Where the proceedings are discontinued in accordance with a discretionary provision, compensation may be granted ex bono (Section 3 of the Act on Compensation for Criminal Prosecution Measures).

The subject of the compensation is the property damage caused by the criminal prosecution measure. In cases of deprivation of liberty on the basis of a court ruling, this can also be immaterial damage (section 7(1) of the Act on Compensation for Criminal Prosecution Measures). The current immaterial compensation is €25 for each day of deprivation of liberty commenced. Currently, legislative proceedings are ongoing to raise this amount of compensation up to €75 per day (BT-Drs. 1614700).

**(2018):** As a general rule, in the case of excessively long court proceedings, the person concerned has to file a complaint about undue delay (Verzögerungsrüge) with the court at which the proceedings seem excessively long. If necessary, he or she can then file an application for compensation even if the original proceedings have not yet been concluded. Adequate compensation is granted for pecuniary disadvantages. To the extent that an alternative form of redress would appear insufficient, a fixed amount of €1,200 per year is granted as a general rule for non-pecuniary disadvantages.

The law of state liability is only partly regulated by national law (see below). In addition, there are provisions of Land law, as well as customary and judge-made law.

Provisions of federal law

If the parties to a legal dispute suffer damage because of the excessive length of proceedings, a compensation claim may ensue from section 839 of the Civil Code (Bürgerliches Gesetzbuch, BGB) in conjunction with Article 34 of the Basic Law (Grundgesetz, GG) if there is a case of an official being culpable of refusal or delay in exercising a public function in breach of duty (section 839 (2), second sentence, of the Civil Code). However, the manner in which a judge conducts the proceedings within the scope of section 839 (2), second sentence, of the Civil Code may only be examined for its justifiability due to the constitutional principle of judicial independence.

A creditor's first port of call in procedural terms against the non-execution of a court decision by a bailiff is to lodge a reminder in accordance with section 766 (2) of the Code of Civil Procedure. The court responsible for execution rules on the reminder. If a senior judicial officer of the court responsible for execution wholly or partially rejects a creditor's motion to issue a compulsory enforcement measure, the creditor may lodge an immediate complaint (section 567 (1) no. 2 of the Code of Civil Procedure). If the organ responsible for execution has delayed compulsory enforcement culpably and in breach of duty, there may be a compensation claim under section 839 (1) of the Civil Code in conjunction with Article 34 of the Basic Law.

A claim may also exist under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law in the case of wrongful arrest if the acting official can be accused of a culpable breach of official duty. As regards rulings by the judge responsible for matters of custody, as well as discretionary decisions by the public prosecution office in the investigation proceedings, the decision may only be examined for its justifiability.

In the case of a wrongful judgment, there is an official liability claim under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law if the breach of duty consists of a criminal offence (section 839 (2), first sentence, of the Civil Code).

The claim under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law is to be asserted in the courts of ordinary jurisdiction.

Distinct from these claims are compensation claims under provisions of special statutes, which as a rule are not intended to compensate for the entire damage, but provide lump sums instead.

In cases of acquittal, discontinuation of the proceedings or refusal to initiate the main proceedings, section 2 (1) of the Act on Compensation for Criminal Prosecution Measures (Gesetz über die Entschädigung für Strafverfolgungsmaßnahmen, StrEG) provides for compensation for the damage suffered due to the execution of remand detention or temporary arrest. Where the proceedings are discontinued in accordance with a discretionary provision, compensation may be granted ex parte (section 2 of the Act on Compensation for Criminal Prosecution Measures). The

**(2016):** As a general rule, in the case of excessively long court proceedings, the person concerned has to file a complaint about undue delay (Verzögerungsrüge) with the court at which the proceedings seem excessively long. If necessary, he can then file a complaint for compensation even if the original proceedings have not yet been concluded. Adequate compensation is granted for pecuniary disadvantages. To the extent that an alternative form of redress would appear insufficient, a fixed amount of € 1,200 per year is granted as a general rule for non-pecuniary disadvantages.

The law of state liability is only partly regulated by national law (see below). There are in addition provisions of Land law, as well as common and judges' law.

Provisions of federal law

If the parties to a legal dispute suffer damage because of excessive length of proceedings, a damage claim may ensue from section 839 of the Civil Code (Bürgerliches Gesetzbuch, BGB) in conjunction with Article 34 of the Basic Law (Grundgesetz, GG) if a case of culpable refusal or delay of execution of the office in breach of duty applies, section 839 (2), second sentence, of the Civil Code. However, the manner in which a judge pursues the proceedings within the scope of section 839 (2), second sentence, of the Civil Code may only be examined for justifiability because of the constitutional principle of judicial independence.

A creditor's first port of call in procedural terms against the non-execution of court decisions by a bailiff is to lodge a reminder in accordance with section 766 (2) of the Code of Civil Procedure. The execution court rules on the reminder. If a senior judicial officer of the execution court rejects a creditor's motion completely or in part to issue a compulsory enforcement measure, the creditor may lodge an immediate complaint (section 567 (1) no. 2 of the Code of Civil Procedure). If the execution organ has delayed compulsory enforcement culpably and in breach of duty, there may be a compensation claim under section 839 (1) of the Civil Code in conjunction with Article 34 of the Basic Law.

A claim may also exist under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law in the case of wrongful arrest if the acting official can be accused of a culpable breach of official duty. With rulings of the judge responsible for matters of custody, as well as with discretionary decisions of the public prosecution office in the investigation proceedings, the decision may only be examined for its justifiability.

In the case of a wrongful judgment, there is an official liability claim under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law if the breach of duty consists of a criminal offence, section 839 (2), first sentence, of the Civil Code. The claim under section 839 of the Civil Code in conjunction with Article 34 of the Basic Law is to be asserted in the courts of ordinary jurisdiction.

Distinct from these claims are compensation claims under provisions of special statutes, which as a rule are not intended to compensate for the entire damage, but provide lump sums.

Section 2 (1) of the Act on Compensation for Criminal Prosecution Measures (Gesetz über die Entschädigung für Strafverfolgungsmaßnahmen, StrEG) provides in cases of acquittal, discontinuation of the proceedings or refusal to initiate the main proceedings for compensation for the damage suffered by remand detention or temporary arrest that have been carried out. Where the proceedings are discontinued in accordance with a discretionary provision, compensation can be granted ex bono, section 3 of the Act on Compensation for Criminal Prosecution Measures. The subject of the compensation is the property damage caused by the criminal prosecution measures in the case

## Greece

**(2022):** -Articles 538,539,540 of the Code of Criminal Procedure

-According to the Council of the State (1501/2014) and in line with the case law of the CJUE, the State may be held liable for damages to the citizen in case of an erroneous judicial decision if there is a manifest error.

-Law 4239/2014 as amended by Law 4842/2021 provides for fair compensation for excessive length of proceedings

**(2018):** Chapter C L.4055/2012 and Articles 1-7 L.4239/2014 provide for the compensation system for the cases brought before administrative, Civil and Criminal courts.

Furthermore, according to Criminal Procedure Court there is a provisional compensation between 8,804 euro and 29,347 euro per day, for the wrongly convicted, which is granted by a relevant judicial decision.

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## Hungary

**(General Comment): Excessive length:** If the court is not able to finish the cases within reasonable time a compensation may be awarded to the parties. The court decides about the compensation in a fast track procedure. Non-execution of court decisions: Usually the court orders a 15 day deadline for fulfilling its final decision. If the party that is obliged to do so does not fulfil this obligation he/she also has to pay an interest from that day. Wrongful arrest: The damages occurred for wrongful arrest, house arrest or preliminary detention at a psychiatric institution shall be compensated. Wrongful condemnation: If the person was convicted, but later - as a result of an extraordinary review procedure - he/she was not found guilty or received a lenient punishment. Any pecuniary punishment or cost of the procedure that was paid by the accused person should be repaid with interest included. Other: the court awards a compensation if the circumstances of the imprisonment of a convicted or arrested person violate his/her fundamental rights.

**(2022):** As regards private law, we highlight the possibility to enforce claims based on Act XCIV of 2021 on the Enforcement of Property Compensation for Delay in Civil Proceedings.

The act defines the timeframe which may be regarded as reasonable and which is absolutely sufficient for the court to carry out the procedural steps necessary for a well-founded decision in the case.

As a general rule, the duration of court proceedings is considered reasonable if it does not exceed sixty months from the date of commencement of the proceedings at first instance to the date of notification of the final decision closing the proceedings. A claim may also be brought in the event of a delay in the procedure phase. The duration of the procedural phase is considered reasonable if, for example, the duration of procedural phase at first instance does not exceed thirty months, the duration of procedural phase at second instance does not exceed eighteen months, and the duration of the review proceedings does not exceed twelve months. A shorter objective timeframe is set for specific cases that need to be dealt with quickly such as cases related to personal status, child support and employment. However, depending on the circumstances of a given case, the court seized may, at its judicial discretion, set a shorter timeframe as reasonable. A claim for compensation may be brought in relation to both pending and concluded cases if either the duration of the entire proceedings or a procedural phase exceeds the reasonable timeframe defined by law.

If the duration of the court proceedings or procedural phase exceeds the timeframe considered reasonable, the party may claim monetary compensation from the court conducting the delayed proceedings at the rate set by government decree (HUF 400,- per day). The compensation awarded is in proportion to the duration of the court proceedings. [see also the Government Decree 372/2021 (VI. 30.) on the amount of property compensation for delay in civil proceedings and the rules for calculating the amount to be paid.]

Concerning criminal law, we would add that in case of an unlawful arrest, imprisonment, confinement, placement in a juvenile correctional institution or compulsory psychiatric treatment, a recompensation procedure as included in the Criminal Procedural Act, may be initiated. The person entitled to compensation may choose to enter into an agreement with the Ministry of Justice in a simplified procedure, in the framework of which a settlement is reached on the amount of the compensation, or to file a lawsuit and the court will decide on the amount of the compensation.

In case of an agreement in the simplified compensation procedure, the compensation is adjusted to the number of days of unlawful deprivation of liberty, the amount per day is seven thousand forints (in the case of criminal supervision, the amount per day of compensation is three thousand five hundred forints).

**(2020):** There is no national level database containing the data for the question.

**(2019): Excessive length:**

If the court is not able to finish the cases within reasonable time a compensation may be awarded to the parties. The court decides about the compensation in a fast track procedure. The government given before the Parliament in October 2018 a bill proposal on the financial compensation related to the prolongation of certain court proceedings.

Non-execution of court decisions:

Usually the court orders a 15 day deadline for fulfilling its final decision. If the party that is obliged to do so does not fulfil this obligation he/she also has to pay an interest from that day.

Wrongful arrest:

The damages occurred for wrongful arrest, house arrest or preliminary detention at a psychiatric institution shall be compensated.

Wrongful condemnation:

If the person was convicted, but later - as a result of an extraordinary review procedure - he/she was not found guilty or received a lenient punishment. Any pecuniary punishment or cost of the procedure that was paid by the accused person should be repaid with interest included.

Other: the court awards a compensation if the circumstances of the imprisonment of a convicted or arrested person violate his/her fundamental rights.

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**Other:** the court awards a compensation if the circumstances of the imprisonment of a convicted or arrested person violate his/her fundamental rights.

## Italy

**(2021):** The number of condemnations is higher than the number of requests because the former refers to condemnations in year 2021 and some of them were initiated in previous years.

**(2019):** Unfortunately, the total amount in € is not available at this stage. This is a figure whose source is external to our administration (Ministry of Economy and Finance), hence we cannot guarantee its reliability.

**(2018):** Please note that the last two columns at Q.37 (number of condemnations and total amount in euros) refer to those compensating procedures cleared (actually paid) in 2018. Therefore, not necessary they refer to compensation procedures initiated in 2018 (first column).

PS: Given the wide diversity of such procedures we believe that the total doesn't make much sense, hence NA.

## Latvia

**(General Comment):** In Latvia, there is no compensation in the category "Non-execution of court decisions". In civil proceedings it is possible for individuals in Latvia to bring an action against the State for damages caused by the malfunctioning, or abnormal functioning, of the justice system (for example in case of excessive length of proceedings). The basis for bringing such an action is Article 92 of the Constitution of Latvia, which states that "Everyone, where his or her rights are violated without basis, has a right to commensurate compensation."

**(2022):** Number of requests for compensation - received at the Ministry of Justice (no data about requests received at prosecutor's office).

The Ministry of Justice informs that the total amount of compensation in 2022 consists of non-pecuniary damages 62147.40 euros, damages 35 699.71 euros, state social insurance contributions 4 776.49 euros and personal income tax compensation 1 912.68 euros.

The Ministry of Justice also informs that the compensation procedure and the calculation method for the compensation is regulated in a Law on compensation for damage caused in criminal proceedings and administrative violations. According to Article 15 the compensation calculation method of non-pecuniary damages for one unjustified detention day is minimum wage for month divided by 30, then the result without decimal places is multiply by 2. For example compensation for one unjustified detention day in 2021 was 32 euros ((500 euros : 30 = 16,66 euros); 16 euro x 2 x 1 day = 32 euros).

**(2021):** The Ministry of Justice informs that it does not have a separate statistic about circumstances mentioned in Article 037. The Ministry of Justice informs that the total amount of compensation in 2021 consists of non-pecuniary damages 75350 euros, damages 18708,39 euros, state social insurance contributions 2053,21 euros and personal income tax compensation 1100,40 euros.

The Ministry of Justice also informs that the compensation procedure and the calculation method for the compensation is regulated in a Law on compensation for damage caused in criminal proceedings and administrative violations. According to Article 15 the compensation calculation method of non-pecuniary damages for one unjustified detention day is minimum wage for month divided by 30, then the result without decimal places is multiply by 2. For example compensation for one unjustified detention day in 2021 was 32 euros ((500 euros : 30 = 16,66 euros); 16 euro x 2 x 1 day = 32 euros).

**(2020):** The Ministry of Justice informs that it does not have a separate statistic about circumstances mentioned in Article 037. The Ministry of Justice informs that the total amount of compensation in 2020 consists of non-pecuniary damages 69 889,70 euros, damages 31 471,31 euros, state social insurance contributions 1867,12 euros and personal income tax compensation 820,09 euros.

The Ministry of Justice also informs that the compensation procedure and the calculation method for the compensation is regulated in a Law on compensation for damage caused in criminal proceedings and administrative violations. According to Article 15 the compensation calculation method of non-pecuniary damages for one unjustified detention day is minimum wage for month divided by 30, then the result without decimal places is multiply by 2. For example compensation for one unjustified detention day in 2020 was 28 euros ((430 euros : 30 = 14,33 euros); 14 euro x 2 x 1 day = 28 euros).

In Latvia, there is no compensation in the categories "Non-execution of court decisions" and "Number of condemnations".

**(2019):** For 2019 the number of requests is almost the same than for 2018, while the amount decreased considerably. In 2018, in respect of separate legal proceedings and damages decisions, significant amounts of compensation have been determined compared to other cases. In 5 cases the amount of compensations was bigger than 10 000 euro, representing together 118,687.31 euro. Among those 5 cases, one compensation amount was 50 000 euro. Important compensations are an exception, not a routine, but sometimes they are and have a significant impact on the amount of reimbursement paid.

**(2018):** Cost increase exist because in 2016 there was less disbursement than in previous five years as well as the lowest expense rate since 2010. It is alleged that there was simply a coincidence in the cost of the claims, where no serious infringement of the rights of the individual could be established to determine a high level of non-pecuniary damage, or the amount of the loss was not high.

**(2016):** The Law on Compensation for Damages Caused by Unlawful or Unfounded Actions of Investigators, Prosecutors or Judges (Par izziņas izdarītāja, prokurora vai tiesneša nelikumīgas vai nepamatotas rīcības rezultātā nodarīto zaudējumu atlīdzināšanu; hereafter – "the Law on Compensation") determines the extent and the procedure of recovering losses, which as a result of the unlawful or groundless action of an investigator, prosecutor or judge in the course of fulfilling their official duties, are caused to natural

persons, as well as establishes the procedure in which the offended social and employment guarantees of such persons are ensured.

Article 2 of the Law on Compensation determines that legal basis for compensation for losses is: 1) a judgment of acquittal, regardless of the reason for acquittal; 2) termination of a criminal case due to person's exonerating circumstances; 3) recognition of an administrative apprehension as unlawful, and termination of the administrative proceedings.

Paragraph 1 of Article 7 of the Law on Compensation determines that the requests for damages must be submitted to the Ministry of Justice or the Office of the Prosecutor General, depending on the stage in which the proceedings have been terminated.

Paragraph 3 of Article 5 of the Law on Compensation determines that in relation to non-pecuniary damages, a person is entitled to submit a civil claim to a court of general jurisdiction. The court of general jurisdiction determines the amount of the compensation in civil cases considering the severity of the non-pecuniary damage and other circumstances, for example, excessive length of proceedings.

The Ministry of Justice collects information only about the total number of requests for compensation and the total paid amount.

## Lithuania

**(2020):** Total - compensation for damage caused by public authorities + compensation for damage caused by public prosecutors and courts;

Other - compensation for damage caused by public authorities;

**(2019):** In category “other” the data on the number of requests for compensation is from the Ministry of Justice only, and the number of condemnations data is related to the judgements of all the State institutions, thus the number of condemnations is that much higher. The major part of applicants apply against the State to the court directly, thus the Ministry of Justice has information about the claims against the State in cases where it is the representative of the State only. Also the Ministry of Justice has data on satisfied claims in courts as it is responsible for the enforcement of these judgements. Category “other” includes damage awarded because of the illegal actions of state institutions or officers and damage awarded because of improper imprisonment conditions.

**(2018):** Under the Civil Code and the Law on the Compensation of the Harm Caused by Illegal Actions of Public Authorities and Representation of the State of the Republic of Lithuania the damage resulting from the unlawful condemnation, unlawful arrest, unlawful detention, unlawful application of procedural coercive measures, illegal application of administrative penalty – arrest has to be reimbursed by the state in full, regardless of pre-trial investigation officers, prosecutors and court officials’ fault. Compensations for unlawful arrest and unlawful condemnation are paid from separate budgetary program on compensation of damages operated by the Ministry of Justice. These compensations may be paid according to court decisions on damages as well as through out-of-court procedure.

Damages can be compensated after court trial and without court trial (the property damage cannot exceed 1500 EUR, the moral damage cannot exceed 2900 EUR). Information above has been given on both cases.

N.B. In 2016 there was provided information about out-of-court procedure only. In 2018 in order to disclose the complete situation the data is provided also including situations when applicants take an application to the court directly. This can cause some differences in two periods (2016 and 2018).

**(2016):** Under the Civil Code and the Law on the Compensation of the Harm Caused by Illegal Actions of Public Authorities and Representation of the State the damage resulting from the unlawful condemnation, unlawful arrest, unlawful detention, unlawful application of procedural coercive measures, illegal application of administrative penalty – arrest has to be reimbursed by the state in full, regardless of pre-trial investigation officers, prosecutors and court officials’ fault. Compensations for unlawful arrest and unlawful condemnation are paid from separate budgetary program on compensation of damages operated by the Ministry of Justice. These compensations may be paid according to court decisions on damages as well as through out-of-court procedure. Damages can be compensated after court trial and without court trial (the property damage can not exceed 1500 EUR, the moral damage can not exceed 2900 EUR).

## Luxembourg

**(General Comment):** The law of 1st September 1988 concerning the civil liability of the State and public authorities allows for bringing before ordinary courts the civil liability of the State if a litigant considers themselves to have been a victim of defective functioning within judicial bodies. Excessive duration of procedures or a conviction resulting from such dysfunction could motivate such action. These complaints are brought before first instance courts. However, complaints regarding excessive duration of proceedings may also be brought before the European Court of Human Rights (violation of Article 6 ECHR) or result in procedural sanctions during proceedings. The latter actions do not, however, feature prominently within our systems. Thus, diversity among stakeholders makes it challenging to identify claims and compensation decisions for different categories, rendering it difficult to provide figures reflecting reality. Nonetheless, we were able to supplement data pertaining to compensation for unjustified arrest as provided by the law dated 30th December 1981 on indemnification in cases involving ineffective pre-trial detention.

**(2021):** The law of 1 September 1988 on the civil liability of the State and public authorities allows the State to be held civilly liable before the ordinary courts if a person considers that he or she has been victim of a defective functioning of the judicial bodies. Excessive length of proceedings or a conviction resulting from such malfunctioning could be grounds for such an action. These complaints are brought before first instance courts. However, complaints about excessive length of proceedings can also be brought before the European Court of Human Rights (violation of Article 6 of the European Convention on Human Rights) or result in a procedural sanction during the proceedings. However, these last procedural steps do not appear in our systems. Thus, the diversity of the actors involved makes it difficult to identify the claims and decisions on compensation for the different categories and does not allow us to provide figures that reflect reality. However, it was possible to complete the table concerning compensation for wrongful arrest, provided for by the law of 30 December 1981, concerning compensation for inoperative preventive detention. The figures available for compensation for wrongful arrest represent the requests and decisions granting compensation for inoperative preventive detention (IPD) (<https://mj.gouvernement.lu/fr/service-citoyens/detentionpreventive.html>) as well as the total amount paid. We would like to point out, however, that in the context of the aforementioned law of 30 December 1981, it is not appropriate to speak of convictions, but of administrative decisions that can be appealed before the administrative courts.

**(2020):** The law of September 1, 1988 on the civil liability of the State and public authorities allows the State to be held civilly liable before the ordinary courts if a person believes that he or she has been the victim of a defective operation of the judicial bodies. Excessive length of proceedings or a conviction resulting from such malfunctioning could be grounds for such an action. These complaints are brought before the courts of first instance. However, complaints about excessive length of proceedings can also be brought before the European Court of Human Rights (violation of Article 6 of the Convention on Human Rights) or result in a procedural sanction during the proceedings. However, these last approaches do not appear in our systems. Thus, the diversity of the actors involved makes it difficult to identify the claims and decisions on compensation for the different categories and does not allow us to provide figures that reflect reality. However, it was possible to complete the table concerning compensation for unjustified arrest, provided for by the law of December 30, 1981, concerning compensation for inoperative preventive detention. The figures available for compensation for wrongful arrest represent the requests and decisions granting compensation for inoperative preventive detention (IPD) (<https://mj.gouvernement.lu/fr/service-citoyens/detentionpreventive.html>) as well as the total amount paid. We would like to point out, however, that in the context of the aforementioned law of December 30, 1981, it is not appropriate to speak of convictions, but of administrative decisions.

**(2019):** The law of September 1, 1988 on the civil liability of the State and public authorities allows the State to be held civilly liable before the ordinary courts if a litigant considers that s/he has been the victim of a malfunctioning of the judicial bodies. An excessive length of proceedings or a conviction resulting from such a malfunction could motivate such an action. Such complaints are brought before first instance courts. However, complaints concerning the excessive length of proceedings may also be brought before the European Court of Human Rights (violation of article 6 of the ECHR) or result in a procedural sanction during the proceedings. However, these latter steps do not appear in our systems. Thus, the diversity of the actors involved makes the identification of claims and compensation decisions for the different categories difficult and does not allow for the provision of figures reflecting reality. However, it was possible for us to complete the table concerning compensation for unjustified arrest, provided for by the law of December 30, 1981 on compensation for inoperative pre-trial detention. The figures available for compensation for unjustified arrest represent the claims and decisions granting compensation in the context of inoperative preventive detention (IPR) (<https://mj.gouvernement.lu/fr/service-citoyens/detention-preventive.html>) as well as the total amount paid. However, we would like to point out that, in the framework of the above-mentioned law of December 30, 1981, we should not speak of convictions, but of administrative decisions.

**(2016):** In all cases compensation, in particular on the basis of the civil liability of the State, is possible, but there is no data.

## Malta

**(2022):** Under article 3 of the 7th protocol of the European Convention for Human Rights there is the right to compensation for wrongful conviction whilst under article 5(5) of the European Convention of Human Rights (transposed as Chapter 319 of the Laws of Malta), there is the right to compensation for unlawful detention. However no data is available.

**(2021):** Under article 3 of the 7th protocol of the European Convention for Human Rights there is the right to compensation for wrongful conviction whilst under article 5(5) of the European Convention of Human Rights (transposed as Chapter 319 of the Laws of Malta), there is the right to compensation for unlawful detention. For the purpose of the evaluation, 'unlawful detention' falls under the category 'Wrongful arrest' even if the difference between the two is being acknowledged. For both categories, no data is available.

**(2020):** Under article 3 of the 7th protocol of the European Convention for Human Rights there is the right to compensation for wrongful conviction whilst under article 5(5) of the European Convention of Human Rights (transposed as Chapter 319 of the Laws of Malta), there is the right to compensation for unlawful detention. However no data is available.

**(2018):** The items listed at Q37 form the basis of constitutional remedies on the basis of breaches of fundamental human rights. In this respect, such grievances are not covered by our compensation procedure and legislation.

**(2016):** The above requested data is not available, as in accordance with our system, an individual has to institute constitutional redress proceedings in order for the court to declare that the individual suffered a violation of his fundamental human rights resulting from length of proceedings or arbitrariness through detention. The compensation awarded by the domestic courts depends on the length of proceedings and the gravity of the case, and whilst such cases are instituted in accordance to Maltese law, this data is not available.

## **Netherlands**

**(General Comment):** Numbers cannot be provided, as compensation may involve people who were held in custody but were either not accused or not found guilty, damages due to an arrest, or possessed goods that have been damaged, sold, destroyed or gone missing. Numbers for compensation for wrongful arrest or wrongful conviction used to be generated by the Statistics Bureau (CBS), but that line of research was discontinued after 2016.

**(2022):** There are compensation regulations for certain situations (see 4th Book, Title VIa of the Penal Code). If an offender is acquitted, he/she may request compensation for travel- and accommodation costs, the costs of a lawyer, or because of being held in temporary custody.

**(2019):** It's not possible to give specific numbers for these categories. Compensation may involve people who were in custody, but were not accused or found guilty, it may involve damages due to an arrest, or possessed goods that have been damaged, sold, destroyed or have gone missing. Numbers for compensation for wrongful arrest or wrongful conviction used to be generated by the Statistics Bureau (CBS), but that line of research was discontinued after 2016.

**(2018):** Numbers cannot be provided for this question, as the compensation may involve people who have been in custody but where not accused or found guilty, it may involve damages due to an arrest, or possessed goods that have been damaged / sold / destroyed / gone missing. I don't have numbers specific to the categories you ask for. Also, this involves only a restricted group of 'users'.

**(2012):** In 2012, in 4 783 cases compensation was awarded for wrongful detention.

## **Poland**

**(General Comment):** The rules for granting a sum of money in case of finding excessive length of proceedings are specified in the Act of 17 June 2004 on complaints of violation of the right of a party to hear a case in preparatory proceedings conducted or supervised by a prosecutor and court proceedings without unreasonable delay. According to art. 12 para. 4 of this Act, having regard to the complaint on (excessive), the court adjudicates from the Treasury, and in the case of complaints about the length of the proceedings conducted by the bailiff - from the bailiff, a sum of PLN 2,000 to PLN 20,000. The amount of the monetary sum, within the limits specified in the first sentence, is not less than PLN 500 for each year of the current duration of the proceedings, regardless of the number of stages of proceedings related to the excessive length of proceedings. The court may award a sum of money higher than PLN 500 for each year of the current duration of the proceedings, if the case is of particular importance to the applicant, who by his attitude did not contribute in a manner to prolonging the proceedings. This sum includes the amounts already awarded to the applicant as a sum of money in the same case. No monetary sum is granted in the event of a complaint filed by the State Treasury or public sector units of the public finance sector. The accused, who was acquitted or condemned to a more lenient punishment as a result of the resumption of the proceedings or cassation, serves the State Treasury for damages and compensation for the harm suffered resulting from the execution of all or part of the punishment he was not supposed to incur. This provision shall also apply if the proceedings were discontinued after the convicting decision was abrogated as a result of circumstances which were not taken into account in the earlier proceedings. The right to compensation and redress also arises in connection with the application of a safeguard measure under the conditions laid down in those circumstances. Compensation and redress also apply in the event of undoubtedly unjustified detention or detention (Article 552 of the Code of Criminal Procedure).

**(2022):** \*246 - number of persons

11 - number of persons

**(2021):** \*272- number of persons; \*12 - number of persons

The amounts of compensations from chapter 75595 paid in 2021 ordered from the State Treasury are presented below, together with an indication of the legal acts on the basis of which the compensations were ordered.

Specification of damages from chapter 75595 amounts paid in 2021

1. Act of 23 February 1991 on declaring invalid judgments issued against persons repressed for activities in favour of the independent existence of the Polish state = EUR 21,625

2 Article 552 of the Act of 6 June 1997 - Code of Criminal Procedure = €6,707; 3 Act of 17 June 2004 on Complaint for Infringement of the Right of a Party to Investigate a Case in Pre-trial Proceedings Conducted or Supervised by a Public Prosecutor and in Judicial Proceedings without Undue Delay € 1,188

4 other damages: inter alia, compensatory pensions, compensation for property damage, unlawful eviction € 324

5 Act of 7 July 2005 on State compensation to victims of certain criminal acts 71 euro

Total compensation in chapter 75595 137 590 pln 29 915 euro

The amount of funds spent on the payment of compensation to entitled persons results directly from the content of judgments of independent courts deciding on the legitimacy of claims and the amount of compensation awarded. Course of implementation of the expenditure plan in chapter 75595 in the course of the financial year is therefore independent of the activities of the financial services of individual courts, since the payment of funds by the financial branch of the court occurs only on the basis of a final court ruling on the payment of compensation to the entitled person.

**(2020):** \*229 - number of persons

\*19 - number of persons

Regarding the content of question 37, we would like to inform you that the Ministry of Justice, within its jurisdiction has the following data on the amount of compensation payments also from Section 15 of the State Budget, Chapter 75595, adjudged by the State Treasury in 2020

Specification of compensation from Chapter 75595 in 2020 in euro: 1. On the basis of the Act of 23 February 1991 on the recognition of invalid rulings issued against persons repressed for activities for the benefit of the independent state of Poland - EUR 13 123 000 2. On the basis of Article 552 of the Act of 6 June 1997 Code of Criminal Procedure (Journal of Laws of 2018, item 1987) 4 552 000 euro 3. pursuant to the Act of 17 June 2004 on a complaint for violation of a party's right to examine a case in preparatory proceedings conducted or supervised by a prosecutor and court proceedings without undue delay (Journal of Laws of 2018, item 75) EUR 1 005 000 4. other compensations: inter alia, compensatory pensions, compensation in property damage, unlawful eviction 114 000 euro

5. under the Act of 7 July 2005 on State Compensation to victims of certain criminal acts 32 000 euro

Total compensations from chapter 75595 - 18 826 000 euro

The amount of funds spent on compensation payments to entitled persons results directly from the content of judgments of independent courts deciding on the legitimacy of claims and the amount of awarded compensation. The course of implementation of the expenditure plan in chapter 75595 during the budget year is therefore independent of the actions of the financial services of individual courts, because the payment of funds by the financial branch of the court, occurs only on the basis of a final court decision to pay compensation to the entitled person.

**(2019):** The course of the implementation of the expenditure plan in chapter 75595 during the financial year is therefore independent of the actions of the financial services of individual courts, because the payment of funds by the financial department of the court takes place only on the basis of a final court ruling on the payment of compensation to the entitled person.

\*Non execution of decision - 317- number of persons

\*Wrongful conviction - 26- number of persons

## Portugal

**(General Comment):** There is no data with these levels of disaggregation in Portugal.

**(2022):** The right to compensation in the cases listed is provided for in Law no. 67/2007 of December 31, which establishes the regime of non-contractual civil liability of the State and other Public Entities, specifically providing for an autonomous regime of State liability for damages arising from the exercise of the judicial function (chapter III, arts. 12 to 14). In particular, with regard to Wrongful arrest/detention, it is important to mention article 225 and 226 of the Criminal Procedure Code, which provide for the right to compensation for illegal or unjustified deprivation of liberty by establishing a special regime. These articles also give effect to Article 27(5) CRP, which states that "Deprivation of liberty contrary to the provisions of the Constitution and the law shall constitute the State's duty to compensate the injured party under the terms established by law".

## Romania

**(General Comment):** There is no mechanism for calculating the compensation. The courts take into consideration the national case law and the jurisprudence of the European Court of Human Rights in similar cases.

Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as a compensation. In criminal matters, the only possibility to obtain damages in case of procedural delays is the civil claim for damages, based on the provisions of the Civil Code. The Civil Procedure Code (the Law 134/2010) provides for a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 para. (1) of the CPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, he/she solicits the adoption of legal measures remedying to this situation. Please, refer to the regulations of the CPC as concerns the guarantee of the right to a fair trial and a case settlement within a reasonable time-limit.

The non-observance of judgments is incriminated as offence by Art. 287 of the Criminal Code. Within the criminal trial there may be also formulated the civil claim for damages for the non-enforcement of the judgment. The civil action may be also introduced separately, at the civil court. Both actions shall be judged according to the provisions of the Civil Code, regulating the delictual civil responsibility.

Illegal arrest and illegal conviction are situations circumscribed to judicial errors for which the Romanian state is responsible according to Art. 538-539 and the following of the Criminal Procedure Code (the Law 135/2010). For the appreciation in substance of the civil responsibility, common law rules laid down by the Civil Code apply. According to the provisions of the art. 538 of the Criminal Procedure Code, any person who suffered a wrongful condemnation or was, during a criminal trial, illegally deprived of his/her liberty is entitled to receive a compensation. The compensation should cover both the material and moral prejudices caused to that person. The amount of the compensation is to be determined by the court (the tribunal) in whose district the entitled person has its domicile. The entitled person should introduce a civil action against the state (which is represented by the Ministry of Public Finances), action which is exempted of any judicial fees.

Regarding the excessive duration of the criminal procedures, there is a remedy, but it is not compensatory - see art. 488 (index1) and the following of the Criminal Procedure Code. Law no. 201/2023 introduced a new article in the Criminal Procedure Code (the Law 135/2010) art. 359/1, stating the right to compensation for damage in the case of technical surveillance measures or activities specific to the collection of information illegally arranged ( 1 ) The person against whom he was ordered, confirmed, extended or illegally enforced a technical surveillance measure is entitled to compensation for the damage caused by this measure.

**(2020):** There is no mechanism for calculating the compensation. The courts take into consideration the national case law and the jurisprudence of the European Court of Human Rights in similar cases.

Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as a compensation. In criminal matters, the only possibility to obtain damages in case of procedural delays is the civil claim for damages, based on the provisions of the Civil Code. The new Civil Procedure Code (the Law 134/2010) provides for a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 para. (1) of the NCPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, he/she solicits the adoption of legal measures remedying to this situation. Please, refer to the regulations of the NCPC as concerns the guarantee of the right to a fair trial and a case settlement within a reasonable time-limit.

The non-observance of judgments is incriminated as offence by Art. 287 of the Criminal Code. Within the criminal trial there may be also formulated the civil claim for damages for the non-enforcement of the judgment. The civil action may be also introduced separately, at the civil court. Both actions shall be judged according to the provisions of the Civil Code, regulating the delictual civil responsibility.

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Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as compensation. In the criminal matter, the only possibility to obtain damages in the case of the procedural delays is the civil claim for damages, made on the provisions of the Civil Code. In the new Civil Procedure Code (the Law 134/2010), there is stipulated a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 para. (1) of the NCPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, to solicit the taking of the legal measures for the removal of this situation. See, for completion, the regulations stipulated in the civil matter (the NCPC) as concerns the guarantee of the right to a fair trial and at the case settlement within a reasonable time-limit.

The non-observance of judgments is incriminated as offence by Art. 287 of the Criminal Code. Within the criminal trial there may be also formulated the civil claim for damages for the non-enforcement of the judgment. The civil action may be also introduced separately, at the civil court. Both actions shall be judged according to the provisions of the Civil Code, regulating the delictual civil responsibility.

Illegal arrest and illegal conviction are situations circumscribed to judicial errors for which the Romanian state is responsible according to Art. 538-539 and the following of the Criminal Procedure Code (the Law 135/2010). For the appreciation in substance of the civil responsibility, there shall apply the common law rules laid down by the Civil Code. According to the provisions of the art. 538 of the Criminal Procedure Code, any person who suffered a wrongful condemnation or was, during a criminal trial, illegally deprived of his/her liberty is entitled to receive a compensation.

The compensation should cover both the material and moral prejudices caused to that person.

The amount of the compensation is to be determined by the court (the tribunal) in whose district the entitled person has its domicile.

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Regarding the excessive duration of the criminal procedures, there is a remedy, but it is not compensatory - see art. 488 (index1) and the following of the Criminal Procedure Code.

**(2018):** There is no mechanism for calculating the compensation. The courts take into consideration the national case law and the jurisprudence of the European Court of Human Rights in similar cases.

Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as compensation. In the criminal matter, the only possibility to obtain damages in the case of the procedural delays is the civil claim for damages, made on the provisions of the Civil Code. In the new Civil Procedure Code (the Law 134/2010), there is stipulated a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 para. (1) of the NCPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, to solicit the taking of the legal measures for the removal of this situation. See, for completion, the regulations stipulated in the civil matter (the NCPC) as concerns the guarantee of the right to a fair trial and at the case settlement within a reasonable time-limit.

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Illegal arrest and illegal conviction are situations circumscribed to judicial errors for which the Romanian state is responsible according to Art. 538-539 and the following of the Criminal Procedure Code( the Law 135/2010) For the appreciation in substance of the civil responsibility, there shall apply the common law rules laid down by the Civil Code. According to the provisions of the art. 538 of the Criminal Procedure Code, any person who suffered a wrongful condemnation or was, during a criminal trial, illegally deprived of his/her liberty is entitled to receive a compensation.

The compensation should cover both the material and moral prejudices caused to that person.

The amount of the compensation is to be determined by the court (the tribunal) in whose district the entitled person has its domicile.

The entitled person should introduce a civil action against the state (which is represented by the Ministry of Public Finances), action which is exempted of any judicial fees.

Regarding the excessive duration of the criminal procedures, there is a remedy, but it is not compensatory - see art. 488 (index1) and the following of the Criminal Procedure Code.

**(2016):** There is no mechanism for calculating the compensation. The courts take into consideration the national case law and the jurisprudence of the European Court of Human Rights in similar cases.

Even if the civil regulations of material and procedural law do not provide special mechanisms for the compensation of individuals in case of excessive duration of procedures and non-enforcement of judgments, there are norms guaranteeing the right to a fair trial and at case settlement within a reasonable time-limit. In such circumstances, there is a possibility to pay certain sums of money as fines or even as compensation. In the criminal matter, the only possibility to obtain damages in the case of the procedural delays is the civil claim for damages, made on the provisions of the Civil Code. In the new Civil Procedure Code (the Law 134/2010), entered into force on the 15th of February 2013), there is stipulated a much more efficient mechanism to this effect, respectively the contestation concerning the protraction of the case settlement. Thus, according to Article 522 paragraph (1) of the NCPC, any party, as well as the prosecutor attending the trial may make contestation by which, invoking the infringement of the right to the settlement of the trial within an optimal and reasonable time-limit, to solicit the taking of the legal measures for the removal of this situation. See, for completion, the regulations stipulated in the civil matter (the NCPC) as concerns the guarantee of the right to a fair trial and at the case settlement within a reasonable time-limit.

The non-observance of judgments is incriminated as offence by Art. 287 of the Criminal Code. Within the criminal trial there may be also formulated the civil claim for damages for the non-enforcement of the judgment. The civil action may be also introduced separately, at the civil court. Both actions shall be judged according to the provisions of the Civil Code, regulating the delictual civil responsibility.

Illegal arrest and illegal conviction are situations circumscribed to judicial errors for which the Romanian state is responsible according to Art. 538-539 and the following of the Criminal Procedure Code (the Law 135/2010) For the appreciation in substance of the civil responsibility, there shall apply the common law rules laid down by the Civil Code. According to the provisions of the art. 538 of the Criminal Procedure Code, any person who suffered a wrongful condemnation or was, during a criminal trial, illegally deprived of his/her liberty is entitled to receive a compensation.

The compensation should cover both the material and moral prejudices caused to that person.

The amount of the compensation is to be determined by the court (the tribunal) in whose district the entitled person has its domicile.

The entitled person should introduce a civil action against the state (which is represented by the Ministry of Public Finances), action which is exempted of any judicial fees.

## **Slovak Republic**

**(General Comment):** The compensations for the excessive length of proceedings can awarded by the Constitutional court in the finding on violation of the right to trial in the reasonable time. The compensation for wrongful arrest or conviction, non-execution of court decisions can be awarded by the court in the civil procedure. The aggrieved person can seek compensation against the state according to the Act on State Liability for Damage in Exercise of the Public Power.

**(2022):** The data are not collected in this structure in our judicial system.

**(2019):** The compensations for the excessive length of proceedings can awarded by the Constitutional court in the finding on violation of the right to trial in the reasonable time. The compensation was awarded in the amount of 375 912 eur in 2019. The compensation for wrongful arrest or conviction, non-execution of court decisions can be awarded by the court in the civil procedure. The aggrieved person can seek compensation against the state according to the Act on State Liability for Damage in Exercise of the Public Power.

The number of requests for compensation delivered on the Ministry of Justice of the SVK was 214. Out of these only 4 request were satisfied:

one non-execution of court decisions (allocated amount 8.640,65 €),

one wrongful conviction (167,78 €),

two other (administrative mistake of the court, allocated amount 980,16 €).

Some of the unsatisfied request end up on the court in the civil procedure. During 2019 Ministry of Justice of SVK compensated in addition (due the court decision) in 45 cases in the amount of 553 395 euros. In these cases, we do not provide precise information on the reason for compensation, but we can say that in most cases it was compensation for wrongful conviction, in which the applicant was not found guilty.

**(2018):** The compensations for the excessive length of proceedings can awarded by the Constitutional court in the finding on violation of the right to trial in the reasonable time.

The compensation for wrongful arrest or conviction can be awarded by the court in the civil procedure. The aggrieved person can seek compensation against the state according to the Act on State Liability for Damage in Exercise of the Public Power.

## Slovenia

**(General Comment):** The Protection of Right to Trial without Undue Delay Act gives a party to court proceedings the right to have his rights, duties and any charges brought against him in his case before the court to be decided upon by the court without undue delay, as well as a right to compensation, if the aforementioned right was infringed.

The procedure for compensation in the case of wrongful arrest and wrongful condemnation is regulated by the Criminal Procedure Act.

The compensation, offered by the State Attorney's Office for wrongful arrest varies from case to case, since circumstances of the individual case (e.g. length of wrongful arrest, effect on the injured person's family life and his closest social circle, effects of media exposure, effect to injured person's health, etc.), as well as court decisions in similar cases, are taken into account.

**(2022):** The figures above represent cases, closed in 2022, with compensations to be paid in 2022 or later. The figures above represent cases before courts only.

Data for procedures at the State Attorney for 2022 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 5;

Number of settlements: 1;

Total amount (in €): 6.810;

2. Wrongful arrest - Number of requests for compensation: 35;

Number of settlements: 18;

Total amount (in €): 157.893

3. Wrongful conviction - Number of requests for compensation: 56;

Number of settlements: 23;

Total amount (in €): 42.209.

**(2021):** \*The figures above represent cases, closed in 2021, with compensations to be paid in 2021 or later. The figures above represent cases before courts only (court decisions and court settlements).

Data for procedures at the State Attorney for 2021 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 33;

Number of settlements: 10;

Total amount (in €): 21.715 EUR;

2. Wrongful arrest - Number of requests for compensation: 32;

Number of settlements: 8;

Total amount (in €): 63.174 EUR;

3. Wrongful conviction - Number of requests for compensation: 5;

Number of settlements: 0;

Total amount (in €): 0.

**(2020):** \*The figures above represent cases, closed in 2020, with compensations to be paid in 2020 or later. The figures above represent cases before courts only.

Data for procedures at the State Attorney for 2020 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 60;

Number of settlements: 10;

Total amount (in €): 23.222;

2. Wrongful arrest - Number of requests for compensation: 30;

Number of settlements: 8

Total amount (in €): 140.330

3. Wrongful conviction - Number of requests for compensation: 8;

Number of settlements: 1;

Total amount (in €): 1.260.

**(2019):** \*The figures above do not include cases at ECHR.

\*The figures above represent cases, closed in 2019, with compensations to be paid in 2019 or later. The figures above represent cases before courts only.

Data for procedures at the State Attorney for 2019 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 69;  
Number of settlements: 22;  
Total amount (in €): 35.956;
2. Wrongful arrest - Number of requests for compensation: 44;  
Number of settlements: 16;  
Total amount (in €): 99.493;
3. Wrongful conviction - Number of requests for compensation: 5;  
Number of settlements: 1;  
Total amount (in €): 36.460.

**(2018):** \*The figures above do not include cases at ECHR.

\*The figures above represent cases, closed in 2018, with compensations to be paid in 2018 or later. The figures above represent cases before courts only.

Data for procedures at the State Attorney for 2018 (before filing law-suit at court):

1. Excessive length of proceedings - Number of requests for compensation: 68;  
Number of settlements: 17;  
Total amount (in €): 31.105;
2. Wrongful arrest - Number of requests for compensation: 15;  
Number of settlements: 9  
Total amount (in €): 36.213,22
3. Wrongful conviction - Number of requests for compensation: 9;  
Number of settlements: 2;  
Total amount (in €): 68.648,98.

**(2016):** \*The figures above do not include cases at ECHR.

\*The figures above represent cases, closed at the State Attorney in 2016, with compensations to be paid in 2016 or later. \*The figures above represent cases before courts only. Before filing the claim for damages with the court, the injured person has to address his claim to the Office of the State Attorney General to try and reach agreement about the existence of the damage and the type and extent of compensation. If the request for recovery of damages is not granted or the Office of the State Attorney General and the injured person do not reach accord within three months of the filing of the request, the injured person may file a claim for damages with the court. The compensation, offered by the State Attorney's Office for wrongful arrest varies from case to case, since circumstances of the individual case (e.g. length of wrongful arrest, effect on the injured person's family life and his closest social circle, effects of media exposure, effect to injured person's health, etc.), as well as court decisions in similar cases, are taken into account.. Data for procedures at the State Attorney for 2016: 1. Excessive length of proceedings - Number of requests for compensation: 71; Number of settlements: 37; Total amount (in €): 430.262; 2. Wrongful arrest - Number of requests for compensation: 50; Number of settlements: 31 Total amount (in €): 144.881 3. Wrongful conviction - Number of requests for compensation: 0; Number of condemnations: 0; Total amount (in €): 0.

The Protection of Right to Trial without Undue Delay Act gives a party to court proceedings the right to have his rights, duties and any charges brought against him in his case before the court to be decided upon by the court without undue delay. For detailed explanation on Excessive length of proceedings see Q40.

The procedure for compensation in the case of wrongful arrest and wrongful condemnation is regulated by the Criminal Procedure Act.

## Spain

**(2021):** In 2021, 368 files were initiated for abnormal functioning of the Administration of Justice, 205 for preventive detention, 83 for judicial error. € 802.735 were paid for administrative condemnations and € 1.486.968 for judicial condemnations.

It is noteworthy that in Spain the causes of civil liability of the Administration of Justice are divided into a number of categories greater

than the one proposed by the CEPEJ. SOURCE: La Justicia dato a dato, (document issued by the CGPJ)

**(2020):** In 2020, 320 files were initiated for abnormal functioning of the Administration of Justice, 62 for preventive detention, 223 for judicial error. € 124.367,5 were paid for administrative condemnations and €445.491,3 for judicial condemnations. It is noteworthy that in Spain the causes of civil liability of the Administration of Justice are divided into a number of categories greater than the one proposed by the CEPEJ. The answer tries to group the Spanish categories into those of the CEPEJ.

**(2019):** In 2019, 347 files were initiated for abnormal functioning of the Administration of Justice, 151 for preventive detention, 79 for judicial error. € 3.484.896 were paid for administrative condemnations and €934.491,7 for judicial condemnations. It is noteworthy that in Spain the causes of civil liability of the Administration of Justice are divided into a number of categories greater than the one proposed by the CEPEJ. The answer tries to group the Spanish categories into those of the CEPEJ. In the section 'wrongful conviction', we give the cases of the Spanish category of 'judicial error'. Possibly, other years these cases have simply been included in 'other'. It is a change of criteria with no effect on the total.

**(2018):** In 2018, 332 files were initiated for abnormal functioning, 104 for preventive detention, 94 for judicial error. € 722,888.06 were paid for administrative condemnations and € 1,210,585.35 for judicial condemnations

**(2016):** According Article 293 of the Organic Law of the Judicial Power: The interested party will direct his indemnification petition directly to the Ministry of Justice, processing it according to the regulatory norms of the patrimonial responsibility of the state. A contentious-administrative appeal will be available against the resolution. The right to claim compensation shall expire a year, from the day on which it could be exercised.

The number of requests because of "judicial error" (non exactly the same concept as Wrongful conviction) that were estimated in 2016 was ONE (1).

# **Indicator 6: The ICT tools of courts and court users**

**Table 6.1 Deployment and usage rate of the writing assistance tools in 2022 (Q62-23)**

States	Writing assistance tools					
	Civil and/or commercial		Administrative		Criminal	
	Deployment rate	Usage rate	Deployment rate	Usage rate	Deployment rate	Usage rate
Austria	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Belgium	95-100 %	50-75 %	50-75 %	50-75 %	95-100 %	50-75 %
Bulgaria	95-100 %	95-100 %	NAP	NAP	95-100 %	95-100 %
Croatia	95-100 %	1-25 %	95-100 %	1-25 %	95-100 %	1-25 %
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	75-95 %	NA	75-95 %	NA	75-95 %	NA
Denmark	95-100 %	95-100 %	NA	NA	95-100 %	95-100 %
Estonia	95-100 %	75-95 %	95-100 %	50-75 %	95-100 %	25-50 %
Finland	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
France	75-95 %	75-95 %	95-100 %	1-25 %	95-100 %	95-100 %
Germany	75-95 %	50-75 %	75-95 %	50-75 %	75-95 %	50-75 %
Greece	50-75 %	50-75 %	50-75 %	50-75 %	50-75 %	50-75 %
Hungary	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Ireland	50-75 %	50-75 %	NA	NA	50-75 %	50-75 %
Italy	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Latvia	95-100 %	75-95 %	95-100 %	75-95 %	95-100 %	75-95 %
Lithuania	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Luxembourg	75-95 %	75-95 %	NAP	NAP	75-95 %	75-95 %
Malta	25-50 %	75-95 %	25-50 %	50-75 %	25-50 %	50-75 %
Netherlands	95-100 %	NA	95-100 %	NA	95-100 %	NA
Poland	50-75 %	50-75 %	NAP	NAP	95-100 %	95-100 %
Portugal	75-95 %	NA	75-95 %	NA	75-95 %	NA
Romania	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Slovak Republic	95-100 %	50-75 %	95-100 %	50-75 %	95-100 %	50-75 %
Slovenia	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Spain	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Sweden	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
95-100 %	17	11	15	9	19	13
75-95 %	5	5	3	1	4	2
50-75 %	3	6	2	6	2	6
25-50 %	1	0	1	0	1	1
1-25 %	0	1	0	2	0	1
0%	0	0	0	0	0	0
NAP	1	1	4	4	1	1
NA	0	3	2	5	0	3

**Table 6.2 Functionalities of the writing assistance tools in 2022 (Q62-24)**

States	Civil and/or commercial						Administrative						Criminal					
	Templates	Automatically generated text	Automatically suggested decision	Speech-to-text	Electronic signature	Other special functionality	Templates	Automatically generated text	Automatically suggested decision	Speech-to-text	Electronic signature	Other special functionality	Templates	Automatically generated text	Automatically suggested decision	Speech-to-text	Electronic signature	Other special functionality
<b>Austria</b>	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
<b>Belgium</b>	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	No	No	No	Yes	Yes	No	Yes	Yes	No
<b>Bulgaria</b>	Yes	No	No	No	No	No	NAP	NAP	NAP	NAP	NAP	NAP	Yes	No	No	No	No	No
<b>Croatia</b>	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
<b>Cyprus</b>	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
<b>Czech Republic</b>	NAP	NAP	NAP	NAP	NAP	NAP	Yes	No	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
<b>Denmark</b>	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	Yes	No
<b>Estonia</b>	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	Yes	No
<b>Finland</b>	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	No	No
<b>France</b>	Yes	No	No	No	Yes	No	Yes	No	No	No	No	No	Yes	Yes	No	No	Yes	No
<b>Germany</b>	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
<b>Greece</b>	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	Yes	No
<b>Hungary</b>	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
<b>Ireland</b>	Yes	No	No	No	No	No	NA	NA	NA	NA	NA	NA	Yes	No	No	No	No	No
<b>Italy</b>	Yes	Yes	No	Yes	Yes	No	Yes	No	No	No	Yes	No	Yes	Yes	No	No	Yes	No
<b>Latvia</b>	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	No	Yes	No
<b>Lithuania</b>	Yes	No	No	No	No	No	NAP	NAP	NAP	NAP	NAP	NAP	Yes	No	No	No	No	No
<b>Luxembourg</b>	Yes	Yes	No	No	No	No	NAP	NAP	NAP	NAP	NAP	NAP	Yes	Yes	Yes	No	Yes	No
<b>Malta</b>	Yes	No	No	No	No	No	Yes	No	No	No	No	No	Yes	No	No	No	No	No
<b>Netherlands</b>	Yes	Yes	No	No	No	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	No	No	No	Yes
<b>Poland</b>	Yes	No	No	No	No	No	NAP	NAP	NAP	NAP	NAP	NAP	Yes	No	No	No	No	No
<b>Portugal</b>	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	Yes	No	Yes	Yes	No	No	Yes	No
<b>Romania</b>	Yes	Yes	No	Yes	No	No	Yes	Yes	No	Yes	No	No	Yes	Yes	No	Yes	No	No
<b>Slovak Republic</b>	Yes	No	No	Yes	Yes	No	Yes	No	No	Yes	Yes	No	Yes	No	No	Yes	Yes	No
<b>Slovenia</b>	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	No	No	Yes	Yes	No	Yes	No	No
<b>Spain</b>	Yes	No	No	Yes	Yes	No	Yes	No	No	Yes	Yes	No	Yes	No	No	Yes	Yes	No
<b>Sweden</b>	Yes	Yes	No	No	No	No	Yes	Yes	No	No	No	No	Yes	Yes	No	No	Yes	No
Yes	25	17	1	10	16	1	21	15	1	9	14	1	26	19	2	10	17	1
No	0	8	24	15	9	24	0	6	20	12	7	20	0	7	24	16	9	25
NAP	2	2	2	2	2	2	5	5	5	5	5	5	1	1	1	1	1	1
NA	0	0	0	0	0	0	1	1	1	1	1	1	0	0	0	0	0	0

**Table 6.3 Deployment and usage rate of the recording of court hearings in 2022 (Q62-25)**

States	Recording of court hearings					
	Civil and/or commercial		Administrative		Criminal	
	Deployment rate	Usage rate	Deployment rate	Usage rate	Deployment rate	Usage rate
Austria	NAP	NAP	NAP	NAP	75-95 %	50-75 %
Belgium	NA	NA	NA	NA	NA	NA
Bulgaria	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Croatia	NA	NA	NA	NA	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	75-95 %	75-95 %	75-95 %	75-95 %	95-100 %	95-100 %
Denmark	95-100 %	NA	NA	NA	95-100 %	NA
Estonia	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Finland	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
France	NA	NA	NAP	NAP	NA	NA
Germany	NAP	NAP	NAP	NAP	NAP	NAP
Greece	95-100 %	75-95 %	NAP	NAP	50-75 %	75-95 %
Hungary	95-100 %	1-25 %	95-100 %	1-25 %	95-100 %	75-95 %
Ireland	95-100 %	95-100 %	NA	NA	95-100 %	95-100 %
Italy	1-25 %	1-25 %	NAP	NAP	95-100 %	95-100 %
Latvia	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Lithuania	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Luxembourg	NAP	NAP	NAP	NAP	NAP	NAP
Malta	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Netherlands	NA	NA	NA	NA	NA	NA
Poland	95-100 %	25-50 %	95-100 %	50-75 %	NA	NA
Portugal	95-100 %	NA	95-100 %	NA	95-100 %	NA
Romania	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Slovak Republic	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Slovenia	95-100 %	75-95 %	95-100 %	75-95 %	95-100 %	75-95 %
Spain	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Sweden	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %	95-100 %
Yes						
No						
95-100 %	17	11	14	10	17	13
75-95 %	1	3	1	2	1	3
50-75 %	0	0	0	1	1	1
25-50 %	0	1	0	0	0	0
1-25 %	1	2	0	1	0	0
0%	0	0	0	0	0	0
NAP	4	4	7	7	3	3
NA	4	6	5	6	5	7

**Table 6.4 Functionalities of the tool to record court hearings in 2022 (Q62-26)**

States	Civil and/or commercial							Administrative							Criminal						
	Audio recording	Video recording	Systematic recording for all hearings	Automatically indexed recording	Automatic transcript from recording	Possibility to request a copy of the recording	Other special functionality	Audio recording	Video recording	Systematic recording for all hearings	Automatically indexed recording	Automatic transcript from recording	Possibility to request a copy of the recording	Other special functionality	Audio recording	Video recording	Systematic recording for all hearings	Automatically indexed recording	Automatic transcript from recording	Possibility to request a copy of the recording	Other special functionality
Austria	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	Yes	Yes	No	No	No	Yes	Yes
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	Yes	No	No	No	No	No	No	Yes	No	No	No	No	No	No	Yes	No	No	No	No	No	No
Croatia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	No
Denmark	Yes	No	No	No	No	Yes	No	NA	NA	NA	NA	NA	NA	NA	Yes	No	No	No	No	Yes	No
Estonia	Yes	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	No
Finland	Yes	No	No	No	No	Yes	No	Yes	No	No	No	No	Yes	No	Yes	No	No	No	No	Yes	No
France	NA	NA	NA	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA	NA
Germany	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Greece	Yes	No	Yes	Yes	No	Yes	No	NAP	NAP	NAP	NAP	NAP	NAP	NAP	Yes	No	Yes	No	No	Yes	No
Hungary	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes	No	No	No	Yes	No	Yes	Yes	No	No	Yes	Yes	No
Ireland	Yes	No	No	No	No	Yes	No	NA	NA	NA	NA	NA	NA	NA	Yes	No	No	No	No	Yes	No
Italy	Yes	No	No	No	No	No	No	NAP	NAP	NAP	NAP	NAP	NAP	NAP	Yes	Yes	No	No	Yes	Yes	No
Latvia	Yes	No	Yes	No	No	Yes	No	Yes	No	Yes	No	No	Yes	No	Yes	No	Yes	No	No	Yes	No
Lithuania	Yes	No	Yes	No	No	Yes	No	Yes	No	Yes	No	No	Yes	No	Yes	No	Yes	No	No	Yes	Yes
Luxembourg	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	Yes	No	No	No	No	No	No	Yes	No	No	No	No	No	No	Yes	No	No	No	No	No	No
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	No	No	No	Yes	No	Yes	Yes	No	No	No	No	No
Portugal	Yes	No	No	No	No	No	No	Yes	No	No	No	No	No	No	Yes	No	No	No	No	No	No
Romania	Yes	No	Yes	Yes	No	Yes	No	Yes	No	Yes	Yes	No	Yes	No	Yes	No	Yes	Yes	No	Yes	No
Slovak Republic	Yes	No	No	No	No	Yes	No	Yes	No	No	No	No	Yes	No	Yes	No	No	No	No	Yes	No
Slovenia	Yes	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	No
Spain	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	No	Yes	No
Sweden	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Yes	19	5	10	6	4	15	1	15	5	8	4	3	12	1	20	7	9	4	5	16	3
No	0	14	9	13	15	4	18	0	10	7	11	12	3	14	0	13	11	16	15	4	17
NAP	4	4	4	4	4	4	4	7	7	7	7	7	7	7	3	3	3	3	3	3	3
NA	4	4	4	4	4	4	4	5	5	5	5	5	5	5	4	4	4	4	4	4	4

# Indicator 6: The ICT tools of courts and for court users

## Comments provided by the national correspondents

### organised by country

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

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

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

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

#### Austria

**Q062-23 (2022):** Administrative: Numbers above are for the Federal Administrative Court.

Regional adm. courts: NA

Supreme adm. court: 25-50 % depl. and usage rate

**Q062-26 (2022):** Setting manual markers for relevant positions

#### Belgium

**Q062-24 (2022):** In civil and criminal matters:

- Most templates are available for all courts or all templates are available for most courts. Local modification of the templates is always possible.

- Not all options form part of the same application (e.g. voice/text conversation).

In administrative matters (Council of State):

- For each type of procedure, there exist standardised judgment models containing specific standardized paragraphs, particularly concerning the procedural aspects.

- Some documents are now automatically generated based on information from internal databases (such as fixing orders and hearing schedules).

However, there are no strictly speaking "drafting assistance tools" for judgments.

- The magistrates of the Council of State have access to numerous resources provided to them:

a. Internal legal databases kept up-to-date and made accessible to the public as well (Juridict [www.juridict.be](http://www.juridict.be) , refLex [www.reflex.be](http://www.reflex.be) , etc.);

b. Access is granted to private paid legal databases (StradaLex [www.stradalex.be](http://www.stradalex.be) , Jurisquare [www.jurisquare.be](http://www.jurisquare.be), etc.);

c. An intranet managed by the Council of State also centralizes all documents produced by it (judgments, orders, reports, etc.). It is called Documap.

d. The website of the Council of State also offers numerous search possibilities at [www.raadvst-consetat.be](http://www.raadvst-consetat.be).

**Q062-25 (2022):** In criminal matters, with regard to the stages of the procedure: use of video conferencing for investigation and inquiry. General comment: Video conferencing equipment is not universally and systematically available. When necessary or appropriate, such equipment may also be rented. New initiatives in this field will enhance the availability of these tools for the judiciary. When such equipment is employed, it is primarily for reasons of efficiency, international cases, or to avoid travel. Regarding the use of video conferencing in administrative matters within the Council of State: During the crisis related to coronavirus, Royal Decree No 12 (<http://www.raadvst-consetat.be/?page=news&lang=fr&newsitem=592>) granted special powers allowing the Council of State to rule in writing and without a hearing with all parties' consent. In this same context, The Council had opportunities to conduct some remote hearings virtually (via Skype or Teams) as part of urgent suspension procedures. This approach continues to be used sporadically today but on a very limited basis.

### **Bulgaria**

**Q062-24 (2022):** The templates are embedded in the Unified Information System for Courts that is used in all courts except in the administrative courts and the Supreme Administrative Court.

**Q062-25 (2022):** The courtrooms in the courts are equipped with sound recording equipment for recording court hearings.

### **Croatia**

**Q062-25 (2022):** Existing tools for court hearings are obsolete and is out of use. It has to be replaced with the new platform which is currently in procurement preparation.

### **Czech Republic**

**Q062-23 (2022):** APSTR is an application that allows courts to work with document templates, create new templates, and generate parts of documents. application is only available for district courts.

The templates are available for all courts but do not cover all matters.

Speech to text tools are available for all courts.

**Q062-25 (2022):** Recording of court hearings is compulsory in all matters in the form of audio or audiovisual recordings since 2009. The recording of court hearing projects have been implemented slowly in terms of both hardware and software. The crucial aspect has been ensuring appropriate funding. In the last two years, the court hearings projects have reached their peak.

### **Denmark**

**Q062-25 (2022):** Possibility of audio recordings exists in all court rooms. It is mostly used in criminal cases and sometimes in civil cases to support accuracy in written notes. There are no data for the usage rates.

**Q062-26 (2022):** Voice-based transcription in court hearings was tested in one case in 2021 but there are currently no plans to deploy this tool in other cases.

### **Estonia**

**Q062-26 (2022):** If there is a virtual hearing, then it's possible to record video as well.

### **Finland**

**Q062-23 (General Comment):** Our case management systems HAIPA and AIPA use Word as the writing assistance tool.

**Q062-25 (General Comment):** In criminal and civil matters only the witness testimonial is recorded.

### **France**

**Q062-23 (2022):** Templates are available in the civil applications and can be locally modified if necessary. Similarly to criminal matters, while awaiting their integration into the applications, new or modified templates are made available on the ministerial intranet.

Furthermore, in civil matters, a drafting tool for magistrates (OARM) was created by a working group established in 2011. This facilitated the establishment of a 'bible' of standard decisions for family court litigation by providing magistrates with a library of standard paragraphs and decisions that enable them to enrich their rulings according to the specific circumstances of each case. The first integrated bible concerns disputes handled by family court judges, but this tool is intended for use by any magistrate, with updates allowing easy management of multiple bibles.

**Q062-24 (2022):** It is challenging to distinguish between patterns in automatically generated texts, with France preferring the use of the concept of framework. The OARM, a tool to assist magistrates in drafting, provides a library of pre-written paragraphs and standard decisions that allow magistrates to start from these elements and then adapt them to each case they handle. The JAF bible includes frameworks and paragraphs related to disputes handled by family court judges.

## Germany

**Q062-23 (2022):** The responses of the federal states were not consistent. Deployment rate:

The majority of the respondent federal states reported a deployment rate of 95 - 100% (civil, administrative and criminal).

However, a small minority including one large federal state reported lower deployment rates. Usage rate:

The majority of the respondent federal states reported a usage rate of 95 - 100% (civil, administrative and criminal). However, a minority including one large federal state reported lower usage rates. Three federal states answered "NA".

One federal state has not yet replied.

**Q062-24 (2022):** One federal reported the following additional functionalities: automatically generated follow-up letters, testing of automatically suggested decision in mass lawsuits using AI, testing of extraction of metadata for pre-filling of the decision

**Q062-25 (2022):** Criminal:

Two federal states reported a deployment and usage rate of 1 - 25%

**Q062-26 (2022):** In the minority of the federal states that have a tool for recording hearings, functionalities include audio and video recording.

## Greece

**Q062-25 (General Comment):** There are no witness testimony in administrative cases.

**Q062-26 (General Comment):** In civil and criminal hearings, the recordings are systematic by default. However, the president of the court and/or the presiding judge has discretionary power to decide not to record a hearing.

## Ireland

**Q062-23 (2022):** Ireland does not operate administrative courts. The administrative cases are dealt by civil courts.

Nevertheless, the answer on this question for administrative matter is NA in order not to have skewed reflection of the Irish Courts system. Approximately half of our case types and scenarios are supported in practice by templates as an order writing assistance – and where they are available they are used 100% (roughly) of the time. Close to half of Irish jurisdictions don't support templates at all (or didn't at the point of filling out the survey) – e.g., all high court cases didn't have template support in the CMS, nor does district family, nor some other systems.

**Q062-25 (2022):** Ireland does not operate administrative courts. The administrative cases are dealt by civil courts.

Nevertheless, the answer on this question for administrative matter is NA in order not to have skewed reflection of the Irish Courts system.

## Lithuania

**Q062-24 (2022):** the system contains many prepared templates that can be filled out by judges, assistant judges or secretaries (e.g. court summons, order on temporary protection measures and other forms)

**Q062-26 (2022):** In criminal cases, interviews of minors are videotaped

## Netherlands

**Q062-23 (2022):** In principle, there is some type of support for every case type.

**Q062-24 (General Comment):** The tool 'Schrijfhelp' ('Writing Assistance') e.g. helps people write a response to a summons. Templates for the courts are approved centrally, so if they are available, they would be available for all courts, but no specific information is available.

**Q062-24 (2022):** Automatically fill in data from CMS, like names, dates, and type of case.

**Q062-26 (General Comment):** In some courtrooms, sound is recorded to an SD-card. This is solely to assist in reporting, it is not a product in itself. The level of automation/computerization differs between courts and types of courts, which makes it difficult to report on how often and how much voice-recording tools are used. Voice recognition is not used.

## Poland

**Q062-23 (2022):** So called e-Protocol system – financed from EU funds. Registration form for notification of erroneous activities of IT systems, information from the National Court Register, Application form for access to public information, Civil complaint forms, Forms of bankruptcy complaints - "consumers", National Court Registry forms, formulas for reserve management services and forwarded to Central Information on Registered Pledges, Information request forms with the National Criminal Register, Application form for execution and reporting bailiff operations, inventory configuration list, toolkit form for central information on registered sets, formula for court and economic judgment. It is difficult to assess it due to the different degree of computerization of litigation and non-litigious proceedings, as well as the uneven use of various tools, starting with ZEUS.

## Slovenia

**Q062-23 (General Comment):** In line with EN, under „Civil“ only cases corresponding to Q91 category: “1. Civil (and commercial) litigious cases” are taken into account (i.e. civil litigious cases, commercial cases, labour cases, social cases, insolvency cases and various civil cases). In all of these cases, the CMS enables some form of write assistance tools.

**Q062-23 (2022):** Please note write assistance tools are also available in cases, not included in any of categories above:

- civil enforcement cases (Q91:2.1 General civil (and commercial) non-litigious cases)

Deployment rate: 95-100%/ Usage rate: N/A

- family cases (Q91:2.1 General civil (and commercial) non-litigious cases)

Deployment rate: 95-100%/ Usage rate: N/A

- land registry cases (Q91:2.2.1 Non-litigious land registry cases)

Deployment rate: 95-100%/ Usage rate: 95-100%

- bussines registry (Q91:2.2.2 Non-litigious business registry cases)

Deployment rate:95-100%/ Usage rate: N/A

- civil enforcement cases on base of authentic document (Q91:4.other cases)

Deployment rate: 95-100%/ Usage rate: 95-100%

Please also note that number of (incoming) cases at Q91:“2. Non-litigious cases” is 14x the number of “1.Civil (and commercial) litigious cases” and number of (incoming) cases at Q91:“4.Other cases” is 4x the number of “1.Civil (and commercial) litigious cases”.

**Q062-24 (General Comment):** Automatically generated text: In civil (and commercial) litigious cases, as well as in non-litigious, administrative and criminal cases, only simple court writings are available as templates (i.e. notifications, summons). Automatically generated text: limited only to case metadata.

**Q062-24 (2022):** Speech-to-text: in pilot phase.

**Q062-25 (2022):** Usage rate: the option to record harings is widely used. However, there is no data collected on actual usage, therefore the above answer is only an estimation.

**Q062-26 (General Comment):** Systematic recording for all hearings: the decision to record or not is in the hands of an individual judge.

Possibility to request a copy of the recording: a party has a right to acces the recording, as well as to object the authenticity of the transcript.

**Q062-26 (2022):** Automatic transcript from recording: in pilot phase.

# Indicator 6: The ICT tools of courts and for court users

## Comments provided by the national correspondents

### organised by question no.

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

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

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

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

#### Question 062-23

##### Austria

**(2022):** Administrative: Numbers above are for the Federal Administrative Court.

Regional adm. courts: NA

Supreme adm. court: 25-50 % depl. and usage rate

##### Czech Republic

**(2022):** APSTR is an application that allows courts to work with document templates, create new templates, and generate parts of documents. application is only available for district courts.

The templates are available for all courts but do not cover all matters.

Speech to text tools are available for all courts.

##### Finland

**(General Comment):** Our case management systems HAIPA and AIPA use Word as the writing assistance tool.

##### France

**(2022):** Templates are available in the civil applications and can be locally modified if necessary. Similarly to criminal matters, while awaiting their integration into the applications, new or modified templates are made available on the ministerial intranet.

Furthermore, in civil matters, a drafting tool for magistrates (OARM) was created by a working group established in 2011. This facilitated the establishment of a 'bible' of standard decisions for family court litigation by providing magistrates with a library of standard paragraphs and decisions that enable them to enrich their rulings according to the specific circumstances of each case. The first integrated bible concerns disputes handled by family court judges, but this tool is intended for use by any magistrate, with updates allowing easy management of multiple bibles.

##### Germany

**(2022):** The responses of the federal states were not consistent. Deployment rate:

The majority of the respondent federal states reported a deployment rate of 95 - 100% (civil, administrative and criminal).

However, a small minority including one large federal state reported lower deployment rates. Usage rate:

The majority of the respondent federal states reported a usage rate of 95 - 100% (civil, administrative and criminal). However, a minority including one large federal state reported lower usage rates. Three federal states answered "NA".

One federal state has not yet replied.

## Ireland

**(2022):** Ireland does not operate administrative courts. The administrative cases are dealt by civil courts. Nevertheless, the answer on this question for administrative matter is NA in order not to have skewed reflection of the Irish Courts system.

Approximately half of our case types and scenarios are supported in practice by templates as an order writing assistance – and where they are available they are used 100% (roughly) of the time. Close to half of Irish jurisdictions don't support templates at all (or didn't at the point of filling out the survey) – e.g., all high court cases didn't have template support in the CMS, nor does district family, nor some other systems.

## Netherlands

**(2022):** In principle, there is some type of support for every case type.

## Poland

**(2022):** So called e-Protocol system – financed from EU funds. Registration form for notification of erroneous activities of IT systems, information from the National Court Register, Application form for access to public information, Civil complaint forms, Forms of bankruptcy complaints - "consumers", National Court Registry forms, formulas for reserve management services and forwarded to Central Information on Registered Pledges, Information request forms with the National Criminal Register, Application form for execution and reporting bailiff operations, inventory configuration list, toolkit form for central information on registered sets, formula for court and economic judgment. It is difficult to assess it due to the different degree of computerization of litigation and non-litigious proceedings, as well as the uneven use of various tools, starting with ZEUS.

## Slovenia

**(General Comment):** In line with EN, under „Civil“ only cases corresponding to Q91 category: “1. Civil (and commercial) litigious cases” are taken into account (i.e. civil litigious cases, commercial cases, labour cases, social cases, insolvency cases and various civil cases). In all of these cases, the CMS enables some form of write assistance tools.

**(2022):** Please note write assistance tools are also available in cases, not included in any of categories above:

- civil enforcement cases (Q91:2.1 General civil (and commercial) non-litigious cases)

Deployment rate: 95-100%/ Usage rate: N/A

- family cases (Q91:2.1 General civil (and commercial) non-litigious cases)

Deployment rate: 95-100%/ Usage rate: N/A

- land registry cases (Q91:2.2.1 Non-litigious land registry cases)

Deployment rate: 95-100%/ Usage rate: 95-100%

- bussines registry (Q91:2.2.2 Non-litigious business registry cases)

Deployment rate:95-100%/ Usage rate: N/A

- civil enforcement cases on base of authentic document (Q91:4.other cases)

Deployment rate: 95-100%/ Usage rate: 95-100%

Please also note that number of (incoming) cases at Q91:“2. Non-litigious cases” is 14x the number of “1.Civil (and commercial) litigious cases” and number of (incoming) cases at Q91:“4.Other cases” is 4x the number of “1.Civil (and commercial) litigious cases”.

## Question 062-24

## Belgium

**(2022):** In civil and criminal matters:

- Most templates are available for all courts or all templates are available for most courts. Local modification of the templates is always possible.
- Not all options form part of the same application (e.g. voice/text conversation).

In administrative matters (Council of State):

- For each type of procedure, there exist standardised judgment models containing specific standardized paragraphs, particularly concerning the procedural aspects.
- Some documents are now automatically generated based on information from internal databases (such as fixing orders and hearing schedules).

However, there are no strictly speaking "drafting assistance tools" for judgments.

- The magistrates of the Council of State have access to numerous resources provided to them:

- a. Internal legal databases kept up-to-date and made accessible to the public as well (Juridict [www.juridict.be](http://www.juridict.be) , refLex [www.reflex.be](http://www.reflex.be) , etc.);
- b. Access is granted to private paid legal databases (StradaLex [www.stradalex.be](http://www.stradalex.be) , Jurisquare [www.jurisquare.be](http://www.jurisquare.be), etc.);
- c. An intranet managed by the Council of State also centralizes all documents produced by it (judgments, orders, reports, etc.). It is called Documap.
- d. The website of the Council of State also offers numerous search possibilities at [www.raadvst-consetat.be](http://www.raadvst-consetat.be).

## Bulgaria

**(2022):** The templates are embedded in the Unified Information System for Courts that is used in all courts except in the administrative courts and the Supreme Administrative Court.

## France

**(2022):** It is challenging to distinguish between patterns in automatically generated texts, with France preferring the use of the concept of framework. The OARM, a tool to assist magistrates in drafting, provides a library of pre-written paragraphs and standard decisions that allow magistrates to start from these elements and then adapt them to each case they handle. The JAF bible includes frameworks and paragraphs related to disputes handled by family court judges.

## Germany

**(2022):** One federal reported the following additional functionalities: automatically generated follow-up letters, testing of automatically suggested decision in mass lawsuits using AI, testing of extraction of metadata for pre-filling of the decision

## Lithuania

**(2022):** the system contains many prepared templates that can be filled out by judges, assistant judges or secretaries (e.g. court summons, order on temporary protection measures and other forms)

## Netherlands

**(General Comment):** The tool 'Schrijfhulp' ('Writing Assistance') e.g. helps people write a response to a summons.

Templates for the courts are approved centrally, so if they are available, they would be available for all courts, but no specific information is available.

**(2022):** Automatically fill in data from CMS, like names, dates, and type of case.

## Slovenia

**(General Comment):** Automatically generated text: In civil (and commercial) litigious cases, as well as in non-litigious, administrative and criminal cases, only simple court writings are available as templates (i.e. notifications, summons).  
Automatically generated text: limited only to case metadata.

**(2022):** Speech-to-text: in pilot phase.

## Question 062-25

### Belgium

**(2022):** In criminal matters, with regard to the stages of the procedure: use of video conferencing for investigation and inquiry.  
General comment: Video conferencing equipment is not universally and systematically available. When necessary or appropriate, such equipment may also be rented. New initiatives in this field will enhance the availability of these tools for the judiciary. When such equipment is employed, it is primarily for reasons of efficiency, international cases, or to avoid travel. Regarding the use of video conferencing in administrative matters within the Council of State: During the crisis related to coronavirus, Royal Decree No 12 (<http://www.raadvst-consetat.be/?page=news&lang=fr&newsitem=592>) granted special powers allowing the Council of State to rule in writing and without a hearing with all parties' consent. In this same context, The Council had opportunities to conduct some remote hearings virtually (via Skype or Teams) as part of urgent suspension procedures. This approach continues to be used sporadically today but on a very limited basis.

### Bulgaria

**(2022):** The courtrooms in the courts are equipped with sound recording equipment for recording court hearings.

### Croatia

**(2022):** Existing tools for court hearings are obsolete and is out of use. It has to be replaced with the new platform which is currently in procurement preparation.

### Czech Republic

**(2022):** Recording of court hearings is compulsory in all matters in the form of audio or audiovisual recordings since 2009. The recording of court hearing projects have been implemented slowly in terms of both hardware and software. The crucial aspect has been ensuring appropriate funding. In the last two years, the court hearings projects have reached their peak.

### Denmark

**(2022):** Possibility of audio recordings exists in all court rooms. It is mostly used in criminal cases and sometimes in civil cases to support accuracy in written notes. There are no data for the usage rates.

### Finland

**(General Comment):** In criminal and civil matters only the witness testimonial is recorded.

### Germany

**(2022):** Criminal:

Two federal states reported a deployment and usage rate of 1 - 25%

### Greece

**(General Comment):** There are no witness testimony in administrative cases.

#### **Ireland**

**(2022):** Ireland does not operate administrative courts. The administrative cases are dealt by civil courts. Nevertheless, the answer on this question for administrative matter is NA in order not to have skewed reflection of the Irish Courts system.

#### **Slovenia**

**(2022):** Usage rate: the option to record hearings is widely used. However, there is no data collected on actual usage, therefore the above answer is only an estimation.

#### **Question 062-26**

#### **Austria**

**(2022):** Setting manual markers for relevant positions

#### **Denmark**

**(2022):** Voice-based transcription in court hearings was tested in one case in 2021 but there are currently no plans to deploy this tool in other cases.

#### **Estonia**

**(2022):** If there is a virtual hearing, then it's possible to record video as well.

#### **Germany**

**(2022):** In the minority of the federal states that have a tool for recording hearings, functionalities include audio and video recording.

#### **Greece**

**(General Comment):** In civil and criminal hearings, the recordings are systematic by default. However, the president of the court and/or the presiding judge has discretionary power to decide not to record a hearing.

#### **Lithuania**

**(2022):** In criminal cases, interviews of minors are videotaped

#### **Netherlands**

**(General Comment):** In some courtrooms, sound is recorded to an SD-card. This is solely to assist in reporting, it is not a product in itself. The level of automation/computerization differs between courts and types of courts, which makes it difficult to report on how often and how much voice-recording tools are used. Voice recognition is not used.

#### **Slovenia**

**(General Comment):** Systematic recording for all hearings: the decision to record or not is in the hands of an individual judge. Possibility to request a copy of the recording: a party has a right to access the recording, as well as to object the authenticity of the transcript.

(2022): Automatic transcript from recording: in pilot phase.

# Indicator 7: Professionals of justice

- Professional Judges and Non-judge staff
- Public prosecutors and Non-prosecutor staff
- Court presidents and Heads of prosecution services
- Salaries of judges and public prosecutors
- Lawyers
- EC Templates

# **Professional judges and non-judge staff**

**Table 7.1.1 Total number of professional judges, non-professional judges and judges working on occasional basis in 2022**  
**Absolute number (Q1, Q46, Q47, Q47-1, Q48 and Q48-1)**

States	Total number of professional judges	Professional judges sitting in courts on an occasional basis			Non-professional judges												
		Gross figure	Full time equivalent	Deal with a significant part of cases	Gross figure	Full time equivalent	Work without professional judge for the certain types of cases										
							Criminal cases (severe)	Criminal cases (misdemeanour and/or minor)	Family law cases	Labour law cases	Social law cases	Commercial law cases	Insolvency cases	Other civil cases			
Austria	2 677	NAP	NAP	NAP	NA	NA											
Belgium	1 684	142	NA		3 760	NA											
Bulgaria	2 188	NAP	NAP	NAP	NAP	NAP											
Croatia	1 631	NAP	NAP	NAP	NAP	NAP											
Cyprus	143	NAP	NAP	NAP	NAP	NAP											
Czech Republic	3 057	NAP	NAP	NAP	5 021	NAP											
Denmark	385	NA	NA		12 000	NA											
Estonia	237	NAP	NAP		502	NAP											
Finland	1 148	NAP	NAP	NAP	1 303	NAP											
France	7 690	375	NA		19 317	NA											
Germany	20 863	NAP	NAP	NAP	NA	NA											
Greece	3 981	NAP	NAP	NAP	NAP	NAP											
Hungary	2 660	NAP	NAP	NAP	2 235	2 235											
Ireland	171	NAP	NAP	NAP	NAP	NAP											
Italy	7 166	NAP	NAP	NAP	3 150	NA											
Latvia	533	NAP	NAP	NAP	NAP	NAP											
Lithuania	746	NAP	NAP	NAP	NAP	NAP											
Luxembourg	232	NAP	NAP	NAP	30	NAP											
Malta	47	30	NAP		NAP	NAP											
Netherlands	2 671	NAP	NAP	NAP	NA	NA											
Poland	10 560	NAP	NAP	NAP	13 929	NA											
Portugal	2 043	NAP	NAP	NAP	NAP	NAP											
Romania	4 367	NAP	NAP	NAP	NAP	NAP											
Slovak Republic	1 397	NAP	NAP	NAP	NA	NA											
Slovenia	862	NAP	NAP	NAP	2 295	NA											
Spain	5 728	1 008	NA		7 700	NA											
Sweden	1 229	142	33		9 035	NA											
<b>Average</b>	3 189	339	33		6 175	2 235,0											
<b>Median</b>	1 684	142	33		3 760	2 235,0											
<b>Minimum</b>	47	30	33		30	2 235,0											
<b>Maximum</b>	20 863	1 008	33		19 317	2 235,0											
<b>% of NA</b>	0%	4%	15%	0%	15%	44%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>% of NAP</b>	0%	78%	81%	74%	37%	52%	37%	37%	37%	37%	37%	37%	37%	37%	37%	37%	37%

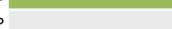
**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Belgium:** Starting from 2021, data include also administrative judges (judges of the Council of State and the Aliens Litigation Council). The latter are counted as first instance judges, even though the Council of State intervenes also as last instance court.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Poland:** Starting from 2020, the number of Supreme Court judges include also judges of the Supreme Administrative Court.

Legend

Yes   
 No/NAP 

**Table 7.1.2 Evolution of the total number of professional judges from 2012 to 2022**  
**Absolute number (Q46)**

States	Total number of professional judges										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	1 547	1 565	1 620	1 621	2 397	2 478	2 411	2 625	2 589	2 387	2 677
Belgium	1 598	1 604	1 602	1 614	1 600	1 566	1 523	1 526	1 524	1 669	1 684
Bulgaria	2 239	2 191	2 220	2 225	2 255	2 235	2 223	2 215	2 184	2 192	2 188
Croatia	1 932	1 912	1 875	1 864	1 797	1 775	1 660	1 682	1 643	1 643	1 631
Cyprus	103	101	97	113	111	119	118	115	126	129	143
Czech Republic	3 055	3 054	3 028	3 018	3 005	3 012	3 029	3 006	3 007	2 990	3 057
Denmark	372	355	377	374	372	377	375	375	388	388	385
Estonia	228	226	231	234	232	227	233	229	234	236	237
Finland	981	986	988	991	1 068	1 045	1 081	1 087	1 077	1 158	1 148
France	7 033	7 054	6 935	6 967	6 995	7 066	7 277	7 427	7 522	7 574	7 690
Germany	19 832	19 323	19 323	19 282	19 867	20 069	20 323	20 570	20 793	20 998	20 863
Greece	2 574	3 877	2 231	2 206	2 780	2 861	2 874	2 884	3 861	4 018	3 981
Hungary	2 767	2 807	2 813	2 813	2 811	2 828	2 892	2 878	2 789	2 710	2 660
Ireland	144	148	160	159	162	160	160	167	163	170	171
Italy	6 347	6 579	6 939	6 590	6 395	6 508	7 015	7 127	7 027	7 154	7 166
Latvia	439	481	488	493	503	490	559	521	550	545	533
Lithuania	768	772	754	762	778	767	758	750	740	718	746
Luxembourg	179	180	184	183	187	198	222	226	229	230	232
Malta	40	42	41	42	45	43	45	43	42	47	47
Netherlands	2 410	2 378	2 359	2 357	2 331	2 538	2 522	2 523	2 597	2 644	2 671
Poland	10 114	-	10 096	-	9 980	10 047	9 776	9 736	9 650	9 815	10 560
Portugal	2 009	2 025	1 990	1 990	1 986	2 059	1 979	1 999	1 999	2 021	2 043
Romania	4 310	4 511	4 577	4 608	4 628	4 664	4 677	4 753	4 600	4 590	4 367
Slovak Republic	1 307	1 342	1 322	1 292	1 311	1 376	1 378	1 370	1 306	1 386	1 397
Slovenia	970	951	924	897	880	859	867	873	875	860	862
Spain	5 155	-	5 353	-	5 367	5 377	5 419	5 341	5 320	5 408	5 728
Sweden	1 123	1 132	1 150	1 159	1 179	1 199	1 217	1 184	1 200	1 240	1 229
<b>Average</b>	2 947	2 624	2 951	2 554	3 001	3 035	3 060	3 083	3 112	3 145	3 189
<b>Median</b>	1 598	1 565	1 620	1 614	1 797	1 775	1 660	1 682	1 643	1 669	1 684
<b>Minimum</b>	40	42	41	42	45	43	45	43	42	47	47
<b>Maximum</b>	19 832	19 323	19 323	19 282	19 867	20 069	20 323	20 570	20 793	20 998	20 863
<b>% of NA</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Belgium:** Starting from 2021, data include also administrative judges (judges of the Council of State and the Aliens Litigation Council). The latter are counted as first instance judges, even though the Council of State intervenes also as last instance court.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Italy:** The administrative courts' judges have been included since 2018.

**Poland:** Starting from 2020, the number of Supreme Court judges include also judges of the Supreme Administrative Court.

**Table 7.1.2a Evolution of the total number of professional judges from 2012 to 2022 and their variations**  
**Per 100 000 inhabitants (Q1, Q46)**

States	Total number of professional judges per 100 000 inhabitants											Variation of the number of professional judges	
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2012-2022	2021-2022
Austria	18,3	18,4	18,9	18,6	27,4	28,2	27,3	29,5	29,0	26,6	29,4	60,7%	10,6%
Belgium	14,3	14,4	14,3	14,3	14,1	13,8	13,3	13,3	13,2	14,4	14,4	0,6%	-0,2%
Bulgaria	30,7	30,2	30,8	31,1	31,8	31,7	31,8	31,9	31,6	32,1	33,9	10,4%	5,9%
Croatia	45,3	45,0	44,4	44,5	43,3	43,2	40,7	41,4	40,7	42,4	42,4	-6,6%	-0,2%
Cyprus	11,9	11,8	11,3	13,3	13,1	13,9	13,5	13,0	14,1	14,3	15,5	30,6%	8,9%
Czech Republic	29,1	29,1	28,8	28,6	28,4	28,4	28,4	28,2	28,1	28,4	28,2	-3,1%	-0,9%
Denmark	6,6	6,3	6,7	6,6	6,5	6,5	6,5	6,4	6,6	6,6	6,5	-2,2%	-1,7%
Estonia	17,7	17,2	17,6	17,8	17,6	17,3	17,7	17,3	17,6	17,7	17,8	0,7%	0,5%
Finland	18,1	18,1	18,1	18,1	19,4	19,0	19,6	19,7	19,5	20,9	20,6	14,1%	-1,1%
France	10,7	10,7	10,5	10,5	10,4	10,5	10,9	11,1	11,2	11,2	11,3	5,4%	0,9%
Germany	24,7	23,9	23,9	23,6	24,2	24,3	24,5	24,7	25,0	25,2	24,7	0,1%	-2,0%
Greece	23,3	35,0	20,6	20,3	25,8	26,6	26,8	26,9	36,0	37,6	37,3	60,2%	-0,9%
Hungary	27,9	28,4	28,5	28,6	28,7	28,6	30,2	29,5	28,2	28,0	27,7	-0,8%	-0,9%
Ireland	3,1	3,2	3,5	3,4	3,5	3,3	3,3	3,4	3,3	3,3	3,3	5,9%	0,1%
Italy	10,6	11,0	11,4	10,9	10,6	10,8	11,6	11,8	11,9	12,1	12,2	14,5%	0,4%
Latvia	21,5	23,8	24,4	25,0	25,5	25,1	29,1	27,3	29,1	29,1	28,3	31,8%	-2,6%
Lithuania	25,6	26,2	25,8	26,4	27,3	27,3	27,1	26,8	26,5	25,6	26,1	2,1%	2,0%
Luxembourg	34,1	32,7	32,7	32,5	31,7	32,9	36,2	36,1	36,1	35,6	35,1	3,0%	-1,5%
Malta	9,5	9,8	9,3	9,3	9,8	9,0	9,5	8,7	8,2	9,1	9,0	-4,6%	-0,8%
Netherlands	14,4	14,1	14,0	13,9	13,6	14,8	14,6	14,5	14,9	15,1	15,0	4,4%	-0,7%
Poland	26,2	-	26,2	-	26,0	26,1	25,5	25,3	25,2	25,8	28,0	6,5%	8,5%
Portugal	19,2	19,4	19,2	19,2	19,3	20,0	19,3	19,4	19,4	19,5	19,5	1,9%	0,0%
Romania	20,2	22,6	20,5	23,3	23,6	23,9	24,1	24,5	24,0	24,1	22,9	13,3%	-4,9%
Slovak Republic	24,2	24,8	24,4	23,8	24,1	25,3	25,3	25,1	23,9	25,5	25,7	6,5%	0,9%
Slovenia	47,1	46,1	44,8	43,5	42,6	41,6	41,7	41,7	41,5	40,8	40,7	-13,6%	-0,2%
Spain	11,2	-	11,5	-	11,5	11,5	11,5	11,3	11,2	11,4	11,9	6,4%	4,5%
Sweden	11,8	11,7	11,8	11,8	11,8	11,8	11,9	11,5	11,6	11,9	11,7	-0,6%	-1,5%
Average	21	21,4	21	20,8	21	21,3	22	21,5	22	22,0	22,2	0,1	0,0
Median	19	19,4	19	19,2	24	23,9	24	24,5	24	24,1	22,9	0,0	0,0
Minimum	3	3,2	3	3,4	3	3,3	3	3,4	3	3,3	3,3	-0,1	0,0
Maximum	47	46,1	45	44,5	43	43,2	42	41,7	41	42,4	42,4	0,6	0,1
% of NA	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Belgium:** Starting from 2021, data include also administrative judges (judges of the Council of State and the Aliens Litigation Council). The latter are counted as first instance judges, even though the Council of State intervenes also as last instance court.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Italy:** The administrative courts' judges have been included since 2018

**Poland:** Starting from 2020, the number of Supreme Court judges include also judges of the Supreme Administrative Court.

**Table 7.1.3 Total number of professional judges by instance in 2012, 2021 and 2022 and their variations**  
**Absolute number (Q46)**

States	Total Professional judges by instance																	
	2012				2021				2022				Variations 2012-2022			Variations 2021-2022		
	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	1st instance	2nd instance	Supreme court	1st instance	2nd instance	Supreme court
Austria	1 547	1 325	157	65	2 387	1 946	310	131	2 677	2 184	362	131	64,9%	130,4%	101,8%	12,2%	16,8%	0,0%
Belgium	1 598	1 293	305	30	1 669	1 331	310	28	1 684	1 345	311	28	4,0%	2,0%	-6,7%	1,1%	0,3%	0,0%
Bulgaria	2 239	1 188	859	192	2 192	1 258	750	184	2 188	1 230	778	180	3,5%	-9,4%	-6,3%	-2,2%	3,7%	-2,2%
Croatia	1 932	1 378	514	40	1 643	1 159	449	35	1 631	1 153	444	34	-16,3%	-13,6%	-15,0%	-0,5%	-1,1%	-2,9%
Cyprus	103	90	NAP	13	129	116	NAP	13	143	130	NAP	13	44,4%	NAP	0,0%	12,1%	NAP	0,0%
Czech Republic	3 055	1 857	964	234	2 990	1 819	1 065	106	3 057	1 880	1 071	106	1,2%	11,1%	-54,7%	3,4%	0,6%	0,0%
Denmark	372	259	94	19	388	258	112	18	385	257	110	18	-0,8%	17,0%	-5,3%	-0,4%	-1,8%	0,0%
Estonia	228	167	42	19	236	171	46	19	237	175	43	19	4,8%	2,4%	0,0%	2,3%	-6,5%	0,0%
Finland	981	744	194	43	1 158	901	209	48	1 148	895	208	45	20,3%	7,2%	4,7%	-0,7%	-0,5%	-6,3%
France	7 033	4 962	1 695	376	7 574	5 354	1 868	352	7 690	5 417	1 893	380	9,2%	11,7%	1,1%	1,2%	1,3%	8,0%
Germany	19 832	14 861	4 056	457	20 998	16 373	4 164	461	20 863	16 215	4 186	462	9,1%	3,2%	1,0%	-1,0%	0,5%	0,2%
Greece	2 574	1 518	812	244	4 018	2 690	927	401	3 981	2 640	925	416	73,9%	13,9%	70,5%	-1,9%	-0,2%	3,7%
Hungary	2 767	1 672	1 021	74	2 710	1 391	1 226	93	2 660	1 345	1 218	97	-19,6%	19,3%	31,1%	-3,3%	-0,7%	4,3%
Ireland	144	136	NAP	8	170	145	17	8	171	146	16	9	7,4%	NAP	12,5%	0,7%	-5,9%	12,5%
Italy	6 347	4 929	1 118	300	7 154	5 479	1 191	484	7 166	5 483	1 179	504	11,2%	5,5%	68,0%	0,1%	-1,0%	4,1%
Latvia	439	263	126	50	545	376	133	36	533	370	128	35	40,7%	1,6%	-30,0%	-1,6%	-3,8%	-2,8%
Lithuania	768	684	51	33	718	643	45	30	746	668	48	30	-2,3%	-5,9%	-9,1%	3,9%	6,7%	0,0%
Luxembourg	179	139	NA	40	230	174	51	5	232	173	54	5	24,5%	NA	-87,5%	-0,6%	5,9%	0,0%
Malta	40	34	6	NAP	47	39	8	NAP	47	37	10	NAP	8,8%	66,7%	NAP	-5,1%	25,0%	NAP
Netherlands	2 410	1 855	519	36	2 644	1 921	688	35	2 671	1 931	705	35	4,1%	35,8%	-2,8%	0,5%	2,5%	0,0%
Poland	10 114	9 441	497	86	9 815	9 161	459	195	10 560	9 894	469	197	4,8%	-5,6%	129,1%	8,0%	2,2%	1,0%
Portugal	2 009	1 480	445	84	2 021	1 472	467	82	2 043	1 505	454	84	1,7%	2,0%	0,0%	2,2%	-2,8%	2,4%
Romania	4 310	1 998	2 217	95	4 590	2 202	2 285	103	4 367	1 996	2 271	100	-0,1%	2,4%	5,3%	-9,4%	-0,6%	-2,9%
Slovak Republic	1 307	871	352	84	1 386	921	402	63	1 397	917	400	80	5,3%	13,6%	-4,8%	-0,4%	-0,5%	27,0%
Slovenia	970	753	183	34	860	694	136	30	862	705	127	30	-6,4%	-30,6%	-11,8%	1,6%	-6,6%	0,0%
Spain	5 155	3 647	1 431	77	5 408	3 817	1 523	68	5 728	NA	NA	NA	NA	NA	NA	NA	NA	NA
Sweden	1 123	766	324	33	1 240	833	376	31	1 229	817	380	32	6,7%	17,3%	-3,0%	-1,9%	1,1%	3,2%
<b>Average</b>	2 947	2 160	749	106	3 145	2 320	739	118	3 189	2 289	712	123	11,7%	13,0%	7,5%	0,8%	1,4%	2,0%
<b>Median</b>	1 598	1 293	471	57	1 669	1 258	426	56	1 684	1 192	400	45	5,0%	5,5%	0,0%	-0,2%	-0,2%	0,0%
<b>Minimum</b>	40	34	6	8	47	39	8	5	47	37	10	5	-19,6%	-30,6%	-87,5%	-9,4%	-6,6%	-6,3%
<b>Maximum</b>	19 832	14 861	4 056	457	20 998	16 373	4 164	484	20 863	16 215	4 186	504	73,9%	130,4%	129,1%	12,2%	25,0%	27,0%
<b>% of NA</b>	0%	0%	4%	0%	0%	0%	0%	0%	0%	4%	4%	4%	4%	7%	4%	4%	4%	4%
<b>% of NAP</b>	0%	0%	7%	4%	0%	0%	4%	4%	0%	0%	4%	4%	0%	7%	4%	0%	4%	4%

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Belgium:** Starting from 2021, data include also administrative judges (judges of the Council of State and the Aliens Litigation Council). The latter are counted as first instance judges, even though the Council of State intervenes also as last instance court.

**Bulgaria:** For 2020, judges who administer judges in the appellate panels of regional and administrative courts are counted as second instance judges.

**Czech Republic:** The country has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Italy:** Administrative justice is taken into account since 2018

**Poland:** Starting from 2020, the number of Supreme Court judges include also judges of the Supreme Administrative Court.

**Romania:** Since there are 4 level of courts in Romania, judges of 2nd instance are the sum up of the judges from tribunal and of court of appeals. The variation between first instance and second instance courts is the result of different methods of calculation. In 2013, in first instance judges from 1st instance courts and from tribunals were summed up together.

**Table 7.1.3a Total number of professional judges by instance in 2012, 2021 and 2022**  
Per 100 000 inhabitants (Q1, Q46)

States	Professional judges by instance per 100 000 inhabitants											
	2012				2021				2022			
	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court
Austria	18,3	15,7	1,9	0,8	26,6	21,7	3,5	1,5	29,4	24,0	4,0	1,4
Belgium	14,3	11,6	2,7	0,3	14,4	11,5	2,7	0,2	14,4	11,5	2,7	0,2
Bulgaria	30,7	16,3	11,8	2,6	32,1	18,4	11,0	2,7	33,9	19,1	12,1	2,8
Croatia	45,3	32,3	12,1	0,9	42,4	29,9	11,6	0,9	42,4	29,9	11,5	0,9
Cyprus	11,9	10,4	NAP	1,5	14,3	12,8	NAP	1,4	15,5	14,1	NAP	1,4
Czech Republic	29,1	17,7	9,2	2,2	28,4	17,3	10,1	1,0	28,2	17,3	9,9	1,0
Denmark	6,6	4,6	1,7	0,3	6,6	4,4	1,9	0,3	6,5	4,3	1,9	0,3
Estonia	17,7	13,0	3,3	1,5	17,7	12,9	3,5	1,4	17,8	13,2	3,2	1,4
Finland	18,1	13,7	3,6	0,8	20,9	16,2	3,8	0,9	20,6	16,1	3,7	0,8
France	10,7	7,6	2,6	0,6	11,2	7,9	2,8	0,5	11,3	8,0	2,8	0,6
Germany	24,7	18,5	5,1	0,6	25,2	19,7	5,0	0,6	24,7	19,2	5,0	0,5
Greece	23,3	13,7	7,3	2,2	37,6	25,2	8,7	3,8	37,3	24,7	8,7	3,9
Hungary	27,9	16,9	10,3	0,7	28,0	14,4	12,7	1,0	27,7	14,0	12,7	1,0
Ireland	3,1	3,0	NAP	0,2	3,3	2,8	0,3	0,2	3,3	2,8	0,3	0,2
Italy	10,6	8,3	1,9	0,5	12,1	9,3	2,0	0,8	12,2	9,3	2,0	0,9
Latvia	21,5	12,9	6,2	2,4	29,1	20,0	7,1	1,9	28,3	19,6	6,8	1,9
Lithuania	25,6	22,8	1,7	1,1	25,6	22,9	1,6	1,1	26,1	23,4	1,7	1,0
Luxembourg	34,1	26,5	NA	7,6	35,6	27,0	7,9	0,8	35,1	26,2	8,2	0,8
Malta	9,5	8,0	1,4	NAP	9,1	7,6	1,6	NAP	9,0	7,1	1,9	NAP
Netherlands	14,4	11,1	3,1	0,2	15,1	11,0	3,9	0,2	15,0	10,8	4,0	0,2
Poland	26,2	24,5	1,3	0,2	25,8	24,1	1,2	0,5	28,0	26,2	1,2	0,5
Portugal	19,2	14,1	4,2	0,8	19,5	14,2	4,5	0,8	19,5	14,4	4,3	0,8
Romania	20,2	9,4	10,4	0,4	24,1	11,6	12,0	0,5	22,9	10,5	11,9	0,5
Slovak Republic	24,2	16,1	6,5	1,6	25,5	16,9	7,4	1,2	25,7	16,9	7,4	1,5
Slovenia	47,1	36,6	8,9	1,7	40,8	32,9	6,5	1,4	40,7	33,3	6,0	1,4
Spain	11,2	7,9	3,1	0,2	11,4	8,0	3,2	0,1	11,9	NA	NA	NA
Sweden	11,8	8,0	3,4	0,3	11,9	8,0	3,6	0,3	11,7	7,8	3,6	0,3
<b>Average</b>	20,6	14,9	5,1	1,2	22,0	15,9	5,4	1,0	22,2	16,3	5,5	1,0
<b>Median</b>	19,2	13,7	3,5	0,8	24,1	14,4	3,8	0,8	22,9	15,2	4,0	0,9
<b>Minimum</b>	3,1	3,0	1,3	0,2	3,3	2,8	0,3	0,1	3,3	2,8	0,3	0,2
<b>Maximum</b>	47,1	36,6	12,1	7,6	42,4	32,9	12,7	3,8	42,4	33,3	12,7	3,9
<b>% of NA</b>	0%	0%	4%	0%	0%	0%	0%	0%	0%	4%	4%	4%
<b>% of NAP</b>	0%	0%	7%	4%	0%	0%	4%	4%	0%	0%	4%	4%

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Belgium:** Starting from 2021, data include also administrative judges (judges of the Council of State and the Aliens Litigation Council). The latter are counted as first instance judges, even though the Council of State intervenes also as last instance court.

**Bulgaria:** For 2019, only magistrates working in the 7 courts of appeal are counted as 2nd instance judges, while all judges in regional courts (sitting in both 1st and 2nd instance departments) are listed as first instance judges

**Czech Republic:** The country has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Italy:** Administrative justice is taken into account since 2018

**Poland:** Starting from 2020, the number of Supreme Court judges include also judges of the Supreme Administrative Court.

**Romania:** Since there are 4 level of courts in Romania, judges of 2nd instance are the sum up of the judges from tribunal and of court of appeals. The variation between first instance and second instance courts is the result of different methods of calculation. In 2013, in first instance judges from 1st instance courts and from tribunals were summed up together.

**Table 7.1.4 Total number of professional judges (FTE) by case category in 2022 (Q46-2)**

States	Number of professional judges (FTE) by case category																			
	Total				Civil and/or commercial				Criminal				Administrative				Other			
	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court
Austria	2 677	2 184	362	131	1 247	920	280	47	405	306	82	17	1 025	958	NAP	67	NAP	NAP	NAP	NAP
Belgium	1 684	1 345	311	28	NA	NA	NA	NA	NA	NA	NA	NA	96	96	NA	NA	NA	NA	NA	NA
Bulgaria	2 188	1 230	778	180	NA	NA	461	65	NA	NA	275	24	389	299	NAP	90	14	9	5	NAP
Croatia	1 652	1 171	445	36	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	143	130	NAP	13	NA	NA	NAP	NAP	NA	NA	NAP	NAP	13	13	NAP	NAP	35	35	NAP	NAP
Czech Republic	3 057	2 001	950	106	2 154	1 450	658	46	744	429	292	23	159	122	NAP	37	0	0	0	0
Denmark	385	257	110	18	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	237	175	43	19	NAP	NAP	NAP	8	NAP	NAP	NAP	6	36	22	9	5	NAP	NAP	NAP	NAP
Finland	1 148	895	208	45	NA	NA	NA	NA	NA	NA	NA	NA	307	282	NAP	25	NAP	NAP	NAP	NAP
France	7 670	5 402	1 888	380	NA	NA	NA	NA	NA	NA	NA	NA	1 382	909	316	157	NAP	NAP	NAP	NAP
Germany	20 863	16 215	4 186	462	NA	5 554	1 501	NA	NA	4 204	569	NA	2 299	3 602	783	54	NA	2 855	1 333	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	2 660	1 345	1 218	97	1 438	782	620	36	955	563	375	17	181	0	144	37	86	0	79	7
Ireland	171	146	16	9	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	7 166	5 483	1 179	504	3 499	2 673	622	204	3 127	2 421	541	165	445	313	NAP	132	95	76	16	3
Latvia	533	370	128	35	NA	NA	64	14	NA	NA	43	9	72	39	21	12	NAP	NAP	NAP	NAP
Lithuania	746	668	48	30	NA	NA	NA	NA	NA	NA	NA	NA	63	42	21	NAP	NAP	NAP	NAP	NAP
Luxembourg	232	173	54	5	146	107	39	NAP	60	50	10	NAP	21	16	5	NAP	5	NAP	NAP	5
Malta	47	37	10	NAP	26	20	6	NAP	19	15	4	NAP	2	2	NA	NAP	NAP	NAP	NAP	NAP
Netherlands	2 671	1 931	705	35	NA	NA	NA	13	NA	NA	NA	11	NA	NA	NA	11	NA	NA	NA	NAP
Poland	10 560	9 894	469	197	NA	NA	NA	24	NA	NA	NA	32	598	491	NA	107	NA	NA	NA	34
Portugal	2 043	1 505	454	84	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	315	233	57	25	1 728	1 272	397	59
Romania	4 367	1 996	2 271	100	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Slovak Republic	1 408	926	402	80	931	668	221	42	301	208	77	16	79	0	57	22	97	50	47	0
Slovenia	728	590	112	27	451	358	79	14	239	200	33	6	33	26	NAP	7	6	6	NAP	NAP
Spain	5 728	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Sweden	1 229	817	380	32	NA	NA	NA	NA	NA	NA	NA	NA	339	205	118	16	NAP	NAP	NAP	NAP
<b>Average</b>	3 154	2 275	697	111	1 237	1 392	414	47	731	933	209	30	393	384	153	50	230	478	268	15
<b>Median</b>	1 668	1 171	391	41	1 089	782	280	36	353	306	82	17	170	109	57	31	35	35	47	5
<b>Minimum</b>	47	37	10	5	26	20	6	8	19	15	4	6	2	0	5	5	0	0	0	0
<b>Maximum</b>	20 863	16 215	4 186	504	3 499	5 554	1 501	204	3 127	4 204	569	165	2 299	3 602	783	157	1 728	2 855	1 333	59
<b>% of NA</b>	4%	7%	7%	7%	59%	56%	44%	41%	59%	56%	44%	41%	19%	19%	30%	19%	30%	26%	26%	22%
<b>% of NAP</b>	0%	0%	4%	4%	11%	11%	15%	19%	11%	11%	15%	19%	7%	7%	33%	22%	37%	41%	48%	52%

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Belgium:** Starting from 2021, data include also administrative judges (judges of the Council of State and the Aliens Litigation Council). The latter are counted as first instance judges, even though the Council of State intervenes also as last instance court.

**Bulgaria:** For 2019, only magistrates working in the 7 courts of appeal are counted as 2nd instance judges, while all judges in regional courts (sitting in both 1st and 2nd instance departments) are listed as first instance judges

**Czech Republic:** The country has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Malta:** The number of second instance judges for administrative cases is included in the number of second instance judges for civil and/or commercial cases.

**Poland:** Starting from 2020, the number of Supreme Court judges include also judges of the Supreme Administrative Court.

**Romania:** Since there are 4 level of courts in Romania, judges of 2nd instance are the sum up of the judges from tribunal and of court of appeals. The variation between first instance and second instance courts is the result of different methods of calculation. In 2013, in first instance judges from 1st instance courts and from tribunals were summed up together.

**Slovak Republic:** The distribution of administrative judges per instance is made based on the instance level of the court where they work and not based on the instance of the cases for which they are responsible.

Table 7.1.5 Total professional judges: distribution of males and females in 2012, 2021 and 2022 (Q46)

States	Total professional judges: distribution of males and females							
	2012		2021		2022		Variation 2012-2022 in percentage points	
	% Male	% Female	% Male	% Female	% Male	% Female	Male	Female
Austria	51,2%	48,8%	45,5%	54,5%	46,2%	53,8%	▼ -5,0	▲ 5,0
Belgium	51,3%	48,7%	40,5%	59,5%	39,7%	60,3%	▼ -11,6	▲ 11,6
Bulgaria	NA	NA	33,9%	66,1%	34,0%	66,0%	NA	NA
Croatia	31,2%	68,8%	28,2%	71,8%	28,0%	72,0%	▼ -3,3	▲ 3,3
Cyprus	54,4%	45,6%	45,7%	54,3%	46,2%	53,8%	▼ -8,2	▲ 8,2
Czech Republic	39,1%	60,9%	39,9%	60,1%	39,6%	60,4%	▲ 0,6	▼ -0,6
Denmark	49,2%	50,8%	47,4%	52,6%	47,0%	53,0%	▼ -2,2	▲ 2,2
Estonia	36,4%	63,6%	33,9%	66,1%	33,3%	66,7%	▼ -3,1	▲ 3,1
Finland	49,1%	50,9%	39,9%	60,1%	39,8%	60,2%	▼ -9,3	▲ 9,3
France	40,2%	59,8%	31,4%	68,6%	31,4%	68,6%	▼ -8,8	▲ 8,8
Germany	NA	NA	NA	NA	NA	NA	NA	NA
Greece	32,3%	67,7%	25,3%	74,7%	25,2%	74,8%	▼ -7,1	▲ 7,1
Hungary	30,9%	69,1%	31,1%	68,9%	30,8%	69,2%	▼ -0,2	▲ 0,2
Ireland	73,6%	26,4%	58,2%	41,8%	57,3%	42,7%	▼ -16,3	▲ 16,3
Italy	48,8%	51,2%	44,4%	55,6%	43,7%	56,3%	▼ -5,2	▲ 5,2
Latvia	23,0%	77,0%	19,3%	80,7%	19,3%	80,7%	▼ -3,7	▲ 3,7
Lithuania	41,0%	59,0%	35,5%	64,5%	34,7%	65,3%	▼ -6,3	▲ 6,3
Luxembourg	NA	NA	27,8%	72,2%	28,0%	72,0%	NA	NA
Malta	65,0%	35,0%	46,8%	53,2%	44,7%	55,3%	▼ -20,3	▲ 20,3
Netherlands	46,6%	53,4%	39,8%	60,2%	39,2%	60,8%	▼ -7,4	▲ 7,4
Poland	36,6%	63,4%	38,6%	61,4%	38,7%	61,3%	▲ 2,1	▼ -2,1
Portugal	43,0%	57,0%	37,0%	63,0%	35,7%	64,3%	▼ -7,3	▲ 7,3
Romania	27,5%	72,5%	27,7%	72,3%	28,0%	72,0%	▲ 0,4	▼ -0,4
Slovak Republic	37,4%	62,6%	36,0%	64,0%	36,4%	63,6%	▼ -1,1	▲ 1,1
Slovenia	22,4%	77,6%	20,1%	79,9%	18,6%	81,4%	▼ -3,8	▲ 3,8
Spain	49,8%	50,2%	44,0%	56,0%	43,8%	56,2%	▼ -6,0	▲ 6,0
Sweden	53,4%	46,6%	44,4%	55,6%	43,4%	56,6%	▼ -10,0	▲ 10,0
<b>Average</b>	43,1%	56,9%	37,0%	63,0%	36,6%	63,4%	-5,95	5,95
<b>Median</b>	42,0%	58,0%	37,8%	62,2%	37,5%	62,5%	-5,57	5,57
<b>Minimum</b>	22,4%	26,4%	19,3%	41,8%	18,6%	42,7%	-20,32	-2,11
<b>Maximum</b>	73,6%	77,6%	58,2%	80,7%	57,3%	81,4%	2,11	20,32
<b>% of NA</b>	11%	11%	4%	4%	4%	4%	11%	11%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Belgium:** Starting from 2021, data include also administrative judges (judges of the Council of State and the Aliens Litigation Council). The latter are counted as first instance judges, even though the Council of State intervenes also as last instance court.

**Czech Republic:** The country has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Italy:** Administrative justice is taken into account since 2018

**Romania:** Since there are 4 level of courts in Romania, judges of 2nd instance are the sum up of the judges from tribunal and of court of appeals. The variation between first instance and second instance courts is the result of different methods of calculation. In 2013, in first instance judges from 1st instance courts and from tribunals were summed up together.

**Table 7.1.6 First instance professional judges: distribution of males and females in 2012, 2021 and 2022 (Q46)**

States	First instance professional judges: distribution of males and females							
	2012		2021		2022		Variation 2012-2022 in percentage points	
	% Male	% Female	% Male	% Female	% Male	% Female	Male	Female
Austria	49,3%	50,7%	43,5%	56,5%	44,9%	55,1%	▼ -4,4	▲ 4,4
Belgium	48,1%	49,6%	39,0%	61,0%	37,9%	62,1%	▼ -10,2	▲ 12,5
Bulgaria	NA	NA	35,0%	65,0%	35,1%	64,9%	NA	NA
Croatia	28,2%	71,8%	25,4%	74,6%	25,3%	74,7%	▼ -2,9	▲ 2,9
Cyprus	52,2%	47,8%	44,8%	55,2%	45,4%	54,6%	▼ -6,8	▲ 6,8
Czech Republic	34,7%	65,3%	33,3%	66,7%	33,1%	66,9%	▼ -1,6	▲ 1,6
Denmark	42,9%	57,1%	41,9%	58,1%	42,0%	58,0%	▼ -0,8	▲ 0,8
Estonia	29,3%	70,7%	26,9%	73,1%	27,4%	72,6%	▼ -1,9	▲ 1,9
Finland	47,0%	53,0%	37,6%	62,4%	37,4%	62,6%	▼ -9,6	▲ 9,6
France	36,7%	63,3%	29,6%	70,4%	29,0%	71,0%	▼ -7,6	▲ 7,6
Germany	NA	NA	NA	NA	NA	NA	NA	NA
Greece	27,1%	72,9%	24,1%	75,9%	24,0%	76,0%	▼ -3,1	▲ 3,1
Hungary	29,7%	70,3%	27,9%	72,1%	27,4%	72,6%	▼ -2,3	▲ 2,3
Ireland	72,8%	27,2%	58,6%	41,4%	58,2%	41,8%	▼ -14,6	▲ 14,6
Italy	45,8%	54,2%	42,5%	57,5%	41,5%	58,5%	▼ -4,4	▲ 4,4
Latvia	17,9%	82,1%	17,0%	83,0%	16,2%	83,8%	▼ -1,7	▲ 1,7
Lithuania	37,9%	62,1%	33,1%	66,9%	32,9%	67,1%	▼ -4,9	▲ 4,9
Luxembourg	NA	NA	25,3%	74,7%	24,9%	75,1%	NA	NA
Malta	58,8%	41,2%	38,5%	61,5%	35,1%	64,9%	▼ -23,7	▲ 23,7
Netherlands	42,3%	57,7%	37,6%	62,4%	37,1%	62,9%	▼ -5,1	▲ 5,1
Poland	35,7%	64,3%	37,5%	62,5%	37,5%	62,5%	▲ 1,8	▼ -1,8
Portugal	34,3%	65,7%	31,1%	68,9%	30,5%	69,5%	▼ -3,8	▲ 3,8
Romania	31,0%	69,0%	28,2%	71,8%	28,8%	71,2%	▼ -2,2	▲ 2,2
Slovak Republic	35,6%	64,4%	34,6%	65,4%	34,7%	65,3%	▼ -0,9	▲ 0,9
Slovenia	19,7%	80,3%	18,2%	81,8%	16,7%	83,3%	▼ -2,9	▲ 2,9
Spain	42,0%	58,0%	37,3%	62,7%	NA	NA	NA	NA
Sweden	55,9%	44,1%	46,0%	54,0%	44,6%	55,4%	▼ -11,3	▲ 11,3
<b>Average</b>	39,8%	60,1%	34,4%	65,6%	33,9%	66,1%	-5,43	5,53
<b>Median</b>	37,3%	62,7%	34,8%	65,2%	34,7%	65,3%	-3,76	3,76
<b>Minimum</b>	17,9%	27,2%	17,0%	41,4%	16,2%	41,8%	-23,69	-1,84
<b>Maximum</b>	72,8%	82,1%	58,6%	83,0%	58,2%	83,8%	1,84	23,69
<b>% of NA</b>	11%	11%	4%	4%	7%	7%	15%	15%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Belgium:** Starting from 2021, data include also administrative judges (judges of the Council of State and the Aliens Litigation Council). The latter are counted as first instance judges, even though the Council of State intervenes also as last instance court.

**Czech Republic:** The country has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Italy:** Administrative justice is taken into account since 2018

**Romania:** Since there are 4 level of courts in Romania, judges of 2nd instance are the sum up of the judges from tribunal and of court of appeals. The variation between first instance and second instance courts is the result of different methods of calculation. In 2013, in first instance judges from 1st instance courts and from tribunals were summed up together.

**Table 7.1.7 Second instance judges: distribution of males and females in 2012, 2021 and 2022 (Q46)**

States	Second instance professional judges: distribution of males and females							
	2012		2021		2022		Variation 2012-2022 in percentage points	
	% Male	% Female	% Male	% Female	% Male	% Female	Male	Female
Austria	59,5%	40,5%	51,3%	48,7%	50,0%	50,0%	▼ -9,5	▲ 9,5
Belgium	56,7%	43,3%	44,2%	55,8%	44,4%	55,6%	▼ -12,3	▲ 12,3
Bulgaria	NA	NA	33,9%	66,1%	33,8%	66,2%	NA	NA
Croatia	37,4%	62,6%	32,5%	67,5%	31,8%	68,2%	▼ -5,6	▲ 5,6
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	42,2%	57,8%	47,4%	52,6%	47,6%	52,4%	▲ 5,4	▼ -5,4
Denmark	62,8%	37,2%	55,4%	44,6%	53,6%	46,4%	▼ -9,1	▲ 9,1
Estonia	40,5%	59,5%	43,5%	56,5%	41,9%	58,1%	▲ 1,4	▼ -1,4
Finland	54,1%	45,9%	45,5%	54,5%	45,2%	54,8%	▼ -8,9	▲ 8,9
France	46,4%	53,6%	33,5%	66,5%	34,5%	65,6%	▼ -11,9	▲ 12,0
Germany	NA	NA	NA	NA	NA	NA	NA	NA
Greece	35,8%	64,2%	25,7%	74,3%	25,4%	74,6%	▼ -10,4	▲ 10,4
Hungary	31,9%	68,1%	34,3%	65,7%	33,7%	66,3%	▲ 1,8	▼ -1,8
Ireland	NAP	NAP	52,9%	47,1%	43,8%	56,3%	NAP	NAP
Italy	54,5%	45,5%	43,9%	56,1%	43,7%	56,3%	▼ -10,8	▲ 10,8
Latvia	24,6%	75,4%	22,6%	77,4%	25,0%	75,0%	▲ 0,4	▼ -0,4
Lithuania	60,8%	39,2%	55,6%	44,4%	54,2%	45,8%	▼ -6,6	▲ 6,6
Luxembourg	NA	NA	35,3%	64,7%	35,2%	64,8%	NA	NA
Malta	100,0%	0,0%	87,5%	12,5%	80,0%	20,0%	▼ -20,0	▲ 20,0
Netherlands	59,0%	41,0%	44,8%	55,2%	43,8%	52,3%	▼ -15,1	▲ 11,3
Poland	44,5%	55,5%	47,9%	52,1%	49,3%	50,7%	▲ 4,8	▼ -4,8
Portugal	63,4%	36,6%	51,0%	49,0%	47,4%	52,6%	▼ -16,0	▲ 16,0
Romania	25,0%	75,0%	27,4%	72,6%	27,4%	72,6%	▲ 2,4	▼ -2,4
Slovak Republic	39,8%	60,2%	37,6%	62,4%	38,8%	61,3%	▼ -1,0	▲ 1,0
Slovenia	26,2%	73,8%	20,6%	79,4%	19,7%	80,3%	▼ -6,5	▲ 6,5
Spain	67,4%	32,6%	59,4%	40,6%	NA	NA	NA	NA
Sweden	46,9%	53,1%	39,9%	60,1%	39,2%	60,8%	▼ -7,7	▲ 7,7
<b>Average</b>	49,1%	50,9%	42,9%	57,1%	41,2%	58,6%	-6,45	6,27
<b>Median</b>	46,7%	53,3%	43,9%	56,1%	42,8%	57,2%	-7,70	7,70
<b>Minimum</b>	24,6%	0,0%	20,6%	12,5%	19,7%	20,0%	-20,00	-5,40
<b>Maximum</b>	100,0%	75,4%	87,5%	79,4%	80,0%	80,3%	5,40	20,00
<b>% of NA</b>	11%	11%	4%	4%	7%	7%	15%	15%
<b>% of NAP</b>	7%	7%	4%	4%	4%	4%	7%	7%

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**Belgium:** Starting from 2021, data include also administrative judges (judges of the Council of State and the Aliens Litigation Council). The latter are counted as first instance judges, even though the Council of State intervenes also as last instance court.

**Czech Republic:** The country has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Italy:** Administrative justice is taken into account since 2018

**Romania:** Since there are 4 level of courts in Romania, judges of 2nd instance are the sum up of the judges from tribunal and of court of appeals. The variation between first instance and second instance courts is the result of different methods of calculation. In 2013, in first instance judges from 1st instance courts and from tribunals were summed up together.

**Table 7.1.8 Supreme court professional judges: distribution of males and females in 2012, 2021 and 2022 (Q46)**

States	Supreme Court professional judges: distribution of males and females							
	2012		2021		2022		Variation 2012-2022 in percentage points	
	% Male	% Female	% Male	% Female	% Male	% Female	Male	Female
Austria	69,4%	30,6%	61,1%	38,9%	58,0%	42,0%	▼ -11,4	▲ 11,4
Belgium	80,0%	20,0%	71,4%	28,6%	71,4%	28,6%	▼ -8,6	▲ 8,6
Bulgaria	NA	NA	26,1%	73,9%	26,7%	73,3%	NA	NA
Croatia	55,0%	45,0%	65,7%	34,3%	67,6%	32,4%	▲ 12,6	▼ -12,6
Cyprus	69,2%	30,8%	53,8%	46,2%	53,8%	46,2%	▼ -15,4	▲ 15,4
Czech Republic	60,7%	39,3%	76,4%	23,6%	75,5%	24,5%	▲ 14,8	▼ -14,8
Denmark	73,7%	26,3%	77,8%	22,2%	77,8%	22,2%	▲ 4,1	▼ -4,1
Estonia	89,5%	10,5%	73,7%	26,3%	68,4%	31,6%	▼ -21,1	▲ 21,1
Finland	62,8%	37,2%	58,3%	41,7%	62,2%	37,8%	▼ -0,6	▲ 0,6
France	59,3%	40,7%	48,3%	51,7%	50,5%	49,5%	▼ -8,8	▲ 8,8
Germany	NA	NA	65,9%	34,1%	63,9%	36,1%	NA	NA
Greece	52,9%	47,1%	32,9%	67,1%	32,2%	67,8%	▼ -20,7	▲ 20,7
Hungary	45,9%	54,1%	38,7%	61,3%	40,2%	59,8%	▼ -5,7	▲ 5,7
Ireland	87,5%	12,5%	62,5%	37,5%	66,7%	33,3%	▼ -20,8	▲ 20,8
Italy	77,3%	22,7%	66,9%	33,1%	67,3%	32,7%	▼ -10,1	▲ 10,1
Latvia	46,0%	54,0%	30,6%	69,4%	31,4%	68,6%	▼ -14,6	▲ 14,6
Lithuania	75,8%	24,2%	56,7%	43,3%	43,3%	56,7%	▼ -32,4	▲ 32,4
Luxembourg	NA	NA	40,0%	60,0%	60,0%	40,0%	NA	NA
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	88,9%	11,1%	60,0%	40,0%	60,0%	40,0%	▼ -28,9	▲ 28,9
Poland	NA	NA	69,2%	30,8%	71,6%	28,4%	NA	NA
Portugal	89,3%	10,7%	62,2%	37,8%	66,7%	33,3%	▼ -22,6	▲ 22,6
Romania	14,7%	85,3%	22,3%	77,7%	23,0%	77,0%	▲ 8,3	▼ -8,3
Slovak Republic	46,4%	53,6%	46,0%	54,0%	43,8%	56,3%	▼ -2,7	▲ 2,7
Slovenia	61,8%	38,2%	63,3%	36,7%	56,7%	43,3%	▼ -5,1	▲ 5,1
Spain	88,3%	11,7%	77,9%	22,1%	NA	NA	NA	NA
Sweden	60,6%	39,4%	58,1%	41,9%	65,6%	34,4%	▲ 5,0	▼ -5,0
<b>Average</b>	66,1%	33,9%	56,4%	43,6%	56,2%	43,8%	-8,79	8,79
<b>Median</b>	66,0%	34,0%	60,5%	39,5%	60,0%	40,0%	-8,78	8,78
<b>Minimum</b>	14,7%	10,5%	22,3%	22,1%	23,0%	22,2%	-32,42	-14,79
<b>Maximum</b>	89,5%	85,3%	77,9%	77,7%	77,8%	77,0%	14,79	32,42
<b>% of NA</b>	15%	15%	0%	0%	4%	4%	19%	19%
<b>% of NAP</b>	4%	4%	4%	4%	4%	4%	4%	4%

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**Czech Republic:** The country has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Italy:** Administrative justice is taken into account since 2018

**Romania:** Since there are 4 level of courts in Romania, judges of 2nd instance are the sum up of the judges from tribunal and of court of appeals. The variation between first instance and second instance courts is the result of different methods of calculation. In 2013, in first instance judges from 1st instance courts and from tribunals were summed up together.

**Table 7.2.1 Total number of non-judge staff (absolute number and per 100 000 inhabitants) and their distribution by category in 2022 (Q1, Q52)**

States	Total number of non-judge staff in 2022		Distribution of non-judge staff by category in 2022				
	Absolute number	Per 100 000 inhabitants	Rechtspfleger or similar bodies	Staff Assisting the judge	Staff in charge of administrative tasks	Technical staff	Other non-judge staff
Austria	5 410	59,4	721	660	3 552	102	377
Belgium	5 712	48,8	NAP	4 953	166	593	0
Bulgaria	6 587	102,2	NAP	4 936	983	629	39
Croatia	6 002	155,9	594	4 176	567	665	NAP
Cyprus	513	55,7	NAP	151	170	146	46
Czech Republic	9 868	90,9	2 505	4 515	2 161	633	54
Denmark	1 779	30,0	315	12	1 354	89	9
Estonia	806	60,7	55	592	67	59	33
Finland	2 194	39,4	NAP	NA	NA	NA	NA
France	25 388	37,3	NAP	20 190	3 424	898	874
Germany	52 999	62,8	8 370	27 367	6 848	4 033	6 381
Greece	4 770	44,7	NAP	NA	NA	NA	NAP
Hungary	8 483	88,4	988	921	NA	NA	6 754
Ireland	1 253	24,3	24	974	129	50	76
Italy	25 947	44,1	NAP	17 271	4 757	1 959	1 952
Latvia	1 648	87,5	NAP	1 141	360	129	18
Lithuania	2 608	91,3	NAP	1 421	858	249	80
Luxembourg	248	37,5	NAP	230	3	4	11
Malta	464	89,2	NAP	298	50	12	104
Netherlands	7 736	43,4	NAP	NA	NA	NA	NA
Poland	44 832	118,7	2 675	25 234	8 841	2 522	5 560
Portugal	5 412	51,7	NAP	5 025	89	257	41
Romania	11 071	58,1	NAP	6 691	1 666	1 664	1 050
Slovak Republic	4 642	85,5	1 061	2 167	1 398	16	NA
Slovenia	3 416	161,4	463	1 118	1 657	178	NAP
Spain	49 802	103,6	4 470	NAP	NAP	NAP	45 332
Sweden	4 873	46,3	NAP	3 256	670	177	769
<b>Average</b>	10 906	71,1	1 853	5 796	1 808	685	3 312
<b>Median</b>	5 410	59,4	855	2 167	921	214	80
<b>Minimum</b>	248	24,3	24	12	3	4	0
<b>Maximum</b>	52 999	161,4	8 370	27 367	8 841	4 033	45 332
<b>% of NA</b>	0%	0%	0%	11%	15%	15%	11%
<b>% of NAP</b>	0%	0%	56%	4%	4%	4%	11%

France: There is no differentiation between non-judge staff attached to judges and prosecutors, except for the subcategory "Other".

Poland: Starting from 2020, data includes also employees of the Supreme Administrative Court.

**Table 7.2.2 Evolution of the total number of non-judge staff (absolute number) from 2012 to 2022 (Q52)**

States	Total number of non-judge staff										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	4 631	4 698	4 705	4 735	5 544	5 544	4 966	5 117	5 270	4 997	5 410
Belgium	5 458	5 307	5 290	5 204	5 054	4 940	4 974	5 614	5 064	5 097	5 712
Bulgaria	6 014	5 958	6 014	6 143	6 174	6 212	6 262	6 323	6 329	6 475	6 587
Croatia	6 234	6 222	6 061	5 929	5 827	5 900	5 828	5 929	5 886	6 027	6 002
Cyprus	424	427	448	424	437	441	427	475	449	496	513
Czech Republic	9 135	9 107	9 309	9 409	9 714	9 887	9 857	9 989	9 921	9 914	9 868
Denmark	1 823	1 751	1 754	1 529	1 642	1 634	1 656	1 775	1 816	1 799	1 779
Estonia	957	990	1 017	965	877	846	819	802	825	799	806
Finland	2 214	2 196	2 161	2 145	2 170	2 137	2 131	2 128	2 162	2 208	2 194
France	21 758	21 946	22 360	22 326	22 712	22 714	22 844	23 396	24 062	22 115	25 388
Germany	53 649	53 302	53 302	53 292	53 181	53 178	54 072	54 434	54 107	54 117	52 999
Greece	5 327	5 376	5 474	5 572	4 236	4 145	4 179	4 284	4 198	4 774	4 770
Hungary	8 142	8 000	8 022	7 979	8 003	8 379	8 528	8 538	8 576	8 638	8 483
Ireland	945	927	927	942	975	1 023	1 049	1 080	1 089	1 145	1 253
Italy	23 672	22 991	21 903	21 360	21 182	20 664	22 401	21 808	21 193	22 222	25 947
Latvia	1 608	1 594	1 578	1 519	1 582	1 536	1 715	1 678	1 666	1 615	1 648
Lithuania	2 619	2 602	2 608	2 729	2 740	2 722	2 664	2 684	2 709	2 646	2 608
Luxembourg	NA	198	196	197	200	200	220	225	223	239	248
Malta	360	451	389	393	383	394	413	412	396	449	464
Netherlands	6 252	7 287	7 422	7 265	7 317	7 523	7 492	7 699	7 435	7 653	7 736
Poland	40 844		41 534		43 176	46 807	40 662	41 927	41 973	42 854	44 832
Portugal	6 110	6 005	5 698	5 799	5 652	5 789	5 818	5 829	5 779	5 732	5 412
Romania	9 283	9 639	10 147	10 251	10 297	10 638	10 662	10 700	10 512	11 144	11 071
Slovak Republic	4 482	4 497	4 468	4 390	4 482	4 616	4 710	4 731	4 912	4 361	4 642
Slovenia	3 330	3 239	3 355	3 300	3 330	3 328	3 391	3 427	3 427	3 455	3 416
Spain	44 748		48 563		49 186	46 871	47 645	47 816	48 620	49 137	49 802
Sweden	5 173	4 716	4 797	4 800	4 859	5 088	5 208	4 921	4 996	4 989	4 873
<b>Average</b>	10 584	7 577	10 352	7 544	10 405	10 487	10 392	10 509	10 504	10 559	10 906
<b>Median</b>	5 392	4 716	5 290	4 800	5 054	5 088	4 974	5 117	5 064	4 997	5 410
<b>Minimum</b>	360	198	196	197	200	200	220	225	223	239	248
<b>Maximum</b>	53 649	53 302	53 302	53 292	53 181	53 178	54 072	54 434	54 107	54 117	52 999
<b>% of NA</b>	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

France: There is no differentiation between non-judge staff attached to judges and prosecutors, except for the subcategory "Other".

Italy: Administrative justice is taken into account since 2018.

Poland: Starting from 2020, data includes also employees of the Supreme Administrative Court.

Table 7.2.2a Evolution of the total number of non-judge staff per 100 000 inhabitants from 2012 to 2022 and their variations (Q1, Q52)

States	Total number of non-judge staff per 100 000 inhabitants											Variations of the number of non-judge staff	
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2012-2022	2021-2022
Austria	54,8	55,4	54,8	54,4	63,4	63,0	56,3	57,5	59,0	55,7	59,4	8,4%	6,8%
Belgium	48,9	47,6	47,2	46,2	44,6	43,4	43,5	49,1	44,0	44,1	48,8	-0,1%	10,8%
Bulgaria	82,6	82,2	83,5	85,9	86,9	88,1	89,5	91,0	91,5	94,7	102,2	23,7%	7,9%
Croatia	146,3	146,5	143,4	141,5	140,3	143,7	143,0	146,1	145,8	155,7	155,9	6,6%	0,1%
Cyprus	49,0	49,8	52,2	50,0	51,5	51,6	48,7	53,5	50,1	54,8	55,7	13,8%	1,6%
Czech Republic	86,9	86,6	88,4	89,2	91,8	93,4	92,6	93,6	92,7	94,3	90,9	4,6%	-3,5%
Denmark	32,5	31,1	31,0	26,8	28,6	28,3	28,5	30,5	31,1	30,6	30,0	-7,8%	-2,0%
Estonia	74,4	75,2	77,4	73,3	66,7	64,3	62,1	60,5	62,1	60,1	60,7	-18,4%	1,0%
Finland	40,8	40,3	39,5	39,1	39,4	38,8	38,6	38,5	39,1	39,8	39,4	-3,3%	-0,9%
France	33,2	33,3	33,7	33,5	33,9	33,8	34,1	34,9	35,7	32,7	37,3	12,5%	14,1%
Germany	66,9	66,0	66,0	65,2	64,7	64,3	65,1	65,5	65,1	65,0	62,8	-6,0%	-3,4%
Greece	48,2	48,6	50,5	51,3	39,3	38,5	38,9	39,9	39,2	44,7	44,7	-7,2%	-0,1%
Hungary	82,2	81,0	81,4	81,2	81,7	84,8	88,9	87,4	86,7	89,2	88,4	7,5%	-0,9%
Ireland	20,6	20,1	20,0	20,2	20,9	21,3	21,6	21,9	21,9	22,3	24,3	18,2%	8,9%
Italy	39,7	38,5	36,0	35,2	35,0	34,2	37,1	36,2	35,8	37,7	44,1	11,2%	17,0%
Latvia	78,6	78,8	78,8	77,1	80,3	78,8	89,3	88,0	88,0	86,1	87,5	11,3%	1,7%
Lithuania	87,2	88,4	89,3	94,5	96,2	96,9	95,3	96,1	96,9	94,3	91,3	4,7%	-3,2%
Luxembourg	NA	36,0	34,8	35,0	33,9	33,2	35,8	35,9	35,1	37,0	37,5	NA	1,3%
Malta	85,2	105,0	88,5	87,3	83,2	82,8	86,8	83,5	77,0	87,0	89,2	4,7%	2,5%
Netherlands	37,3	43,3	43,9	42,8	42,8	43,8	43,4	44,2	42,5	43,7	43,4	16,6%	-0,6%
Poland	106,0		107,9		112,3	121,8	105,9	109,2	109,8	112,5	118,7	12,0%	5,5%
Portugal	58,3	57,6	54,9	56,1	54,8	56,3	56,6	56,6	56,1	55,4	51,7	-11,3%	-6,6%
Romania	43,6	48,3	45,5	51,9	52,4	54,5	54,9	55,1	54,8	58,5	58,1	33,4%	-0,7%
Slovak Republic	82,8	83,0	82,4	80,9	82,5	84,8	86,4	86,7	90,0	80,2	85,5	3,2%	6,6%
Slovenia	161,7	157,2	162,8	159,9	161,2	161,0	163,0	163,5	162,5	164,0	161,4	-0,2%	-1,6%
Spain	97,3		104,6		105,7	100,4	101,4	100,8	102,7	103,6	103,6	6,5%	0,0%
Sweden	54,1	48,9	49,2	48,7	48,6	50,3	50,9	47,6	48,1	47,7	46,3	-14,4%	-3,0%
Average	69,2	66,0	68,4	65,1	68,2	68,7	68,8	69,4	69,0	70,0	71,1	0,1	0,0
Median	62,6	55,4	54,9	54,4	63,4	63,0	56,6	57,5	59,0	58,5	59,4	0,1	0,0
Minimum	20,6	20,1	20,0	20,2	20,9	21,3	21,6	21,9	21,9	22,3	24,3	-0,2	-0,1
Maximum	161,7	157,2	162,8	159,9	161,2	161,0	163,0	163,5	162,5	164,0	161,4	0,3	0,2
% of NA	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	4%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

France: There is no differentiation between non-judge staff attached to judges and prosecutors, except for the subcategory "Other".

Italy: Administrative justice is taken into account since 2018.

Poland: Starting from 2020, data includes also employees of the Supreme Administrative Court.

**Table 7.2.3 Number of non-judge staff by instance in 2022 (Q52-1)**

States	Distribution of non-judge staff by instance					
	Absolute number			As percentage of the total		
	First instance	Second instance	Supreme court	First instance	Second instance	Supreme court
Austria	4 752	494	164	87,8%	9,1%	3,0%
Belgium	4 609	510	80	88,7%	9,8%	1,5%
Bulgaria	4 263	1 893	431	64,7%	28,7%	6,5%
Croatia	4 988	931	83	83,1%	15,5%	1,4%
Cyprus	422	NAP	91	82,3%	NAP	17,7%
Czech Republic	6 537	2 905	426	66,2%	29,4%	4,3%
Denmark	1 548	205	26	87,0%	11,5%	1,5%
Estonia	NA	NA	NA	NA	NA	NA
Finland	1 810	242	142	82,5%	11,0%	6,5%
France	19 736	3 494	727	82,4%	14,6%	3,0%
Germany	NA	NA	NA	NA	NA	NA
Greece	3 384	626	760	70,9%	13,1%	15,9%
Hungary	4 216	4 009	258	49,7%	47,3%	3,0%
Ireland	1 230	14	9	98,2%	1,1%	0,7%
Italy	20 802	4 103	1 042	80,2%	15,8%	4,0%
Latvia	1 228	305	115	74,5%	18,5%	7,0%
Lithuania	1 835	683	90	70,4%	26,2%	3,5%
Luxembourg	217	29	2	87,5%	11,7%	0,8%
Malta	NA	NA	NA	NA	NA	NA
Netherlands	6 474	1 003	259	83,7%	13,0%	3,3%
Poland	NA	NA	728	NA	NA	1,6%
Portugal	5 095	188	129	94,1%	3,5%	2,4%
Romania	4 807	5 884	380	43,4%	53,1%	3,4%
Slovak Republic	3 516	905	221	75,7%	19,5%	4,8%
Slovenia	3 001	284	131	87,9%	8,3%	3,8%
Spain	44 869	4 452	481	90,1%	8,9%	1,0%
Sweden	3 806	928	139	78,1%	19,0%	2,9%
<b>Average</b>	6 658	1 549	288	78,7%	17,7%	4,3%
<b>Median</b>	4 216	794	153	82,4%	13,9%	3,2%
<b>Minimum</b>	217	14	2	43,4%	1,1%	0,7%
<b>Maximum</b>	44 869	5 884	1 042	98,2%	53,1%	17,7%
<b>% of NA</b>	15%	15%	11%	15%	15%	11%
<b>% of NAP</b>	0%	4%	0%	0%	4%	0%

France: There is no differentiation between non-judge staff attached to judges and prosecutors, except for the subcategory "Other".

Poland: Starting from 2020, data includes also employees of the Supreme Administrative Court.

**Table 7.2.4 Non-judge staff: distribution of males and females by instance in 2022 (Q52-1)**

States	Distribution of male and female non-judge staff by instance							
	Total		First instance		Second instance		Supreme Court	
	% Male	% Female	% Male	% Female	% Male	% Female	% Male	% Female
Austria	28,7%	71,3%	28,3%	71,7%	33,4%	66,6%	28,0%	72,0%
Belgium	25,4%	74,6%	24,7%	75,3%	32,0%	68,0%	23,8%	76,3%
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	13,8%	86,2%	13,3%	86,7%	15,8%	84,2%	24,1%	75,9%
Cyprus	33,1%	66,9%	34,1%	65,9%	NAP	NAP	28,6%	71,4%
Czech Republic	12,6%	87,4%	9,7%	90,3%	16,1%	83,9%	33,8%	66,2%
Denmark	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	13,0%	87,0%	NA	NA	NA	NA	NA	NA
Finland	23,5%	76,5%	23,1%	76,9%	25,2%	74,8%	26,1%	73,9%
France	18,7%	81,3%	17,2%	82,8%	24,1%	75,9%	35,4%	64,5%
Germany	NA	NA	NA	NA	NA	NA	NA	NA
Greece	26,8%	73,2%	25,3%	74,7%	26,8%	73,2%	33,7%	66,3%
Hungary	15,9%	84,1%	10,9%	89,1%	20,4%	79,6%	27,1%	72,9%
Ireland	39,7%	60,3%	39,3%	60,7%	71,4%	28,6%	33,3%	66,7%
Italy	33,4%	66,6%	33,1%	66,9%	34,9%	65,1%	34,6%	65,4%
Latvia	6,8%	93,2%	5,5%	94,5%	8,5%	91,5%	15,7%	84,3%
Lithuania	NA	NA	NA	NA	NA	NA	NA	NA
Luxembourg	36,3%	63,7%	36,4%	63,6%	34,5%	65,5%	50,0%	50,0%
Malta	NA	NA	NA	NA	NA	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA
Poland	16,2%	83,8%	NA	NA	NA	NA	32,7%	67,3%
Portugal	32,7%	67,3%	32,7%	67,3%	37,2%	62,8%	27,1%	72,9%
Romania	NA	NA	NA	NA	NA	NA	NA	NA
Slovak Republic	15,8%	84,2%	13,3%	86,7%	22,4%	77,6%	28,5%	71,5%
Slovenia	12,5%	87,5%	11,3%	88,8%	18,3%	81,7%	28,2%	71,8%
Spain	NA	NA	NA	NA	NA	NA	NA	NA
Sweden	24,5%	75,5%	24,2%	75,8%	26,2%	73,8%	23,0%	77,0%
<b>Average</b>	22,6%	77,4%	22,5%	77,5%	28,0%	72,0%	29,7%	70,3%
<b>Median</b>	23,5%	76,5%	24,2%	75,8%	25,7%	74,3%	28,4%	71,6%
<b>Minimum</b>	6,8%	60,3%	5,5%	60,7%	8,5%	28,6%	15,7%	50,0%
<b>Maximum</b>	39,7%	93,2%	39,3%	94,5%	71,4%	91,5%	50,0%	84,3%
<b>% of NA</b>	30%	30%	37%	37%	37%	37%	33%	33%
<b>% of NAP</b>	0%	0%	0%	0%	4%	4%	0%	0%

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Czech Republic:** The country has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Romania:** Since there are 4 level of courts in Romania, judges of 2nd instance are the sum up of the judges from tribunal and of court of appeals. The variation between first instance and second instance courts is the result of different methods of calculation. In 2103, in first instance judges from 1st instance courts and from tribunals were summed up together.

**Poland:** Starting from 2020, data includes also employees of the Supreme Administrative Court.

Table 7.2.5 Number of professional judges and number of non-judge staff per 100 000 inhabitants, from 2012 to 2022 (Q1, Q46, Q52)

States	2012		2013		2014		2015		2016		2017		2018		2019		2020		2021		2022	
	Professional judges	Non-judge staff																				
Austria	18,3	54,8	18,4	55,4	18,9	54,8	18,6	54,4	27,4	63,4	28,2	63,0	27,3	56,3	29,5	57,5	29,0	59,0	26,6	55,7	29,4	59,4
Belgium	14,3	48,9	14,4	47,6	14,3	47,2	14,3	46,2	14,1	44,6	13,8	43,4	13,3	43,5	13,3	49,1	13,2	44,0	14,4	44,1	14,4	48,8
Bulgaria	30,7	82,6	30,2	82,2	30,8	83,5	31,1	85,9	31,8	86,9	31,7	88,1	31,8	89,5	31,9	91,0	31,6	91,5	32,1	94,7	33,9	102,2
Croatia	45,3	146,3	45,0	146,5	44,4	143,4	44,5	141,5	43,3	140,3	43,2	143,7	40,7	143,0	41,4	146,1	40,7	145,8	42,4	155,7	42,4	155,9
Cyprus	11,9	49,0	11,8	49,8	11,3	52,2	13,3	50,0	13,1	51,5	13,9	51,6	13,5	48,7	13,0	53,5	14,1	50,1	14,3	54,8	15,5	55,7
Czech Republic	29,1	86,9	29,1	86,6	28,8	88,4	28,6	89,2	28,4	91,8	28,4	93,4	28,4	92,6	28,2	93,6	28,1	92,7	28,4	94,3	28,2	90,9
Denmark	6,6	32,5	6,3	31,1	6,7	31,0	6,6	26,8	6,5	28,6	6,5	28,3	6,5	28,5	6,4	30,5	6,6	31,1	6,6	30,6	6,5	30,0
Estonia	17,7	74,4	17,2	75,2	17,6	77,4	17,8	73,3	17,6	66,7	17,3	64,3	17,7	62,1	17,3	60,5	17,6	62,1	17,7	60,1	17,8	60,7
Finland	18,1	40,8	18,1	40,3	18,1	39,5	18,1	39,1	19,4	39,4	19,0	38,8	19,6	38,6	19,7	38,5	19,5	39,1	20,9	39,8	20,6	39,4
France	10,7	33,2	10,7	33,3	10,5	33,7	10,5	33,5	10,4	33,9	10,5	33,8	10,9	34,1	11,1	34,9	11,2	35,7	11,2	32,7	11,3	37,3
Germany	24,7	66,9	23,9	66,0	23,9	66,0	23,6	65,2	24,2	64,7	24,3	64,3	24,5	65,1	24,7	65,5	25,0	65,1	25,2	65,0	24,7	62,8
Greece	23,3	48,2	35,0	48,6	20,6	50,5	20,3	51,3	25,8	39,3	26,6	38,5	26,8	38,9	26,9	39,9	36,0	39,2	37,6	44,7	37,3	44,7
Hungary	27,9	82,2	28,4	81,0	28,5	81,4	28,6	81,2	28,7	81,7	28,6	84,8	30,2	88,9	29,5	87,4	28,2	86,7	28,0	89,2	27,7	88,4
Ireland	3,1	20,6	3,2	20,1	3,5	20,0	3,4	20,2	3,5	20,9	3,3	21,3	3,3	21,6	3,4	21,9	3,3	21,9	3,3	22,3	3,3	24,3
Italy	10,6	39,7	11,0	38,5	11,4	36,0	10,9	35,2	10,6	35,0	10,8	34,2	11,6	37,1	11,8	36,2	11,9	35,8	12,1	37,7	12,2	44,1
Latvia	21,5	78,6	23,8	78,8	24,4	78,8	25,0	77,1	25,5	80,3	25,1	78,8	29,1	89,3	27,3	88,0	29,1	88,0	29,1	86,1	28,3	87,5
Lithuania	25,6	87,2	26,2	88,4	25,8	89,3	26,4	94,5	27,3	96,2	27,3	96,9	27,1	95,3	26,8	96,1	26,5	96,9	25,6	94,3	26,1	91,3
Luxembourg	34,1	NA	32,7	36,0	32,7	34,8	32,5	35,0	31,7	33,9	32,9	33,2	36,2	35,8	36,1	35,9	36,1	35,1	35,6	37,0	35,1	37,5
Malta	9,5	85,2	9,8	105,0	9,3	88,5	9,3	87,3	9,8	83,2	9,0	82,8	9,5	86,8	8,7	83,5	8,2	77,0	9,1	87,0	9,0	89,2
Netherlands	14,4	37,3	14,1	43,3	14,0	43,9	13,9	42,8	13,6	42,8	14,8	43,8	14,6	43,4	14,5	44,2	14,9	42,5	15,1	43,7	15,0	43,4
Poland	26,2	106,0	-	-	26,2	107,9	-	-	26,0	112,3	26,1	121,8	25,5	105,9	25,3	109,2	25,2	109,8	25,8	112,5	28,0	118,7
Portugal	19,2	58,3	19,4	57,6	19,2	54,9	19,2	56,1	19,3	54,8	20,0	56,3	19,3	56,6	19,4	56,6	19,4	56,1	19,5	55,4	19,5	51,7
Romania	20,2	43,6	22,6	48,3	20,5	45,5	23,3	51,9	23,6	52,4	23,9	54,5	24,1	54,9	24,5	55,1	24,0	54,8	24,1	58,5	22,9	58,1
Slovak Republic	24,2	82,8	24,8	83,0	24,4	82,4	23,8	80,9	24,1	82,5	25,3	84,8	25,3	86,4	25,1	86,7	23,9	90,0	25,5	80,2	25,7	85,5
Slovenia	47,1	161,7	46,1	157,2	44,8	162,8	43,5	159,9	42,6	161,2	41,6	161,0	41,7	163,0	41,7	163,5	41,5	162,5	40,8	164,0	40,7	161,4
Spain	11,2	97,3	-	-	11,5	104,6	-	-	11,5	105,7	11,5	100,4	11,5	101,4	11,3	100,8	11,2	102,7	11,4	103,6	11,9	103,6
Sweden	11,8	54,1	11,7	48,9	11,8	49,2	11,8	48,7	11,8	48,6	11,8	50,3	11,9	50,9	11,5	47,6	11,6	48,1	11,9	47,7	11,7	46,3
Average	20,6	69,2	21,4	66,0	20,5	66,0	20,8	65,1	21,2	68,2	21,3	68,7	21,5	68,8	21,5	69,4	21,8	69,0	22,0	70,0	22,2	71,1
Median	19,2	62,6	19,4	55,4	19,2	55,4	19,2	54,4	23,6	63,4	23,9	63,0	24,1	56,6	24,5	57,5	23,9	59,0	24,1	58,5	22,9	59,4
Minimum	3,1	20,6	3,2	20,1	3,5	20,1	3,4	20,2	3,5	20,9	3,3	21,3	3,3	21,6	3,4	21,9	3,3	21,9	3,3	22,3	3,3	24,3
Maximum	47,1	161,7	46,1	157,2	44,8	157,2	44,5	159,9	43,3	161,2	43,2	161,0	41,7	163,0	41,7	163,5	41,5	162,5	42,4	164,0	42,4	161,4
% of NA	0%	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Austria: The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

France: There is no differentiation between non-judge staff attached to judges and prosecutors, except for the subcategory "Other".

Italy: Administrative justice is taken into account since 2018.

Poland: In 2020, data includes also employees of the Supreme Administrative Court.

**Table 7.2.6 Ratio between non-judge staff and judges from 2012 to 2022 (Q46, Q52)**

States	Ratio between non-judge staff and judges										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	3,0	3,0	2,9	2,9	2,3	2,2	2,1	1,9	2,0	2,1	2,0
Belgium	3,4	3,3	3,3	3,2	3,2	3,2	3,3	3,7	3,3	3,1	3,4
Bulgaria	2,7	2,7	2,7	2,8	2,7	2,8	2,8	2,9	2,9	3,0	3,0
Croatia	3,2	3,3	3,2	3,2	3,2	3,3	3,5	3,5	3,6	3,7	3,7
Cyprus	4,1	4,2	4,6	3,8	3,9	3,7	3,6	4,1	3,6	3,8	3,6
Czech Republic	3,0	3,0	3,1	3,1	3,2	3,3	3,3	3,3	3,3	3,3	3,2
Denmark	4,9	4,9	4,7	4,1	4,4	4,3	4,4	4,7	4,7	4,6	4,6
Estonia	4,2	4,4	4,4	4,1	3,8	3,7	3,5	3,5	3,5	3,4	3,4
Finland	2,3	2,2	2,2	2,2	2,0	2,0	2,0	2,0	2,0	1,9	1,9
France	3,1	3,1	3,2	3,2	3,2	3,2	3,1	3,2	3,2	2,9	3,3
Germany	2,7	2,8	2,8	2,8	2,7	2,6	2,7	2,6	2,6	2,6	2,5
Greece	2,1	1,4	2,5	2,5	1,5	1,4	1,5	1,5	1,1	1,2	1,2
Hungary	2,9	2,9	2,9	2,8	2,8	3,0	2,9	3,0	3,1	3,2	3,2
Ireland	6,6	6,3	5,8	5,9	6,0	6,4	6,6	6,5	6,7	6,7	7,3
Italy	3,7	3,5	3,2	3,2	3,3	3,2	3,2	3,1	3,0	3,1	3,6
Latvia	3,7	3,3	3,2	3,1	3,1	3,1	3,1	3,2	3,0	3,0	3,1
Lithuania	3,4	3,4	3,5	3,6	3,5	3,5	3,5	3,6	3,7	3,7	3,5
Luxembourg	NA	1,1	1,1	1,1	1,1	1,0	1,0	1,0	1,0	1,0	1,1
Malta	9,0	10,7	9,5	9,4	8,5	9,2	9,2	9,6	9,4	9,6	9,9
Netherlands	2,6	3,1	3,1	3,1	3,1	3,0	3,0	3,1	2,9	2,9	2,9
Poland	4,0	-	4,1	-	4,3	4,7	4,2	4,3	4,3	4,4	4,2
Portugal	3,0	3,0	2,9	2,9	2,8	2,8	2,9	2,9	2,9	2,8	2,6
Romania	2,2	2,1	2,2	2,2	2,2	2,3	2,3	2,3	2,3	2,4	2,5
Slovak Republic	3,4	3,4	3,4	3,4	3,4	3,4	3,4	3,5	3,8	3,1	3,3
Slovenia	3,4	3,4	3,6	3,7	3,8	3,9	3,9	3,9	3,9	4,0	4,0
Spain	8,7	-	9,1	-	9,2	8,7	8,8	9,0	9,1	9,1	8,7
Sweden	4,6	4,2	4,2	4,1	4,1	4,2	4,3	4,2	4,2	4,0	4,0
<b>Average</b>	3,8	3,5	3,7	3,5	3,7	3,6	3,6	3,7	3,7	3,7	3,7
<b>Median</b>	3,4	3,3	3,2	3,2	3,2	3,2	3,3	3,3	3,3	3,1	3,3
<b>Minimum</b>	2,1	1,1	1,1	1,1	1,1	1,0	1,0	1,0	1,0	1,0	1,1
<b>Maximum</b>	9,0	10,7	9,5	9,4	9,5	9,2	9,2	9,6	9,4	9,6	9,9
<b>% of NA</b>	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**France:** There is no differentiation between non-judge staff attached to judges and prosecutors, except for the subcategory "Other".

**Italy:** Administrative justice is taken into account since 2018.

**Poland:** In 2020, data includes also employees of the Supreme Administrative Court.

# **Public prosecutors and non-prosecutor staff**

**Table 7.3.1 Evolution of the total number of public prosecutors from 2020 to 2022 and persons with similar duties in 2022**

**Absolute number (Q55)**

States	Total number of public prosecutors			Persons with similar duties to those of public prosecutors in 2022	
	2020	2021	2022	Existence	Absolute number
Austria	398	395	394	Yes	139
Belgium	876	919	883	No/NAP	NAP
Bulgaria	1 520	1 527	1 542	No/NAP	NAP
Croatia	622	615	624	No/NAP	NAP
Cyprus	137	146	180	Yes	NA
Czech Republic	1 224	1 233	1 244	No/NAP	NAP
Denmark	NA	764	800	No/NAP	NAP
Estonia	169	177	169	No/NAP	NAP
Finland	390	424	441	Yes	NA
France	2 151	2 143	2 156	Yes	400
Germany	6 197	6 320	6 503	Yes	1 039
Greece	NA	611	607	Yes	NA
Hungary	1 876	1 873	1 874	No/NAP	NAP
Ireland	128	123	137	Yes	31
Italy	2 269	2 231	2 255	Yes	1 652
Latvia	461	449	457	No/NAP	NAP
Lithuania	644	622	602	No/NAP	NAP
Luxembourg	62	63	65	No/NAP	NAP
Malta	38	37	46	Yes	166
Netherlands	945	976	1 026	Yes	242
Poland	5 843	5 898	5 914	Yes	470
Portugal	1 416	1 480	1 512	No/NAP	NAP
Romania	2 446	2 370	2 213	No/NAP	NAP
Slovak Republic	922	976	1 014	Yes	90
Slovenia	206	201	207	No/NAP	NAP
Spain	2 544	2 631	2 679	Yes	NA
Sweden	1 044	1 133	1 173	No/NAP	NAP
<b>Average</b>	1 381	1 346	1 360		470
<b>Median</b>	922	919	883		242
<b>Minimum</b>	38	37	46		31
<b>Maximum</b>	6 197	6 320	6 503		1 652
<b>% of NA</b>	7%	0%	0%		15%
<b>% of NAP</b>	0%	0%	0%		52%

Legend

Yes	
No/NAP	

**Table 7.3.1a Evolution of the total number of public prosecutors from 2020 to 2022 and their variation  
Per 100 000 inhabitants (Q1, Q55)**

States	Total number of public prosecutors per 100 000 inhabitants			Variation of the number of professional judges	
	2020	2021	2022	2020-2022	2021-2022
Austria	4,5	4,4	4,3	-2,9%	-1,6%
Belgium	7,6	7,9	7,5	-0,7%	-5,0%
Bulgaria	22,0	22,3	23,9	8,8%	7,1%
Croatia	15,4	15,9	16,2	5,2%	2,0%
Cyprus	15,3	16,1	19,6	27,9%	21,1%
Czech Republic	11,4	11,7	11,5	0,2%	-2,2%
Denmark	NA	13,0	13,5	-	3,7%
Estonia	12,7	13,3	12,7	0,1%	-4,4%
Finland	7,0	7,6	7,9	12,5%	3,7%
France	3,2	3,2	3,2	-0,7%	0,0%
Germany	7,5	7,6	7,7	3,4%	1,5%
Greece	NA	5,7	5,7	-	-0,7%
Hungary	19,0	19,3	19,5	2,9%	1,0%
Ireland	2,6	2,4	2,7	3,5%	10,8%
Italy	3,8	3,8	3,8	0,1%	1,3%
Latvia	24,4	23,9	24,3	-0,3%	1,4%
Lithuania	23,0	22,2	21,1	-8,5%	-5,0%
Luxembourg	9,8	9,8	9,8	0,7%	0,8%
Malta	7,4	7,2	8,8	19,7%	23,4%
Netherlands	5,4	5,6	5,8	6,5%	3,3%
Poland	15,3	15,5	15,7	2,5%	1,1%
Portugal	13,8	14,3	14,4	5,0%	1,0%
Romania	12,7	12,4	11,6	-8,9%	-6,7%
Slovak Republic	16,9	18,0	18,7	10,6%	4,0%
Slovenia	9,8	9,5	9,8	0,1%	2,5%
Spain	5,4	5,5	5,6	3,7%	0,5%
Sweden	10,1	10,8	11,1	10,8%	2,8%
Average	11	11,4	11,7	4%	3%
Median	10	10,8	11,1	3%	1%
Minimum	3	2,4	2,7	-9%	-7%
Maximum	24	23,9	24,3	28%	23%
% of NA	7%	0%	0%	0%	0%
% of NAP	0%	0%	0%	0%	0%

**Table 7.3.2 Total number of public prosecutors by instance from 2020 to 2022 and their variations**  
**Absolute number (Q55)**

States	Total public prosecutors by instance																	
	2020				2021				2022				Variations 2020-2022			Variations 2021-2022		
	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	1st instance	2nd instance	Supreme court	1st instance	2nd instance	Supreme court
Austria	398	358	22	18	395	353	26	16	394	355	22	17	-0,8%	0,0%	-5,6%	0,6%	-15,4%	6,3%
Belgium	876	705	159	12	919	735	169	15	883	736	132	15	4,4%	-17,0%	25,0%	0,1%	-21,9%	0,0%
Bulgaria	1 520	884	514	122	1 527	904	507	116	1 542	883	528	131	-0,1%	2,7%	7,4%	-2,3%	4,1%	12,9%
Croatia	622	439	158	25	615	434	159	22	624	439	162	23	0,0%	2,5%	-8,0%	1,2%	1,9%	4,5%
Cyprus	137	NAP	NAP	NAP	146	NAP	NAP	NAP	180	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	1 224	822	345	57	1 233	834	343	56	1 244	836	349	59	1,7%	1,2%	3,5%	0,2%	1,7%	5,4%
Denmark	NA	NA	NA	NA	764	594	170	6	800	662	131	7	NA	NA	NA	11,4%	-22,9%	16,7%
Estonia	169	NAP	NAP	NAP	177	NAP	NAP	NAP	169	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Finland	390	NAP	NAP	NAP	424	NAP	NAP	NAP	441	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	2 151	1 605	489	57	2 143	1 596	490	57	2 156	1 614	484	58	0,6%	-1,0%	1,8%	1,1%	-1,2%	1,8%
Germany	6 197	5 562	492	143	6 320	5 668	509	143	6 503	5 808	532	163	4,4%	8,1%	14,0%	2,5%	4,5%	14,0%
Greece	NA	NA	NA	NA	611	388	196	27	607	382	198	27	NA	NA	NA	-1,5%	1,0%	0,0%
Hungary	1 876	1 207	558	111	1 873	1 730	29	112	1 874	1 737	28	107	43,9%	-95,0%	-3,6%	0,4%	-3,4%	-4,5%
Ireland	128	NAP	NAP	NAP	123	NAP	NAP	NAP	137	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	2 269	1 939	261	69	2 231	1 924	241	66	2 255	1 957	225	73	0,9%	-13,8%	5,8%	1,7%	-6,6%	10,6%
Latvia	461	302	93	66	449	295	90	64	457	306	89	62	1,3%	-4,3%	-6,1%	3,7%	-1,1%	-3,1%
Lithuania	644	576	NAP	68	622	556	NAP	66	602	533	NAP	69	-7,5%	NAP	1,5%	-4,1%	NAP	4,5%
Luxembourg	62	47	NAP	15	63	48	NAP	15	65	48	NAP	17	2,1%	NAP	13,3%	0,0%	NAP	13,3%
Malta	38	NAP	NAP	NAP	37	NAP	NAP	NAP	46	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	945	850	95	NAP	976	873	103	NAP	1 026	918	108	NAP	8,0%	13,7%	NAP	5,2%	4,9%	NAP
Poland	5 843	3 759	1 605	88	5 898	3 775	1 631	90	5 914	3 791	1 638	86	0,9%	2,1%	-2,3%	0,4%	0,4%	-4,4%
Portugal	1 416	1 325	75	16	1 480	1 389	75	16	1 512	1 409	82	21	6,3%	9,3%	31,3%	1,4%	9,3%	31,3%
Romania	2 446	1 144	788	514	2 370	1 153	707	510	2 213	1 089	668	456	-4,8%	-15,2%	-11,3%	-5,6%	-5,5%	-10,6%
Slovak Republic	922	607	200	115	976	651	206	119	1 014	684	213	117	12,7%	6,5%	1,7%	5,1%	3,4%	-1,7%
Slovenia	206	151	43	12	201	144	45	12	207	148	44	15	-2,0%	2,3%	25,0%	2,8%	-2,2%	25,0%
Spain	2 544	NAP	NAP	33	2 631	NAP	NAP	32	2 679	NAP	NAP	40	NAP	NAP	21,2%	NAP	NAP	25,0%
Sweden	1 044	NA	NA	12	1 133	NA	NA	12	1 173	NA	NA	12	NA	NA	0,0%	NA	NA	0,0%
Average	1 381	1 238	369	82	1 346	1 202	316	75	1 360	1 217	313	75	4,0%	-6,1%	6,0%	1,2%	-2,7%	7,0%
Median	922	836	231	57	919	785	183	56	883	786	180	58	1,1%	1,6%	1,8%	0,8%	-0,3%	4,5%
Minimum	38	47	22	12	37	48	26	6	46	48	22	7	-7,5%	-95,0%	-11,3%	-5,6%	-22,9%	-10,6%
Maximum	6 197	5 562	1 605	514	6 320	5 668	1 631	510	6 503	5 808	1 638	456	43,9%	13,7%	31,3%	11,4%	9,3%	31,3%
% of NA	7%	11%	11%	7%	0%	4%	4%	0%	0%	4%	4%	0%	11%	11%	7%	4%	4%	0%
% of NAP	0%	22%	30%	22%	0%	22%	30%	22%	0%	22%	30%	22%	22%	30%	22%	22%	30%	22%

**Table 7.3.2a Total number of public prosecutors by instance from 2020 to 2022**  
**Per 100 000 inhabitants (Q1, Q55)**

States	Public prosecutors by instance per 100 000 inhabitants											
	2020				2021				2022			
	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court
Austria	4,5	4,0	0,2	0,2	4,4	3,9	0,3	0,2	4,3	3,9	0,2	0,2
Belgium	7,6	6,1	1,4	0,1	7,9	6,4	1,5	0,1	7,5	6,3	1,1	0,1
Bulgaria	22,0	12,8	7,4	1,8	22,3	13,2	7,4	1,7	23,9	13,7	8,2	2,0
Croatia	15,4	10,9	3,9	0,6	15,9	11,2	4,1	0,6	16,2	11,4	4,2	0,6
Cyprus	15,3	NAP	NAP	NAP	16,1	NAP	NAP	NAP	19,6	NAP	NAP	NAP
Czech Republic	11,4	7,7	3,2	0,5	11,7	7,9	3,3	0,5	11,5	7,7	3,2	0,5
Denmark	NA	NA	NA	NA	13,0	10,1	2,9	0,1	13,5	11,2	2,2	0,1
Estonia	12,7	NAP	NAP	NAP	13,3	NAP	NAP	NAP	12,7	NAP	NAP	NAP
Finland	7,0	NAP	NAP	NAP	7,6	NAP	NAP	NAP	7,9	NAP	NAP	NAP
France	3,2	2,4	0,7	0,1	3,2	2,4	0,7	0,1	3,2	2,4	0,7	0,1
Germany	7,5	6,7	0,6	0,2	7,6	6,8	0,6	0,2	7,7	6,9	0,6	0,2
Greece	NA	NA	NA	NA	5,7	3,6	1,8	0,3	5,7	3,6	1,9	0,3
Hungary	19,0	12,2	5,6	1,1	19,3	17,9	0,3	1,2	19,5	18,1	0,3	1,1
Ireland	2,6	NAP	NAP	NAP	2,4	NAP	NAP	NAP	2,7	NAP	NAP	NAP
Italy	3,8	3,3	0,4	0,1	3,8	3,3	0,4	0,1	3,8	3,3	0,4	0,1
Latvia	24,4	16,0	4,9	3,5	23,9	15,7	4,8	3,4	24,3	16,3	4,7	3,3
Lithuania	23,0	20,6	NAP	2,4	22,2	19,8	NAP	2,4	21,1	18,7	NAP	2,4
Luxembourg	9,8	7,4	NAP	2,4	9,8	7,4	NAP	2,3	9,8	7,3	NAP	2,6
Malta	7,4	NAP	NAP	NAP	7,2	NAP	NAP	NAP	8,8	NAP	NAP	NAP
Netherlands	5,4	4,9	0,5	NAP	5,6	5,0	0,6	NAP	5,8	5,2	0,6	NAP
Poland	15,3	9,8	4,2	0,2	15,5	9,9	4,3	0,2	15,7	10,0	4,3	0,2
Portugal	13,8	12,9	0,7	0,2	14,3	13,4	0,7	0,2	14,4	13,5	0,8	0,2
Romania	12,7	6,0	4,1	2,7	12,4	6,1	3,7	2,7	11,6	5,7	3,5	2,4
Slovak Republic	16,9	11,1	3,7	2,1	18,0	12,0	3,8	2,2	18,7	12,6	3,9	2,2
Slovenia	9,8	7,2	2,0	0,6	9,5	6,8	2,1	0,6	9,8	7,0	2,1	0,7
Spain	5,4	NAP	NAP	0,1	5,5	NAP	NAP	0,1	5,6	NAP	NAP	0,1
Sweden	10,1	NA	NA	0,1	10,8	NA	NA	0,1	11,1	NA	NA	0,1
<b>Average</b>	11,4	9,0	2,7	1,0	11,4	9,1	2,4	0,9	11,7	9,2	2,4	0,9
<b>Median</b>	10,1	7,5	2,6	0,5	10,8	7,7	2,0	0,3	11,1	7,5	2,0	0,3
<b>Minimum</b>	2,6	2,4	0,2	0,1	2,4	2,4	0,3	0,1	2,7	2,4	0,2	0,1
<b>Maximum</b>	24,4	20,6	7,4	3,5	23,9	19,8	7,4	3,4	24,3	18,7	8,2	3,3
<b>% of NA</b>	7%	11%	11%	7%	0%	4%	4%	0%	0%	4%	4%	0%
<b>% of NAP</b>	0%	22%	30%	22%	0%	22%	30%	22%	0%	22%	30%	22%

Table 7.3.3 Total public prosecutors: distribution of males and females in 2012, 2021 and 2022 (Q55)

States	Total public prosecutors: distribution of males and females							
	2020		2021		2022		Variation 2020-2022 in percentage points	
	% Male	% Female	% Male	% Female	% Male	% Female	Male	Female
Austria	47,7%	52,3%	47,8%	52,2%	47,5%	52,5%	▼ -0,3	▲ 0,3
Belgium	40,8%	59,2%	40,4%	59,6%	40,1%	59,9%	▼ -0,7	▲ 0,7
Bulgaria	48,7%	51,3%	48,3%	51,7%	48,3%	51,7%	▼ -0,4	▲ 0,4
Croatia	31,7%	68,3%	30,7%	69,3%	30,6%	69,4%	▼ -1,1	▲ 1,1
Cyprus	21,9%	78,1%	20,5%	79,5%	26,7%	73,3%	▲ 4,8	▼ -4,8
Czech Republic	45,8%	54,2%	46,1%	53,9%	46,9%	53,1%	▲ 1,1	▼ -1,1
Denmark	NA	NA	33,1%	67,0%	33,0%	67,0%	NA	NA
Estonia	29,6%	70,4%	28,2%	71,8%	29,6%	70,4%	▬ 0,0	▬ 0,0
Finland	39,7%	60,3%	37,3%	62,7%	35,8%	64,2%	▼ -3,9	▲ 3,9
France	40,5%	59,5%	41,2%	58,8%	40,2%	59,8%	▼ -0,3	▲ 0,3
Germany	49,4%	50,6%	49,6%	50,4%	48,4%	51,6%	▼ -1,0	▲ 1,0
Greece	NA	NA	38,1%	61,9%	35,4%	64,6%	NA	NA
Hungary	39,6%	60,4%	39,6%	60,4%	38,8%	61,2%	▼ -0,8	▲ 0,8
Ireland	39,1%	60,9%	37,4%	62,6%	35,8%	64,2%	▼ -3,3	▲ 3,3
Italy	52,9%	47,1%	52,5%	47,5%	51,8%	48,2%	▼ -1,1	▲ 1,1
Latvia	39,3%	60,7%	41,0%	59,0%	40,9%	59,1%	▲ 1,7	▼ -1,7
Lithuania	48,9%	51,1%	49,5%	50,5%	49,0%	51,0%	▲ 0,1	▼ -0,1
Luxembourg	50,0%	50,0%	52,4%	47,6%	47,7%	52,3%	▼ -2,3	▲ 2,3
Malta	52,6%	47,4%	56,8%	43,2%	47,8%	52,2%	▼ -4,8	▲ 4,8
Netherlands	38,8%	61,2%	39,8%	60,2%	39,5%	60,5%	▲ 0,6	▼ -0,6
Poland	47,7%	52,3%	47,6%	52,4%	47,7%	52,3%	▼ 0,0	▲ 0,0
Portugal	35,1%	64,9%	34,3%	65,7%	33,0%	67,0%	▼ -2,1	▲ 2,1
Romania	48,0%	52,0%	48,4%	51,6%	48,5%	51,5%	▲ 0,5	▼ -0,5
Slovak Republic	49,8%	50,2%	47,1%	52,9%	49,1%	50,9%	▼ -0,7	▲ 0,7
Slovenia	31,6%	68,4%	30,8%	69,2%	31,9%	68,1%	▲ 0,3	▼ -0,3
Spain	34,7%	65,3%	34,2%	65,8%	33,3%	66,7%	▼ -1,5	▲ 1,5
Sweden	37,9%	62,1%	30,0%	70,0%	34,6%	65,4%	▼ -3,3	▲ 3,3
Average	41,7%	58,3%	40,8%	59,2%	40,4%	59,6%	-0,7	0,7
Median	40,5%	59,5%	40,4%	59,6%	40,1%	59,9%	-0,7	0,7
Minimum	21,9%	47,1%	20,5%	43,2%	26,7%	48,2%	-4,8	-4,8
Maximum	52,9%	78,1%	56,8%	79,5%	51,8%	73,3%	4,8	4,8
% of NA	7%	7%	0%	0%	0%	0%	0,1	0,1
% of NAP	0%	0%	0%	0%	0%	0%	0,0	0,0

**Table 7.3.4 Public prosecutors at the first instance level: distribution of males and females from 2020 to 2022 (Q55)**

States	Public prosecutors at the first instance level: distribution of males and females							
	2020		2021		2022		Variation 2020-2022 in percentage points	
	% Male	% Female	% Male	% Female	% Male	% Female	Male	Female
Austria	46,4%	53,6%	46,2%	53,8%	46,2%	53,8%	▼ -0,2	▲ 0,2
Belgium	36,7%	63,3%	35,9%	64,1%	36,4%	63,6%	▼ -0,3	▲ 0,3
Bulgaria	44,0%	56,0%	43,5%	56,5%	45,3%	54,7%	▲ 1,3	▼ -1,3
Croatia	28,7%	71,3%	28,6%	71,4%	28,5%	71,5%	▼ -0,2	▲ 0,2
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	41,2%	58,8%	41,6%	58,4%	42,5%	57,5%	▲ 1,2	▼ -1,2
Denmark	NA	NA	31,0%	69,0%	32,6%	67,4%	NA	NA
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	37,0%	63,0%	37,8%	62,3%	36,7%	63,3%	▼ -0,3	▲ 0,3
Germany	48,0%	52,0%	48,3%	51,7%	46,9%	53,1%	▼ -1,1	▲ 1,1
Greece	NA	NA	34,5%	65,5%	33,8%	66,2%	NA	NA
Hungary	35,9%	64,1%	38,4%	61,6%	37,8%	62,2%	▲ 1,9	▼ -1,9
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	51,2%	48,8%	50,9%	49,1%	50,7%	49,3%	▼ -0,5	▲ 0,5
Latvia	34,8%	65,2%	36,6%	63,4%	36,3%	63,7%	▲ 1,5	▼ -1,5
Lithuania	47,6%	52,4%	48,0%	52,0%	47,3%	52,7%	▼ -0,3	▲ 0,3
Luxembourg	51,1%	48,9%	56,3%	43,8%	54,2%	45,8%	▲ 3,1	▼ -3,1
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	37,5%	62,5%	38,8%	61,2%	38,6%	61,4%	▲ 1,0	▼ -1,0
Poland	42,8%	57,2%	42,8%	57,2%	42,7%	57,3%	▼ -0,1	▲ 0,1
Portugal	33,2%	66,8%	32,1%	67,9%	30,6%	69,4%	▼ -2,6	▲ 2,6
Romania	47,6%	52,4%	48,0%	52,0%	48,9%	51,1%	▲ 1,3	▼ -1,3
Slovak Republic	46,5%	53,5%	46,5%	53,5%	45,9%	54,1%	▼ -0,6	▲ 0,6
Slovenia	28,5%	71,5%	27,8%	72,2%	28,4%	72,3%	▼ -0,1	▲ 0,8
Spain	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Sweden	NA	NA	NA	NA	NA	NA	NA	NA
<b>Average</b>	41,0%	59,0%	40,7%	59,3%	40,5%	59,5%	0,3	-0,2
<b>Median</b>	42,0%	58,0%	40,2%	59,8%	40,5%	59,5%	-0,1	0,2
<b>Minimum</b>	28,5%	48,8%	27,8%	43,8%	28,4%	45,8%	-2,6	-3,1
<b>Maximum</b>	51,2%	71,5%	56,3%	72,2%	54,2%	72,3%	3,1	2,6
<b>% of NA</b>	11%	11%	4%	4%	4%	4%	11%	11%
<b>% of NAP</b>	22%	22%	22%	22%	22%	22%	22%	22%

**Table 7.3.5 Public prosecutors at the second instance level: distribution of males and females from 2020 to 2022 (Q55)**

States	Public prosecutors at the second instance level: distribution of males and females									
	2020		2021		2022		Variation 2020-2022 in percentage points			
	% Male	% Female	% Male	% Female	% Male	% Female	Male	Female		
Austria	63,6%	36,4%	57,7%	42,3%	59,1%	40,9%	▼ -4,5	▲ 4,5		
Belgium	55,3%	44,7%	56,2%	43,8%	56,1%	43,9%	▲ 0,7	▼ -0,7		
Bulgaria	57,8%	42,2%	57,6%	42,4%	54,9%	45,1%	▼ -2,9	▲ 2,9		
Croatia	39,9%	60,1%	37,1%	62,9%	37,7%	62,3%	▼ -2,2	▲ 2,2		
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Czech Republic	53,0%	47,0%	53,4%	46,6%	53,9%	46,1%	▲ 0,8	▼ -0,8		
Denmark	NA	NA	40,6%	59,4%	35,1%	64,9%	NA	NA		
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
France	50,5%	49,5%	50,8%	49,0%	50,2%	49,8%	▼ -0,3	▲ 0,3		
Germany	62,6%	37,4%	61,3%	38,7%	59,6%	40,4%	▼ -3,0	▲ 3,0		
Greece	NA	NA	42,3%	57,7%	36,4%	63,6%	NA	NA		
Hungary	44,6%	55,4%	55,2%	44,8%	53,6%	46,4%	▲ 8,9	▼ -8,9		
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Italy	63,2%	36,8%	62,2%	37,8%	58,7%	41,3%	▼ -4,6	▲ 4,6		
Latvia	44,1%	55,9%	47,8%	52,2%	47,2%	52,8%	▲ 3,1	▼ -3,1		
Lithuania	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Luxembourg	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Netherlands	50,5%	49,5%	47,6%	52,4%	47,2%	52,8%	▼ -3,3	▲ 3,3		
Poland	54,7%	45,3%	54,2%	45,8%	54,8%	45,2%	▲ 0,1	▼ -0,1		
Portugal	69,3%	30,7%	70,7%	29,3%	64,6%	35,4%	▼ -4,7	▲ 4,7		
Romania	46,2%	53,8%	46,1%	53,9%	45,2%	54,8%	▼ -1,0	▲ 1,0		
Slovak Republic	54,0%	46,0%	51,9%	48,1%	54,9%	45,1%	▲ 0,9	▼ -0,9		
Slovenia	34,9%	65,1%	35,6%	64,4%	43,2%	59,1%	▲ 8,3	▼ -6,0		
Spain	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		
Sweden	NA	NA	NA	NA	NA	NA	NA	NA		
<b>Average</b>	52,8%	47,2%	51,6%	48,4%	50,7%	49,4%	-0,2	0,4		
<b>Median</b>	53,5%	46,5%	52,6%	47,4%	53,7%	46,3%	-0,6	0,6		
<b>Minimum</b>	34,9%	30,7%	35,6%	29,3%	35,1%	35,4%	-4,7	-8,9		
<b>Maximum</b>	69,3%	65,1%	70,7%	64,4%	64,6%	64,9%	8,9	4,7		
<b>% of NA</b>	11%	11%	4%	4%	4%	4%	11%	11%		
<b>% of NAP</b>	30%	30%	30%	30%	30%	30%	30%	30%		

Table 7.3.6 Public prosecutors at the Supreme court level: distribution of males and females from 2020 to 2022 (Q55)

States	Public prosecutors at the Supreme court level: distribution of males and females							
	2020		2021		2022		Variation 2020-2022 in percentage points	
	% Male	% Female	% Male	% Female	% Male	% Female	Male	Female
Austria	55,6%	44,4%	68,8%	31,3%	58,8%	41,2%	▲ 3,3	▼ -3,3
Belgium	83,3%	16,7%	80,0%	20,0%	80,0%	20,0%	▼ -3,3	▲ 3,3
Bulgaria	44,3%	55,7%	45,7%	54,3%	42,0%	58,0%	▼ -2,3	▲ 2,3
Croatia	32,0%	68,0%	27,3%	72,7%	21,7%	78,3%	▼ -10,3	▲ 10,3
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	68,4%	31,6%	69,6%	30,4%	69,5%	30,5%	▲ 1,1	▼ -1,1
Denmark	NA	NA	33,3%	66,7%	28,6%	71,4%	NA	NA
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	52,6%	47,4%	52,6%	47,4%	55,2%	44,8%	▲ 2,5	▼ -2,5
Germany	60,8%	39,2%	60,8%	39,2%	65,0%	35,0%	▲ 4,2	▼ -4,2
Greece	NA	NA	59,3%	40,7%	51,9%	48,1%	NA	NA
Hungary	54,1%	45,9%	52,7%	47,3%	50,5%	49,5%	▼ -3,6	▲ 3,6
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	63,8%	36,2%	63,6%	36,4%	61,6%	38,4%	▼ -2,1	▲ 2,1
Latvia	53,0%	47,0%	51,6%	48,4%	54,8%	45,2%	▲ 1,8	▼ -1,8
Lithuania	60,3%	39,7%	62,1%	37,9%	62,3%	37,7%	▲ 2,0	▼ -2,0
Luxembourg	46,7%	53,3%	40,0%	60,0%	29,4%	70,6%	▼ -17,3	▲ 17,3
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Poland	69,3%	30,7%	67,8%	32,2%	70,9%	29,1%	▲ 1,6	▼ -1,6
Portugal	31,3%	68,8%	50,0%	50,0%	71,4%	28,6%	▲ 40,2	▼ -40,2
Romania	51,6%	48,4%	52,5%	47,5%	52,4%	47,6%	▲ 0,9	▼ -0,9
Slovak Republic	60,0%	40,0%	58,0%	42,0%	57,3%	42,7%	▼ -2,7	▲ 2,7
Slovenia	58,3%	41,7%	50,0%	50,0%	40,0%	60,0%	▼ -18,3	▲ 18,3
Spain	78,8%	21,2%	65,6%	34,4%	65,0%	35,0%	▼ -13,8	▲ 13,8
Sweden	33,3%	66,7%	33,3%	66,7%	33,3%	66,7%	▬ 0,0	▬ 0,0
Average	55,7%	44,3%	54,5%	45,5%	53,4%	46,6%	-0,8	0,8
Median	55,6%	44,4%	52,7%	47,3%	55,2%	44,8%	0,0	0,0
Minimum	31,3%	16,7%	27,3%	20,0%	21,7%	20,0%	-18,3	-40,2
Maximum	83,3%	68,8%	80,0%	72,7%	80,0%	78,3%	40,2	18,3
% of NA	7%	7%	0%	0%	0%	0%	7%	7%
% of NAP	22%	22%	22%	22%	22%	22%	22%	22%

**Table 7.4.1 Total number of non-prosecutor staff and their distribution in males and females in 2022 (Q1, Q60)**

States	Total number of staff (non-public prosecutors)		% Male	% Female
	Absolute number	Per 100 000 inhabitants		
Austria	342	3,8	19,9%	80,1%
Belgium	3 240	27,7	28,3%	71,7%
Bulgaria	2 956	45,8	NA	NA
Croatia	1 139	29,6	13,8%	86,2%
Cyprus	89	9,7	19,1%	80,9%
Czech Republic	1 449	13,4	16,5%	83,5%
Denmark	605	10,2	16,9%	83,1%
Estonia	87	6,5	33,3%	66,7%
Finland	176	3,2	6,8%	93,2%
France	375	0,6	25,9%	74,1%
Germany	12 372	14,7	25,1%	74,9%
Greece	1 565	14,7	26,8%	73,2%
Hungary	2 353	24,5	20,2%	79,8%
Ireland	99	1,9	36,4%	63,6%
Italy	8 181	13,9	35,9%	64,1%
Latvia	377	20,0	71,1%	28,9%
Lithuania	477	16,7	18,9%	81,1%
Luxembourg	188	28,4	53,7%	46,3%
Malta	19	3,7	52,6%	47,4%
Netherlands	4 594	25,8	31,4%	68,6%
Poland	9 226	24,4	20,1%	79,9%
Portugal	1 678	16,0	35,1%	64,9%
Romania	2 089	11,0	NA	NA
Slovak Republic	840	15,5	19,3%	80,7%
Slovenia	304	14,4	19,1%	80,9%
Spain	2 336	4,9	NA	NA
Sweden	607	5,8	19,4%	80,6%
Average	2139	15,1	27,7%	72,3%
Median	840	14,4	22,6%	77,4%
Minimum	19	0,6	6,8%	28,9%
Maximum	12372	45,8	71,1%	93,2%
% of NA	0%	0%	11%	11%
% of NAP	0%	0%	0%	0%

**Table 7.4.2 Total number of non-prosecutor staff (absolute number) from 2020 to 2022 (Q60)**

States	Total number of non-prosecutor staff		
	2020	2021	2022
Austria	364	369	342
Belgium	2 424	2 711	3 240
Bulgaria	3 021	2 887	2 956
Croatia	1 058	1 137	1 139
Cyprus	73	78	89
Czech Republic	1 474	1 454	1 449
Denmark	1 670	747	605
Estonia	89	102	87
Finland	139	169	176
France	NA	359	375
Germany	12 204	12 197	12 372
Greece	1 631	1 508	1 565
Hungary	2 425	2 411	2 353
Ireland	90	103	99
Italy	7 858	8 958	8 181
Latvia	397	357	377
Lithuania	585	476	477
Luxembourg	150	172	188
Malta	21	21	19
Netherlands	3 998	4 412	4 594
Poland	9 073	9 063	9 226
Portugal	1 657	1 674	1 678
Romania	2 408	2 413	2 089
Slovak Republic	977	900	840
Slovenia	321	302	304
Spain	2 280	2 312	2 336
Sweden	522	580	607
Average	2 189	2 143	2 139
Median	1 266	900	840
Minimum	21	21	19
Maximum	12 204	12 197	12 372
% of NA	4%	0%	0%
% of NAP	0%	0%	0%

**Table 7.4.3 Total number of non-prosecutor staff per 100 000 inhabitants from 2020 to 2022 and their variations (Q1, Q60)**

States	Total number of non-prosecutor staff per 100 000 inhabitants			Variations	
	2020	2021	2022	2020-2022	2021-2022
Austria	4,1	4,1	3,8	-7,8%	-8,6%
Belgium	21,0	23,4	27,7	31,6%	18,2%
Bulgaria	43,7	42,2	45,8	5,0%	8,6%
Croatia	26,2	29,4	29,6	12,8%	0,7%
Cyprus	8,1	8,6	9,7	18,6%	12,1%
Czech Republic	13,8	13,8	13,4	-3,0%	-3,4%
Denmark	28,6	12,7	10,2	-64,3%	-19,8%
Estonia	6,7	7,7	6,5	-2,2%	-14,6%
Finland	2,5	3,0	3,2	25,9%	3,8%
France	NA	0,5	0,6	NA	3,8%
Germany	14,7	14,7	14,7	-0,1%	0,1%
Greece	15,2	14,1	14,7	-3,7%	3,8%
Hungary	24,5	24,9	24,5	0,0%	-1,5%
Ireland	1,8	2,0	1,9	6,3%	-4,4%
Italy	13,3	15,2	13,9	4,8%	-8,5%
Latvia	21,0	19,0	20,0	-4,5%	5,2%
Lithuania	20,9	17,0	16,7	-20,2%	-1,6%
Luxembourg	23,6	26,7	28,4	20,4%	6,8%
Malta	4,1	4,1	3,7	-10,5%	-10,2%
Netherlands	22,9	25,2	25,8	12,7%	2,4%
Poland	23,7	23,8	24,4	3,0%	2,7%
Portugal	16,1	16,2	16,0	-0,4%	-0,9%
Romania	12,6	12,7	11,0	-12,6%	-13,5%
Slovak Republic	17,9	16,6	15,5	-13,5%	-6,6%
Slovenia	15,2	14,3	14,4	-5,7%	0,2%
Spain	4,8	4,9	4,9	0,9%	-0,3%
Sweden	5,0	5,5	5,8	14,7%	4,0%
Average	15,8	14,9	15,1	0,3%	-0,8%
Median	15,2	14,3	14,4	0,0%	0,1%
Minimum	1,8	0,5	0,6	-64,3%	-19,8%
Maximum	43,7	42,2	45,8	31,6%	18,2%
% of NA	4%	0%	0%	4%	0%
% of NAP	0%	0%	0%	0%	0%

**Table 7.4.4 Number of public prosecutors and number of non-prosecutor staff per 100 000 inhabitants, from 2020 to 2022 (Q1, Q55, Q60)**

States	2020		2021		2022	
	Public prosecutors	Non-prosecutor staff	Public prosecutors	Non-prosecutor staff	Public prosecutors	Non-prosecutor staff
Austria	4,5	4,1	4,4	4,1	4,3	3,8
Belgium	7,6	21,0	7,9	23,4	7,5	27,7
Bulgaria	22,0	43,7	22,3	42,2	23,9	45,8
Croatia	15,4	26,2	15,9	29,4	16,2	29,6
Cyprus	15,3	8,1	16,1	8,6	19,6	9,7
Czech Republic	11,4	13,8	11,7	13,8	11,5	13,4
Denmark	NA	28,6	13,0	12,7	13,5	10,2
Estonia	12,7	6,7	13,3	7,7	12,7	6,5
Finland	7,0	2,5	7,6	3,0	7,9	3,2
France	3,2	NA	3,2	0,5	3,2	0,6
Germany	7,5	14,7	7,6	14,7	7,7	14,7
Greece	NA	15,2	5,7	14,1	5,7	14,7
Hungary	19,0	24,5	19,3	24,9	19,5	24,5
Ireland	2,6	1,8	2,4	2,0	2,7	1,9
Italy	3,8	13,3	3,8	15,2	3,8	13,9
Latvia	24,4	21,0	23,9	19,0	24,3	20,0
Lithuania	23,0	20,9	22,2	17,0	21,1	16,7
Luxembourg	9,8	23,6	9,8	26,7	9,8	28,4
Malta	7,4	4,1	7,2	4,1	8,8	3,7
Netherlands	5,4	22,9	5,6	25,2	5,8	25,8
Poland	15,3	23,7	15,5	23,8	15,7	24,4
Portugal	13,8	16,1	14,3	16,2	14,4	16,0
Romania	12,7	12,6	12,4	12,7	11,6	11,0
Slovak Republic	16,9	17,9	18,0	16,6	18,7	15,5
Slovenia	9,8	15,2	9,5	14,3	9,8	14,4
Spain	5,4	4,8	5,5	4,9	5,6	4,9
Sweden	10,1	5,0	10,8	5,5	11,1	5,8
<b>Average</b>	11,4	15,8	11,4	14,9	11,7	15,1
<b>Median</b>	10,1	15,2	10,8	14,3	11,1	14,4
<b>Minimum</b>	2,6	1,8	2,4	0,5	2,7	0,6
<b>Maximum</b>	24,4	43,7	23,9	42,2	24,3	45,8
<b>% of NA</b>	7%	4%	0%	0%	0%	0%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%

**Table 7.4.5 Ratio between non-prosecutors staff and public prosecutors from 2020 to 2022 (Q55, Q60)**

States	Ratio between non-prosecutor staff and public prosecutors		
	2020	2021	2022
Austria	0,9	0,9	0,9
Belgium	2,8	2,9	3,7
Bulgaria	2,0	1,9	1,9
Croatia	1,7	1,8	1,8
Cyprus	0,5	0,5	0,5
Czech Republic	1,2	1,2	1,2
Denmark	NA	1,0	0,8
Estonia	0,5	0,6	0,5
Finland	0,4	0,4	0,4
France	NA	0,2	0,2
Germany	2,0	1,9	1,9
Greece	NA	2,5	2,6
Hungary	1,3	1,3	1,3
Ireland	0,7	0,8	0,7
Italy	3,5	4,0	3,6
Latvia	0,9	0,8	0,8
Lithuania	0,9	0,8	0,8
Luxembourg	2,4	2,7	2,9
Malta	0,6	0,6	0,4
Netherlands	4,2	4,5	4,5
Poland	1,6	1,5	1,6
Portugal	1,2	1,1	1,1
Romania	1,0	1,0	0,9
Slovak Republic	1,1	0,9	0,8
Slovenia	1,6	1,5	1,5
Spain	0,9	0,9	0,9
Sweden	0,5	0,5	0,5
Average	1,4	1,4	1,4
Median	1,1	1,0	0,9
Minimum	0,4	0,2	0,2
Maximum	4,2	4,5	4,5
% of NA	11%	0%	0%
% of NAP	0%	0%	0%

# **Court presidents and Heads of prosecution services**

**Table 7.5.1 Total number of Court presidents by instance and their distribution in males and females in 2022 (Q47)**

States	Total number of Court presidents by instance and their distribution in males and females																			
	All instances					First instance					Second instance					Supreme court				
	Total	Male	Female	% Male	% Female	Total	Male	Female	% Male	% Female	Total	Male	Female	% Male	% Female	Total	Male	Female	% Male	% Female
Austria	148	74	74	50,0%	50,0%	142	70	72	49,3%	50,7%	4	3	1	75,0%	25,0%	2	1	1	50,0%	50,0%
Belgium	52	30	22	57,7%	42,3%	41	23	18	56,1%	43,9%	10	7	3	70,0%	30,0%	1	0	1	0,0%	100,0%
Bulgaria	180	73	107	40,6%	59,4%	144	57	87	39,6%	60,4%	34	15	19	44,1%	55,9%	2	1	1	50,0%	50,0%
Croatia	67	30	37	44,8%	55,2%	47	16	31	34,0%	66,0%	19	13	6	68,4%	31,6%	1	1	0	100,0%	0,0%
Cyprus	32	18	14	56,3%	43,8%	31	17	14	54,8%	45,2%	NAP	NAP	NAP	NAP	NAP	1	1	0	100,0%	0,0%
Czech Republic	98	49	49	50,0%	50,0%	86	41	45	47,7%	52,3%	10	6	4	60,0%	40,0%	2	2	0	100,0%	0,0%
Denmark	32	22	10	68,8%	31,3%	29	19	10	65,5%	34,5%	2	2	0	100,0%	0,0%	1	1	0	100,0%	0,0%
Estonia	9	4	5	44,4%	55,6%	6	2	4	33,3%	66,7%	2	1	1	50,0%	50,0%	1	1	0	100,0%	0,0%
Finland	36	26	10	72,2%	27,8%	29	19	10	65,5%	34,5%	5	5	0	100,0%	0,0%	2	2	0	100,0%	0,0%
France	246	134	112	54,5%	45,5%	200	106	94	53,0%	47,0%	44	26	18	59,1%	40,9%	2	2	0	100,0%	0,0%
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	124	NA	NA	NA	NA	93	NA	NA	NA	NA	28	NA	NA	NA	NA	3	NA	NA	NA	NA
Hungary	138	67	71	48,6%	51,4%	112	51	61	45,5%	54,5%	25	15	10	60,0%	40,0%	1	1	0	100,0%	0,0%
Ireland	5	4	1	80,0%	20,0%	3	2	1	66,7%	33,3%	1	1	0	100,0%	0,0%	1	1	0	100,0%	0,0%
Italy	212	148	64	69,8%	30,2%	187	130	57	69,5%	30,5%	23	16	7	69,6%	30,4%	2	2	0	100,0%	0,0%
Latvia	16	9	7	56,3%	43,8%	9	4	5	44,4%	55,6%	6	4	2	66,7%	33,3%	1	1	0	100,0%	0,0%
Lithuania	21	13	8	61,9%	38,1%	19	11	8	57,9%	42,1%	2	2	0	100,0%	0,0%	0	0	0	-	-
Luxembourg	9	5	4	55,6%	44,4%	6	2	4	33,3%	66,7%	2	2	0	100,0%	0,0%	1	1	0	100,0%	0,0%
Malta	4	1	3	25,0%	75,0%	3	0	3	0,0%	100,0%	1	1	0	100,0%	0,0%	NAP	NAP	NAP	NAP	NAP
Netherlands	18	8	10	44,4%	55,6%	11	5	6	45,5%	54,5%	6	3	3	50,0%	50,0%	1	0	1	0,0%	100,0%
Poland	382	203	179	53,1%	46,9%	363	188	175	51,8%	48,2%	11	10	1	90,9%	9,1%	2	1	1	50,0%	50,0%
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	224	92	132	41,1%	58,9%	161	67	94	41,6%	58,4%	62	25	37	40,3%	59,7%	1	0	1	0,0%	100,0%
Slovak Republic	61	38	23	62,3%	37,7%	51	32	19	62,7%	37,3%	8	4	4	50,0%	50,0%	2	2	0	100,0%	0,0%
Slovenia	66	19	47	28,8%	71,2%	60	14	46	23,3%	76,7%	5	4	1	80,0%	20,0%	1	1	0	100,0%	0,0%
Spain	102	77	25	75,5%	24,5%	NAP	NAP	NAP	NAP	NAP	96	71	25	74,0%	26,0%	6	6	0	100,0%	0,0%
Sweden	68	37	31	54,4%	45,6%	56	31	25	55,4%	44,6%	10	5	5	50,0%	50,0%	2	1	1	50,0%	50,0%
Average	94	49	44	54,0%	46,0%	79	39	39	47,7%	52,3%	17	10	6	72,1%	27,9%	2	1	0	77,3%	22,7%
Median	66	30	24	54,4%	45,6%	49	19	19	49,3%	50,7%	9	5	3	69,6%	30,4%	1	1	0	100,0%	0,0%
Minimum	4	1	1	25,0%	20,0%	3	0	1	0,0%	30,5%	1	1	0	40,3%	0,0%	0	0	0	0,0%	0,0%
Maximum	382	203	179	80,0%	75,0%	363	188	175	69,5%	100,0%	96	71	37	100,0%	59,7%	6	6	1	100,0%	100,0%
% of NA	7%	11%	11%	11%	11%	7%	11%	11%	11%	11%	7%	11%	11%	11%	11%	7%	11%	11%	11%	12%
% of NAP	0%	0%	0%	0%	0%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%

Austria: Starting from 2022, data are provided in number of positions occupied and not in FTE.

**Table 7.5.2 Total number of Heads of prosecution services by instance and their distribution in males and females in 2022 (Q47)**

States	Total number of Heads of prosecution services by instance and their distribution in males and females																			
	All instances					First instance					Second instance					Supreme court				
	Total	Male	Female	% Male	% Female	Total	Male	Female	% Male	% Female	Total	Male	Female	% Male	% Female	Total	Male	Female	% Male	% Female
Austria	22	13	9	59,1%	40,9%	17	9	8	52,9%	47,1%	4	4	0	100,0%	0,0%	1	0	1	0,0%	100,0%
Belgium	31	26	5	83,9%	16,1%	25	21	4	84,0%	16,0%	5	4	1	80,0%	20,0%	1	1	0	100,0%	0,0%
Bulgaria	114	66	48	57,9%	42,1%	78	40	38	51,3%	48,7%	35	25	10	71,4%	28,6%	1	1	0	100,0%	0,0%
Croatia	42	15	27	35,7%	64,3%	26	7	19	26,9%	73,1%	15	8	7	53,3%	46,7%	1	0	1	0,0%	100,0%
Cyprus	10	0	10	0,0%	100,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	94	59	35	62,8%	37,2%	83	49	34	59,0%	41,0%	10	9	1	90,0%	10,0%	1	1	0	100,0%	0,0%
Denmark	19	10	9	52,6%	47,4%	15	7	8	46,7%	53,3%	3	2	1	66,7%	33,3%	1	1	0	100,0%	0,0%
Estonia	5	2	3	40,0%	60,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Finland	6	4	2	66,7%	33,3%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	202	134	68	66,3%	33,7%	164	107	57	65,2%	34,8%	37	26	11	70,3%	29,7%	1	1	0	100,0%	0,0%
Germany	140	NA	NA	NA	NA	115	NA	NA	NA	NA	24	NA	NA	NA	NA	1	NA	NA	NA	NA
Greece	83	NA	NA	NA	NA	63	NA	NA	NA	NA	19	NA	NA	NA	NA	1	NA	NA	NA	NA
Hungary	151	91	60	60,3%	39,7%	145	85	60	58,6%	41,4%	5	5	0	100,0%	0,0%	1	1	0	100,0%	0,0%
Ireland	1	0	1	0,0%	100,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	162	126	36	77,8%	22,2%	145	111	34	76,6%	23,4%	16	14	2	87,5%	12,5%	1	1	0	100,0%	0,0%
Latvia	29	16	13	55,2%	44,8%	14	7	7	50,0%	50,0%	6	3	3	50,0%	50,0%	9	6	3	66,7%	33,3%
Lithuania	70	44	26	62,9%	37,1%	59	35	24	59,3%	40,7%	NAP	NAP	NAP	NAP	NAP	11	9	2	81,8%	18,2%
Luxembourg	3	2	1	66,7%	33,3%	2	2	0	100,0%	0,0%	NAP	NAP	NAP	NAP	NAP	1	0	1	0,0%	100,0%
Malta	1	0	1	0,0%	100,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	15	9	6	60,0%	40,0%	14	9	5	64,3%	35,7%	1	0	1	0,0%	100,0%	NAP	NAP	NAP	NAP	NAP
Poland	413	227	186	55,0%	45,0%	355	187	168	52,7%	47,3%	46	30	16	65,2%	34,8%	1	1	0	100,0%	0,0%
Portugal	60	24	36	40,0%	60,0%	53	19	34	35,8%	64,2%	6	4	2	66,7%	33,3%	1	1	0	100,0%	0,0%
Romania	279	154	125	55,2%	44,8%	73	40	33	54,8%	45,2%	128	63	65	49,2%	50,8%	78	51	27	65,4%	34,6%
Slovak Republic	63	36	27	57,1%	42,9%	54	29	25	53,7%	46,3%	8	6	2	75,0%	25,0%	1	1	0	100,0%	0,0%
Slovenia	13	5	8	38,5%	61,5%	12	4	8	33,3%	66,7%	NAP	NAP	NAP	NAP	NAP	1	1	0	100,0%	0,0%
Spain	87	45	42	51,7%	48,3%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Sweden	39	22	17	56,4%	43,6%	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	1	0	1	0,0%	100,0%
<b>Average</b>	80	45	32	50,5%	49,5%	76	43	31	57,0%	43,0%	22	14	8	68,4%	31,6%	6	4	2	73,0%	27,0%
<b>Median</b>	42	22	17	56,4%	43,6%	57	25	25	54,2%	45,8%	10	6	2	70,3%	29,7%	1	1	0	100,0%	0,0%
<b>Minimum</b>	1	0	1	0,0%	16,1%	2	2	0	26,9%	0,0%	1	0	0	0,0%	0,0%	1	0	0	0,0%	0,0%
<b>Maximum</b>	413	227	186	83,9%	100,0%	355	187	168	100,0%	73,1%	128	63	65	100,0%	100,0%	78	51	27	100,0%	100,0%
<b>% of NA</b>	0%	7%	7%	7%	7%	4%	11%	11%	11%	11%	4%	11%	11%	11%	11%	0%	7%	7%	7%	7%
<b>% of NAP</b>	0%	0%	0%	0%	0%	22%	22%	22%	22%	22%	33%	33%	33%	33%	33%	26%	26%	26%	26%	26%

# **Salaries of judges and public prosecutors**

**Table 7.6.1 Annual salaries of judges and public prosecutors in 2022 (Q4 and Q132)**

States	National average gross annual salary in €	Professional Judges				Public Prosecutors (PP)			
		At the beginning of career (Gross in €)	At the beginning of career (Net in €)	Judge of the Supreme Court or the Highest Appellate Court (Gross in €)	Judge of the Supreme Court or the Highest Appellate Court (Net in €)	At the beginning of career (Gross in €)	At the beginning of career (Net in €)	PP of the Supreme Court or the Highest Appellate Court (Gross in €)	PP of the Supreme Court or the Highest Appellate Court (Net in €)
Austria	37 725 €	59 188 €	NA	163 801 €	NA	62 782 €	NA	163 801 €	NA
Belgium	47 319 €	83 937 €	47 595 €	153 479 €	74 860 €	83 937 €	47 595 €	156 288 €	76 032 €
Bulgaria	10 861 €	30 085 €	27 076 €	53 144 €	47 829 €	30 085 €	27 076 €	53 144 €	47 829 €
Croatia	16 564 €	27 754 €	19 383 €	57 558 €	36 683 €	27 754 €	19 983 €	57 558 €	36 683 €
Cyprus	26 424 €	77 916 €	56 069 €	138 494 €	105 500 €	35 010 €	NA	NAP	NAP
Czech Republic	20 084 €	44 182 €	NA	100 367 €	NA	39 763 €	NA	83 522 €	NA
Denmark	43 335 €	140 244 €	NA	261 648 €	NA	49 137 €	NA	126 411 €	NA
Estonia	20 220 €	56 952 €	43 920 €	74 786 €	57 432 €	52 350 €	40 202 €	59 828 €	45 945 €
Finland	47 696 €	70 628 €	NA	141 720 €	NA	50 880 €	NA	95 000 €	NA
France	41 876 €	46 812 €	38 058 €	122 192 €	111 561 €	48 838 €	39 705 €	122 192 €	111 561 €
Germany	56 334 €	54 224 €	41 889 €	139 986 €	89 037 €	54 224 €	41 889 €	126 640 €	81 605 €
Greece	NA	31 710 €	22 987 €	96 037 €	56 373 €	31 710 €	22 995 €	87 247 €	51 923 €
Hungary	16 097 €	30 157 €	20 054 €	69 818 €	46 429 €	24 609 €	16 365 €	52 213 €	34 722 €
Ireland	45 859 €	139 917 €	NA	257 872 €	NA	36 450 €	NA	NA	NA
Italy	33 213 €	57 500 €	35 537 €	194 005 €	105 248 €	57 500 €	35 537 €	194 005 €	105 248 €
Latvia	16 476 €	36 948 €	29 826 €	57 712 €	40 047 €	36 192 €	25 428 €	44 880 €	31 392 €
Lithuania	21 468 €	36 242 €	21 926 €	54 213 €	32 799 €	31 092 €	18 816 €	52 236 €	31 608 €
Luxembourg	70 583 €	96 084 €	NA	169 916 €	NA	96 084 €	NA	169 916 €	NA
Malta	20 961 €	97 161 €	NA	105 451 €	NA	56 958 €	42 757 €	NAP	NAP
Netherlands	66 900 €	89 236 €	51 501 €	160 741 €	NA	87 637 €	51 555 €	NA	NA
Poland	16 238 €	26 931 €	22 250 €	79 666 €	51 975 €	26 931 €	22 250 €	73 651 €	59 028 €
Portugal	18 729 €	48 728 €	NA	106 533 €	NA	48 728 €	NA	106 533 €	NA
Romania	14 906 €	42 541 €	24 887 €	86 142 €	50 393 €	42 541 €	24 887 €	65 993 €	38 606 €
Slovak Republic	15 540 €	45 775 €	32 480 €	66 264 €	46 593 €	42 249 €	30 477 €	62 130 €	44 818 €
Slovenia	24 287 €	34 101 €	21 704 €	66 528 €	38 886 €	34 101 €	21 704 €	66 528 €	38 886 €
Spain	25 381 €	57 855 €	42 234 €	140 534 €	89 944 €	57 855 €	42 234 €	140 534 €	89 944 €
Sweden	41 782 €	76 973 €	49 263 €	134 036 €	73 720 €	56 520 €	NA	97 680 €	NA
<b>Average</b>	31 418 €	60 733 €	34 139 €	120 468 €	64 184 €	48 219 €	31 748 €	98 171 €	57 864 €
<b>Median</b>	24 834 €	54 224 €	32 480 €	106 533 €	54 174 €	48 728 €	28 777 €	87 247 €	46 887 €
<b>Minimum</b>	10 861 €	26 931 €	19 383 €	53 144 €	32 799 €	24 609 €	16 365 €	44 880 €	31 392 €
<b>Maximum</b>	70 583 €	140 244 €	56 069 €	261 648 €	111 561 €	96 084 €	51 555 €	194 005 €	111 561 €
<b>% of NA</b>	4%	0%	30%	0%	33%	0%	33%	7%	33%
<b>% of NAP</b>	0%	0%	0%	0%	0%	0%	0%	7%	7%

Table 7.6.2 Evolution of the gross annual salaries of judges from 2018 to 2022 (Q132)

States	Professional Judges													
	At the beginning of career (Gross in €)							Judge of the Supreme Court or the Highest Appellate Court (Gross in €)						
	2018	2019	2020	2021	2022	Variations		2018	2019	2020	2021	2022	Variations	
						2018 - 2022	2021 - 2022						2018 - 2022	2021 - 2022
Austria	53 865 €	55 392 €	56 638 €	57 460 €	59 188 €	9,9%	3,0%	131 228 €	134 559 €	137 586 €	139 581 €	163 801 €	24,8%	17,4%
Belgium	70 238 €	67 532 €	67 532 €	73 069 €	83 937 €	19,5%	14,9%	128 424 €	122 877 €	122 877 €	133 608 €	153 479 €	19,5%	14,9%
Bulgaria	19 941 €	22 957 €	24 990 €	27 867 €	30 085 €	50,9%	8,0%	36 097 €	39 583 €	44 214 €	48 222 €	53 144 €	47,2%	10,2%
Croatia	22 883 €	27 962 €	27 878 €	29 020 €	27 754 €	21,3%	-4,4%	53 347 €	53 636 €	53 447 €	57 318 €	57 558 €	7,9%	0,4%
Cyprus	77 738 €	77 738 €	77 916 €	77 916 €	77 916 €	0,2%	0,0%	137 139 €	138 179 €	138 494 €	138 494 €	138 494 €	1,0%	0,0%
Czech Republic	34 578 €	38 064 €	40 584 €	42 485 €	44 182 €	27,8%	4,0%	78 296 €	85 157 €	89 904 €	96 492 €	100 367 €	28,2%	4,0%
Denmark	128 780 €	132 316 €	122 545 €	118 377 €	140 244 €	8,9%	18,5%	225 785 €	240 196 €	236 387 €	221 226 €	261 648 €	15,9%	18,3%
Estonia	44 388 €	48 112 €	51 962 €	56 952 €	56 952 €	28,3%	0,0%	58 044 €	62 916 €	67 942 €	74 484 €	74 786 €	28,8%	0,4%
Finland	63 000 €	64 500 €	66 900 €	68 900 €	70 628 €	12,1%	2,5%	132 000 €	134 500 €	136 300 €	141 720 €	141 720 €	7,4%	0,0%
France	45 728 €	46 149 €	46 149 €	46 149 €	46 812 €	2,4%	1,4%	122 802 €	123 213 €	123 213 €	123 213 €	122 192 €	-0,5%	-0,8%
Germany	49 605 €	51 199 €	52 928 €	53 568 €	54 224 €	9,3%	1,2%	130 370 €	134 040 €	136 245 €	137 712 €	139 986 €	7,4%	1,7%
Greece	31 710 €	31 710 €	31 710 €	31 710 €	31 710 €	0,0%	0,0%	87 247 €	87 247 €	87 247 €	87 247 €	96 037 €	10,1%	10,1%
Hungary	22 043 €	21 812 €	21 856 €	23 942 €	30 157 €	36,8%	26,0%	42 104 €	41 879 €	57 542 €	63 886 €	69 818 €	65,8%	9,3%
Ireland	122 373 €	123 754 €	129 704 €	130 197 €	139 917 €	14,3%	7,5%	196 444 €	197 916 €	208 854 €	208 145 €	257 872 €	31,3%	28,9%
Italy	56 263 €	56 263 €	56 263 €	57 500 €	57 500 €	2,2%	0,0%	186 637 €	186 637 €	187 296 €	194 005 €	194 005 €	3,9%	0,0%
Latvia	23 592 €	32 340 €	34 104 €	35 808 €	36 948 €	56,6%	3,2%	50 508 €	50 520 €	56 093 €	57 302 €	57 712 €	14,3%	0,7%
Lithuania	23 933 €	35 649 €	36 267 €	36 473 €	36 242 €	51,4%	-0,6%	36 939 €	49 425 €	49 698 €	49 960 €	54 213 €	46,8%	8,5%
Luxembourg	84 888 €	92 016 €	92 016 €	92 591 €	96 084 €	13,2%	3,8%	NA	NA	110 177 €	110 865 €	169 916 €	NA	53,3%
Malta	86 932 €	90 863 €	95 215 €	96 176 €	97 161 €	11,8%	1,0%	94 658 €	98 713 €	103 246 €	104 336 €	105 451 €	11,4%	1,1%
Netherlands	76 500 €	82 113 €	83 765 €	85 440 €	89 236 €	16,6%	4,4%	138 500 €	NA	NA	155 799 €	160 741 €	16,1%	3,2%
Poland	24 146 €	26 117 €	25 796 €	25 796 €	26 931 €	11,5%	4,4%	67 267 €	72 866 €	71 941 €	71 941 €	79 666 €	18,4%	10,7%
Portugal	35 699 €	35 805 €	48 055 €	48 378 €	48 728 €	36,5%	0,7%	85 820 €	93 095 €	105 345 €	106 183 €	106 533 €	24,1%	0,3%
Romania	45 127 €	44 041 €	43 223 €	42 550 €	42 541 €	-5,7%	0,0%	91 378 €	89 180 €	87 522 €	86 160 €	86 142 €	-5,7%	0,0%
Slovak Republic	36 061 €	38 291 €	41 278 €	42 828 €	45 775 €	26,9%	6,9%	52 088 €	55 310 €	59 623 €	61 862 €	66 264 €	27,2%	7,1%
Slovenia	32 633 €	32 633 €	32 628 €	32 628 €	34 101 €	4,5%	4,5%	63 664 €	63 664 €	63 660 €	63 660 €	66 528 €	4,5%	4,5%
Spain	48 997 €	50 927 €	51 946 €	52 534 €	57 855 €	18,1%	10,1%	124 968 €	128 092 €	130 654 €	131 830 €	140 534 €	12,5%	6,6%
Sweden	72 848 €	73 800 €	79 951 €	79 387 €	76 973 €	5,7%	-3,0%	126 152 €	127 840 €	138 395 €	136 945 €	134 036 €	6,2%	-2,1%
Average	53 129 €	55 558 €	57 030 €	57 989 €	60 733 €	18,19%	4,37%	102 996 €	104 450 €	107 842 €	111 192 €	120 468 €	18%	8%
Median	45 728 €	48 112 €	51 946 €	52 534 €	54 224 €	13,19%	3,01%	93 018 €	93 095 €	104 296 €	106 183 €	106 533 €	15%	4%
Minimum	19 941 €	21 812 €	21 856 €	23 942 €	26 931 €	-5,73%	-4,36%	36 097 €	39 583 €	44 214 €	48 222 €	53 144 €	-6%	-2%
Maximum	128 780 €	132 316 €	129 704 €	130 197 €	140 244 €	56,61%	25,96%	225 785 €	240 196 €	236 387 €	221 226 €	261 648 €	66%	53%
% of NA	0%	0%	0%	0%	0%	0%	0%	4%	7%	4%	0%	0%	4%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Table 7.6.3 Evolution of the gross annual salaries of public prosecutors from 2018 to 2022 (Q132)

States	Public prosecutors													
	At the beginning of career (Gross in €)							Public prosecutor of the Supreme Court or the Highest Appellate Instance (Gross in €)						
	2018	2019	2020	2021	2022	Variations		2018	2019	2020	2021	2022	Variations	
						2018 - 2022	2021 - 2022						2018 - 2022	2021 - 2022
Austria	57 158 €	58 762 €	60 084 €	60 955 €	62 782 €	9,8%	3,0%	131 228 €	134 558 €	137 586 €	139 581 €	163 801 €	24,8%	17,4%
Belgium	70 238 €	67 532 €	67 532 €	73 069 €	83 937 €	19,5%	14,9%	130 775 €	125 183 €	125 183 €	136 054 €	156 288 €	19,5%	14,9%
Bulgaria	19 941 €	22 957 €	24 990 €	27 867 €	30 085 €	50,9%	8,0%	36 097 €	39 583 €	44 214 €	48 222 €	53 144 €	47,2%	10,2%
Croatia	22 883 €	27 962 €	27 878 €	29 020 €	27 754 €	21,3%	-4,4%	53 347 €	53 636 €	53 447 €	57 318 €	57 558 €	7,9%	0,4%
Cyprus	34 060 €	32 959 €	35 010 €	35 010 €	35 010 €	2,8%	0,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	31 121 €	34 238 €	36 528 €	38 564 €	39 763 €	27,8%	3,1%	67 176 €	74 171 €	79 008 €	79 813 €	83 522 €	24,3%	4,6%
Denmark	53 600 €	54 045 €	48 322 €	49 058 €	49 137 €	-8,3%	0,2%	91 087 €	95 657 €	NA	89 407 €	126 411 €	38,8%	41,4%
Estonia	24 384 €	40 968 €	47 556 €	52 140 €	52 350 €	14,7%	0,4%	58 041 €	47 786 €	53 353 €	59 592 €	59 828 €	3,1%	0,4%
Finland	48 800 €	50 400 €	50 880 €	50 880 €	50 880 €	4,3%	0,0%	NAP	NAP	NAP	NAP	95 000 €	NAP	NAP
France	46 317 €	46 738 €	48 738 €	46 738 €	48 838 €	5,4%	4,5%	122 802 €	123 213 €	123 213 €	123 213 €	122 192 €	-0,5%	-0,8%
Germany	49 605 €	51 199 €	52 928 €	53 568 €	54 224 €	9,3%	1,2%	117 941 €	121 261 €	123 256 €	124 583 €	126 640 €	7,4%	1,7%
Greece	31 710 €	31 710 €	31 710 €	31 710 €	31 710 €	0,0%	0,0%	87 247 €	87 247 €	87 247 €	87 247 €	87 247 €	0,0%	0,0%
Hungary	20 263 €	21 843 €	21 856 €	24 156 €	24 609 €	21,4%	1,9%	39 828 €	41 543 €	45 961 €	50 796 €	52 213 €	31,1%	2,8%
Ireland	32 153 €	32 153 €	33 370 €	33 370 €	36 450 €	13,4%	9,2%	NAP	NAP	NAP	NAP	NA	NA	NA
Italy	56 263 €	56 263 €	56 263 €	57 500 €	57 500 €	2,2%	0,0%	186 637 €	186 637 €	187 296 €	194 005 €	194 005 €	3,9%	0,0%
Latvia	27 975 €	31 668 €	33 396 €	35 064 €	36 192 €	29,4%	3,2%	34 827 €	43 195 €	41 411 €	43 479 €	44 880 €	28,9%	3,2%
Lithuania	26 495 €	28 856 €	29 357 €	29 523 €	31 092 €	17,4%	5,3%	35 422 €	45 664 €	47 038 €	48 996 €	52 236 €	47,5%	6,6%
Luxembourg	84 888 €	92 016 €	92 016 €	92 591 €	96 084 €	13,2%	3,8%	NA	NA	110 177 €	110 865 €	169 916 €	NA	53,3%
Malta	33 895 €	39 612 €	43 505 €	44 496 €	56 958 €	68,0%	28,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	76 500 €	NA	84 351 €	84 351 €	87 637 €	14,6%	3,9%	138 500 €	NA	NA	NA	NA	NA	NA
Poland	24 146 €	26 117 €	25 796 €	25 796 €	26 931 €	11,5%	4,4%	67 267 €	72 866 €	71 941 €	71 941 €	73 651 €	9,5%	2,4%
Portugal	35 699 €	35 805 €	48 055 €	48 378 €	48 728 €	36,5%	0,7%	85 820 €	93 095 €	105 345 €	106 183 €	106 533 €	24,1%	0,3%
Romania	45 127 €	44 041 €	43 223 €	42 550 €	42 541 €	-5,7%	0,0%	67 977 €	68 320 €	67 051 €	66 007 €	65 993 €	-2,9%	0,0%
Slovak Republic	34 058 €	36 164 €	38 984 €	40 448 €	42 249 €	24,1%	4,5%	52 088 €	55 310 €	59 623 €	60 162 €	62 130 €	19,3%	3,3%
Slovenia	32 633 €	32 633 €	32 628 €	32 628 €	34 101 €	4,5%	4,5%	63 664 €	63 664 €	63 660 €	63 660 €	66 528 €	4,5%	4,5%
Spain	48 997 €	50 927 €	51 946 €	52 534 €	57 855 €	18,1%	10,1%	124 968 €	128 092 €	130 654 €	131 830 €	140 534 €	12,5%	6,6%
Sweden	56 000 €	56 800 €	56 000 €	56 000 €	56 520 €	0,9%	0,9%	88 000 €	89 600 €	88 000 €	89 800 €	97 680 €	11,0%	8,8%
Average	41 663 €	42 476 €	45 293 €	46 221 €	48 219 €	19,51%	4,12%	85 488 €	85 251 €	87 841 €	90 125 €	98 171 €	17%	8%
Median	34 060 €	37 888 €	43 505 €	44 496 €	48 728 €	13,36%	3,11%	76 899 €	74 171 €	79 008 €	83 530 €	87 247 €	12%	3%
Minimum	19 941 €	21 843 €	21 856 €	24 156 €	24 609 €	-8,33%	-4,36%	34 827 €	39 583 €	41 411 €	43 479 €	44 880 €	-3%	-1%
Maximum	84 888 €	92 016 €	92 016 €	92 591 €	96 084 €	114,69%	28,01%	186 637 €	186 637 €	187 296 €	194 005 €	194 005 €	47%	53%
% of NA	0%	4%	0%	0%	0%	0%	0%	4%	7%	7%	4%	7%	11%	7%
% of NAP	0%	0%	0%	0%	0%	0%	0%	15%	15%	15%	15%	7%	11%	11%

**Table 7.6.4 Ratio of annual salaries of judges and public prosecutors with annual gross salary in the country in 2022 (Q4 and Q132)**

States	Professional Judges		Public Prosecutors	
	At the beginning of career	Judge of the Supreme Court or the Highest Appellate Court	At the beginning of career	Public prosecutor of the Supreme Court or the Highest Appellate Court
Austria	1,6	4,3	1,7	4,3
Belgium	1,8	3,2	1,8	3,3
Bulgaria	2,8	4,9	2,8	4,9
Croatia	1,7	3,5	1,7	3,5
Cyprus	2,9	5,2	1,3	NAP
Czech Republic	2,2	5,0	2,0	4,2
Denmark	3,2	6,0	1,1	2,9
Estonia	2,8	3,7	2,6	3,0
Finland	1,5	3,0	1,1	2,0
France	1,1	2,9	1,2	2,9
Germany	1,0	2,5	1,0	2,2
Greece	NA	NA	NA	NA
Hungary	1,9	4,3	1,5	3,2
Ireland	3,1	5,6	0,8	NA
Italy	1,7	5,8	1,7	5,8
Latvia	2,2	3,5	2,2	2,7
Lithuania	1,7	2,5	1,4	2,4
Luxembourg	1,4	2,4	1,4	2,4
Malta	4,6	5,0	2,7	NAP
Netherlands	1,3	2,4	1,3	NA
Poland	1,7	4,9	1,7	4,5
Portugal	2,6	5,7	2,6	5,7
Romania	2,9	5,8	2,9	4,4
Slovak Republic	2,9	4,3	2,7	4,0
Slovenia	1,4	2,7	1,4	2,7
Spain	2,3	5,5	2,3	5,5
Sweden	1,8	3,2	1,4	2,3
<b>Average</b>	2,2	4,2	1,8	3,6
<b>Median</b>	1,9	4,3	1,7	3,3
<b>Minimum</b>	1,0	2,4	0,8	2,0
<b>Maximum</b>	4,6	6,0	2,9	5,8
<b>% of NA</b>	4%	4%	4%	11%
<b>% of NAP</b>	0%	0%	0%	7%

**Table 7.6.5: Existence of additional benefits for judges and public prosecutors in 2022 (Q133)**

States	Judges				Public Prosecutors			
	Reduced taxation	Special pension	Housing	Other financial benefits	Reduced taxation	Special pension	Housing	Other financial benefits
Austria								
Belgium								
Bulgaria								
Croatia								
Cyprus								
Czech Republic								
Denmark								
Estonia								
Finland								
France								
Germany								
Greece								
Hungary								
Ireland								
Italy								
Latvia								
Lithuania								
Luxembourg								
Malta								
Netherlands								
Poland								
Portugal								
Romania								
Slovak Republic								
Slovenia								
Spain								
Sweden								
<b>Yes</b>	0	8	6	15	0	8	6	14
<b>No</b>	27	19	21	12	27	19	21	13

# Lawyers

**Table 7.7.1 Evolution of the number of lawyers from 2012 to 2022 (Q1, Q146)**

States	Number of lawyers										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	5 756	5 801	5 940	6 138	6 132	6 325	6 483	6 667	6 707	6 875	6 984
Belgium	17 336	17 795	18 134	18 402	18 532	18 604	18 658	18 905	18 875	19 161	19 310
Bulgaria	12 010	12 010	12 696	13 013	13 500	13 720	13 640	13 880	13 964	13 605	13 487
Croatia	4 392	4 408	4 487	4 560	4 690	4 719	4 756	4 752	4 835	5 002	4 979
Cyprus	2 558	2 896	3 114	3 208	3 605	3 793	4 012	4 209	4 273	4 377	4 651
Czech Republic	10 944	10 255	11 842	12 300	11 310	11 587	11 180	12 188	12 267	12 390	14 335
Denmark	6 021	6 053	6 134	6 235	6 236	6 450	6 563	6 843	6 870	7 063	7 290
Estonia	846	878	934	970	993	1 024	1 041	1 076	1 096	1 074	1 085
Finland	1 935	2 009	2 115	3 550	3 791	3 846	3 965	4 022	4 087	4 173	4 098
France	56 176	60 223	62 073	62 073	65 480	66 958	66 958	68 835	70 073	70 794	72 521
Germany	160 880	162 695	163 513	163 772	164 393	164 656	165 104	165 901	165 680	165 587	165 186
Greece	42 113	42 177	42 052	42 226	42 091	41 903	42 949	42 500	44 595	43 240	47 141
Hungary	13 000	13 000	13 000	13 000	11 191	11 191	12 715	12 719	11 436	11 617	20 221
Ireland	11 055	11 215	11 588	11 907	12 237	12 588	13 142	14 816	14 054	13 434	14 177
Italy	226 202	226 202	223 842	237 132	229 292	231 565	234 386	236 494	235 964	229 783	234 632
Latvia	1 343	1 336	1 363	1 363	1 231	1 370	1 218	1 357	1 370	1 351	1 351
Lithuania	1 796	1 988	1 988	2 117	2 213	2 207	2 213	2 248	2 254	2 277	2 297
Luxembourg	2 020	2 203	2 180	2 323	2 381	2 597	2 993	2 914	3 080	3 247	3 255
Malta	1 400	1 112	1 485	1 569	1 327	1 473	1 535	1 648	1 762	1 316	1 523
Netherlands	17 068	17 298	17 713	17 343	17 498	17 672	17 784	17 829	17 964	18 108	18 218
Poland	43 974		52 760		48 315	51 227	53 081	55 178	57 365	59 635	61 554
Portugal	28 341	28 765	29 337	27 277	30 475	31 326	32 368	33 204	33 115	33 937	35 432
Romania	20 919	23 332	23 244	23 635	23 205	23 020	22 873	23 554	23 424	23 308	23 123
Slovak Republic	5 210	5 541	5 827	5 993	6 142	6 037	6 112	6 186	6 266	6 469	6 430
Slovenia	1 417	1 529	1 628	1 669	1 711	1 737	1 768	1 813	1 834	1 856	1 872
Spain	131 337		135 016		142 061	144 212	143 205	143 398	143 717	144 642	148 451
Sweden	5 246	5 422	5 575	5 800	5 767	5 911	6 000	6 000	6 257	6 436	6 571
<b>Average</b>	30 789	26 646	31 836	27 503	32 437	32 878	33 211	33 672	33 822	33 732	34 821
<b>Median</b>	10 944	6 053	11 588	6 235	11 191	11 191	11 180	12 188	11 436	11 617	13 487
<b>Minimum</b>	846	878	934	970	993	1 024	1 041	1 076	1 096	1 074	1 085
<b>Maximum</b>	226 202	226 202	223 842	237 132	229 292	231 565	234 386	236 494	235 964	229 783	234 632
<b>Nb of values</b>	27	25	27	25	27	27	27	27	27	27	27
<b>% of NA</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

\*Before 2017, Cyprus also included "legal advisors", who cannot represent clients in court.

**Finland:** Since 2015, the number of lawyers provided includes both the number of lawyers working in the private sector and the number of lawyers working in the public sector. Before 2015 the number given only included the members of the Finnish Bar Association who are entitled to use the professional titles advokat (advocate).

**Table 7.7.1a Evolution of the number of lawyers per 100 000 inhabitant from 2012 to 2022 and their variations (Q1, Q146)**

States	Number of lawyers per 100 000 inhabitants											Variation of the total number of lawyers	
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2012-2022	2021-2022
Austria	68,1	68,4	69,2	70,5	70,2	71,9	73,5	74,9	75,1	76,6	76,7	12,6%	0,2%
Belgium	155,3	159,6	161,8	163,3	163,7	163,5	163,2	165,4	163,8	165,6	165,1	6,3%	-0,3%
Bulgaria	164,9	165,8	176,3	181,9	190,1	194,6	194,9	199,7	201,9	198,9	209,2	26,9%	5,1%
Croatia	103,0	103,8	106,2	108,8	112,9	114,9	116,7	117,1	119,8	129,2	129,3	25,5%	0,1%
Cyprus	295,4	337,5	362,9	378,2	425,0	443,7	458,0	474,0	476,9	483,8	505,2	71,0%	4,4%
Czech Republic	104,1	97,6	112,5	116,5	106,9	109,4	105,0	114,2	114,6	117,8	132,1	26,9%	12,1%
Denmark	107,5	107,6	108,4	109,2	108,5	111,6	113,0	117,5	117,6	120,3	123,0	14,4%	2,3%
Estonia	65,8	66,7	71,1	73,7	75,5	77,8	78,9	81,2	82,4	80,7	81,7	24,2%	1,1%
Finland	35,7	36,9	38,7	64,7	68,9	69,8	71,8	72,8	73,9	75,2	73,7	106,6%	-2,1%
France	85,7	91,5	93,6	93,2	97,7	99,7	99,9	102,6	104,0	104,7	106,6	24,4%	1,8%
Germany	200,5	201,4	202,4	200,3	200,1	199,2	198,9	199,5	199,2	198,9	195,8	-2,3%	-1,6%
Greece	380,7	381,3	387,7	388,9	390,3	389,1	399,9	396,3	416,1	404,9	441,5	16,0%	9,0%
Hungary	131,2	131,6	131,9	132,2	114,2	113,3	132,6	130,2	115,6	119,9	210,6	60,6%	75,7%
Ireland	240,8	243,7	250,5	255,3	261,8	262,7	270,6	301,0	282,4	262,2	275,3	14,3%	5,0%
Italy	379,0	379,0	368,2	390,9	378,4	382,9	388,3	392,6	398,2	389,6	398,7	5,2%	2,3%
Latvia	65,7	66,0	68,1	69,2	62,5	70,3	63,4	71,1	72,4	72,0	71,7	9,2%	-0,4%
Lithuania	59,8	67,5	68,1	73,3	77,7	78,6	79,2	80,5	80,6	81,1	80,4	34,4%	-0,9%
Luxembourg	384,8	400,5	387,2	412,6	403,1	431,4	487,5	465,4	485,2	503,1	492,6	28,0%	-2,1%
Malta	331,4	259,0	337,7	348,3	288,3	309,6	322,7	333,9	342,4	255,0	292,8	-11,6%	14,8%
Netherlands	101,7	102,8	104,8	102,1	102,4	102,9	102,9	102,4	102,8	103,4	102,3	0,6%	-1,1%
Poland	114,1		137,1		125,7	133,3	138,2	143,7	150,0	156,6	163,0	42,8%	4,1%
Portugal	270,2	275,9	282,8	263,8	295,6	304,4	315,0	322,5	321,6	327,8	338,5	25,3%	3,3%
Romania	98,2	117,0	104,3	119,6	118,2	117,9	117,9	121,3	122,1	122,4	121,4	23,6%	-0,9%
Slovak Republic	96,3	102,3	107,5	110,4	113,0	110,9	112,1	113,3	114,8	119,0	118,4	23,0%	-0,5%
Slovenia	68,8	74,2	79,0	80,9	82,8	84,0	85,0	86,5	87,0	88,1	88,4	28,5%	0,4%
Spain	285,5		290,7		305,3	308,8	304,6	302,3	303,6	304,9	308,9	8,2%	1,3%
Sweden	54,9	56,2	57,2	58,9	57,7	58,4	58,6	58,1	60,3	61,6	62,5	13,8%	1,4%
<b>Average</b>	164,8	163,7	172,8	174,7	177,6	182,0	187,1	190,4	192,0	189,8	198,7	24%	5%
<b>Median</b>	107,5	107,6	112,5	116,5	114,2	114,9	117,9	121,3	119,8	122,4	132,1	24%	1%
<b>Minimum</b>	35,7	36,9	38,7	58,9	57,7	58,4	58,6	58,1	60,3	61,6	62,5	-12%	-2%
<b>Maximum</b>	384,8	400,5	387,7	412,6	425,0	443,7	487,5	474,0	485,2	503,1	505,2	107%	76%
<b>Nb of values</b>	27	25	27	25	27	27	27	27	27	27	27	27	27
<b>% of NA</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

\*Before 2017, Cyprus also included "legal advisors", who cannot represent clients in court.

Finland: Since 2015, the number of lawyers provided includes both the number of lawyers working in the private sector and the number of lawyers working in the public sector. Before 2015 the number given only included the members of the Finnish Bar Association who are entitled to use the professional titles.

**Table 7.7.2 Evolution of the number of professional judges and lawyers per 100 000 inhabitants from 2012 to 2021 (Q1, Q46, Q146)**

States	2012		2013		2014		2015		2016		2017		2018		2019		2020		2021		2022	
	Professional judges	Lawyers																				
Austria	18,3	68,1	18,4	68,4	18,9	69,2	18,6	70,5	27,4	70,2	28,2	71,9	27,3	73,5	29,5	74,9	29,0	75,1	26,6	76,6	29,4	76,7
Belgium	14,3	155,3	14,4	159,6	14,3	161,8	14,3	163,3	14,1	163,7	13,8	163,5	13,3	163,2	13,3	165,4	13,2	163,8	14,4	165,6	14,4	165,1
Bulgaria	30,7	164,9	30,2	165,8	30,8	176,3	31,1	181,9	31,8	190,1	31,7	194,6	31,8	194,9	31,9	199,7	31,6	201,9	32,1	198,9	33,9	209,2
Croatia	45,3	103,0	45,0	103,8	44,4	106,2	44,5	108,8	43,3	112,9	43,2	114,9	40,7	116,7	41,4	117,1	40,7	119,8	42,4	129,2	42,4	129,3
Cyprus	11,9	295,4	11,8	337,5	11,3	362,9	13,3	378,2	13,1	425,0	13,9	443,7	13,5	458,0	13,0	474,0	14,1	476,9	14,3	483,8	15,5	505,2
Czech Republic	29,1	104,1	29,1	97,6	28,8	112,5	28,6	116,5	28,4	106,9	28,4	109,4	28,4	105,0	28,2	114,2	28,1	114,6	28,4	117,8	28,2	132,1
Denmark	6,6	107,5	6,3	107,6	6,7	108,4	6,6	109,2	6,5	108,5	6,5	111,6	6,5	113,0	6,4	117,5	6,6	117,6	6,6	120,3	6,5	123,0
Estonia	17,7	65,8	17,2	66,7	17,6	71,1	17,8	73,7	17,6	75,5	17,3	77,8	17,7	78,9	17,3	81,2	17,6	82,4	17,7	80,7	17,8	81,7
Finland	18,1	35,7	18,1	36,9	18,1	38,7	18,1	64,7	19,4	68,9	19,0	69,8	19,6	71,8	19,7	72,8	19,5	73,9	20,9	75,2	20,6	73,7
France	10,7	85,7	10,7	91,5	10,5	93,6	10,5	93,2	10,4	97,7	10,5	99,7	10,9	99,9	11,1	102,6	11,2	104,0	11,2	104,7	11,3	106,6
Germany	24,7	200,5	23,9	201,4	23,9	202,4	23,6	200,3	24,2	200,1	24,3	199,2	24,5	198,9	24,7	199,5	25,0	199,2	25,2	198,9	24,7	195,8
Greece	23,3	380,7	35,0	381,3	20,6	387,7	20,3	388,9	25,8	390,3	26,6	389,1	26,8	399,9	26,9	396,3	36,0	416,1	37,6	404,9	37,3	441,5
Hungary	27,9	131,2	28,4	131,6	28,5	131,9	28,6	132,2	28,7	114,2	28,6	113,3	30,2	132,6	29,5	130,2	28,2	115,6	28,0	119,9	27,7	210,6
Ireland	3,1	240,8	3,2	243,7	3,5	250,5	3,4	255,3	3,5	261,8	3,3	262,7	3,3	270,6	3,4	301,0	3,3	282,4	3,3	262,2	3,3	275,3
Italy	10,6	379,0	11,0	379,0	11,4	368,2	10,9	390,9	10,6	378,4	10,8	382,9	11,6	388,3	11,8	392,6	11,9	398,2	12,1	389,6	12,2	398,7
Latvia	21,5	65,7	23,8	66,0	24,4	68,1	25,0	69,2	25,5	62,5	25,1	70,3	29,1	63,4	27,3	71,1	29,1	72,4	29,1	72,0	28,3	71,7
Lithuania	25,6	59,8	26,2	67,5	25,8	68,1	26,4	73,3	27,3	77,7	27,3	78,6	27,1	79,2	26,8	80,5	26,5	80,6	25,6	81,1	26,1	80,4
Luxembourg	34,1	384,8	32,7	400,5	32,7	387,2	32,5	412,6	31,7	403,1	32,9	431,4	36,2	487,5	36,1	465,4	36,1	485,2	35,6	503,1	35,1	492,6
Malta	9,5	331,4	9,8	259,0	9,3	337,7	9,3	348,3	9,8	288,3	9,0	309,6	9,5	322,7	8,7	333,9	8,2	342,4	9,1	255,0	9,0	292,8
Netherlands	14,4	101,7	14,1	102,8	14,0	104,8	13,9	102,1	13,6	102,4	14,8	102,9	14,6	102,9	14,5	102,4	14,9	102,8	15,1	103,4	15,0	102,3
Poland	26,2	114,1			26,2	137,1			26,0	125,7	26,1	133,3	25,5	138,2	25,3	143,7	25,2	150,0	25,8	156,6	28,0	163,0
Portugal	19,2	270,2	19,4	275,9	19,2	282,8	19,2	263,8	19,3	295,6	20,0	304,4	19,3	315,0	19,4	322,5	19,4	321,6	19,5	327,8	19,5	338,5
Romania	20,2	98,2	22,6	117,0	20,5	104,3	23,3	119,6	23,6	118,2	23,9	117,9	24,1	117,9	24,5	121,3	24,0	122,1	24,1	122,4	22,9	121,4
Slovak Republic	24,2	96,3	24,8	102,3	24,4	107,5	23,8	110,4	24,1	113,0	25,3	110,9	25,3	112,1	25,1	113,3	23,9	114,8	25,5	119,0	25,7	118,4
Slovenia	47,1	68,8	46,1	74,2	44,8	79,0	43,5	80,9	42,6	82,8	41,6	84,0	41,7	85,0	41,7	86,5	41,5	87,0	40,8	88,1	40,7	88,4
Spain	11,2	285,5			11,5	290,7			11,5	305,3	11,5	308,8	11,5	304,6	11,3	302,3	11,2	303,6	11,4	304,9	11,9	308,9
Sweden	11,8	54,9	11,7	56,2	11,8	57,2	11,8	58,9	11,8	57,7	11,8	58,4	11,9	58,6	11,5	58,1	11,6	60,3	11,9	61,6	11,7	62,5
Average	20,6	164,8	21,4	163,7	20,5	172,8	20,8	174,7	21,2	177,6	21,3	182,0	21,5	187,1	21,5	190,4	21,8	192,0	22,0	189,8	22,2	198,7
Median	19,2	107,5	19,4	107,6	19,2	112,5	19,2	116,5	23,6	114,2	23,9	114,9	24,1	117,9	24,5	121,3	23,9	119,8	24,1	122,4	22,9	132,1
Minimum	3,1	35,7	3,2	36,9	3,5	38,7	3,4	58,9	3,5	57,7	3,3	58,4	3,3	58,6	3,4	58,1	3,3	60,3	3,3	61,6	3,3	62,5
Maximum	47,1	384,8	46,1	400,5	44,8	387,7	44,5	412,6	43,3	425,0	43,2	443,7	41,7	487,5	41,7	474,0	41,5	485,2	42,4	503,1	42,4	505,2
% of NA	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Cyprus: Before 2017, the "legal advisors", who cannot represent clients in court were also included.

Finland: Since 2015, the number of lawyers provided includes both the number of lawyers working in the private sector and the number of lawyers working in the public sector. Before , the number included only the members of the Finnish Bar Association who are entitled to use the professional title "advokat" (advocate).

Italy: Administrative justice has been taken into account since 2018.

# **EC Templates - Professional judges and lawyers**

**Table 7.8 (EC) Total number of professional judges sitting in courts per 100 000 inhabitants from 2012 to 2022 (Q1, Q46)**

States	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	20	18,3	18,4	18,9	18,6	27,4	NA	27,3	29,5	29,0	26,6	29,4
Belgium	1	14,3	14,4	14,3	14,3	14,1	NA	13,3	13,3	13,2	14,4	14,4
Bulgaria	2	30,7	30,2	30,8	31,1	31,8	NAP	31,8	31,9	31,6	32,1	33,9
Croatia	11	45,3	45,0	44,4	44,5	43,3	NAP	40,7	41,4	40,7	42,4	42,4
Cyprus	13	11,9	11,8	11,3	13,3	13,1	NAP	13,5	13,0	14,1	14,3	15,5
Czech Republic	3	29,1	29,1	28,8	28,6	28,4	NAP	28,4	28,2	28,1	28,4	28,2
Denmark	4	6,6	6,3	6,7	6,6	6,5	NA	6,5	6,4	6,6	6,6	6,5
Estonia	6	17,7	17,2	17,6	17,8	17,6	NAP	17,7	17,3	17,6	17,7	17,8
Finland	26	18,1	18,1	18,1	18,1	19,4	NAP	19,6	19,7	19,5	20,9	20,6
France	10	10,7	10,7	10,5	10,5	10,4	NA	10,9	11,1	11,2	11,2	11,3
Germany	5	24,7	23,9	23,9	23,6	24,2	NA	24,5	24,7	25,0	25,2	24,7
Greece	8	23,3	35,0	20,6	20,3	25,8	NAP	26,8	26,9	36,0	37,6	37,3
Hungary	17	27,9	28,4	28,5	28,6	28,7	2 235,0	30,2	29,5	28,2	28,0	27,7
Ireland	7	3,1	3,2	3,5	3,4	3,5	NAP	3,3	3,4	3,3	3,3	3,3
Italy	12	10,6	11,0	11,4	10,9	10,6	NA	11,6	11,8	11,9	12,1	12,2
Latvia	14	21,5	23,8	24,4	25,0	25,5	NAP	29,1	27,3	29,1	29,1	28,3
Lithuania	15	25,6	26,2	25,8	26,4	27,3	NAP	27,1	26,8	26,5	25,6	26,1
Luxembourg	16	34,1	32,7	32,7	32,5	31,7	NAP	36,2	36,1	36,1	35,6	35,1
Malta	18	9,5	9,8	9,3	9,3	9,8	NAP	9,5	8,7	8,2	9,1	9,0
Netherlands	19	14,4	14,1	14,0	13,9	13,6	NA	14,6	14,5	14,9	15,1	15,0
Poland	21	26,2		26,2		26,0	NA	25,5	25,3	25,2	25,8	28,0
Portugal	22	19,2	19,4	19,2	19,2	19,3	NAP	19,3	19,4	19,4	19,5	19,5
Romania	23	20,2	22,6	20,5	23,3	23,6	NAP	24,1	24,5	24,0	24,1	22,9
Slovak Republic	25	24,2	24,8	24,4	23,8	24,1	NA	25,3	25,1	23,9	25,5	25,7
Slovenia	24	47,1	46,1	44,8	43,5	42,6	NA	41,7	41,7	41,5	40,8	40,7
Spain	9	11,2		11,5		11,5	NA	11,5	11,3	11,2	11,4	11,9
Sweden	27	11,8	11,7	11,8	11,8	11,8	NA	11,9	11,5	11,6	11,9	11,7

**Austria:** The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

**Greece:** Unlike 2014 and 2015 data, since 2016 data on number of professional judges includes all the ranks for second instance criminal as well as administrative judges.

**Italy:** The administrative courts' judges have been included since 2018.

**Poland:** Starting from 2020, the number of Supreme Court judges include also judges of the Supreme Administrative Court.

**Table 7.9 (EC) Number of lawyers\* per 100 000 inhabitants from 2012 to 2022 (Q1, Q146)**

States	EC Code	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	20	68,1	68,4	69,2	70,5	70,2	71,9	73,5	74,9	75,1	76,6	76,7
Belgium	1	155,3	159,6	161,8	163,3	163,7	163,5	163,2	165,4	163,8	165,6	165,1
Bulgaria	2	164,9	165,8	176,3	181,9	190,1	194,6	194,9	199,7	201,9	198,9	209,2
Croatia	11	103,0	103,8	106,2	108,8	112,9	114,9	116,7	117,1	119,8	129,2	129,3
Cyprus	13	295,4	337,5	362,9	378,2	425,0	443,7	458,0	474,0	476,9	483,8	505,2
Czech Republic	3	104,1	97,6	112,5	116,5	106,9	109,4	105,0	114,2	114,6	117,8	132,1
Denmark	4	107,5	107,6	108,4	109,2	108,5	111,6	113,0	117,5	117,6	120,3	123,0
Estonia	6	65,8	66,7	71,1	73,7	75,5	77,8	78,9	81,2	82,4	80,7	81,7
Finland	26	35,7	36,9	38,7	64,7	68,9	69,8	71,8	72,8	73,9	75,2	73,7
France	10	85,7	91,5	93,6	93,2	97,7	99,7	99,9	102,6	104,0	104,7	106,6
Germany	5	200,5	201,4	202,4	200,3	200,1	199,2	198,9	199,5	199,2	198,9	195,8
Greece	8	380,7	381,3	387,7	388,9	390,3	389,1	399,9	396,3	416,1	404,9	441,5
Hungary	17	131,2	131,6	131,9	132,2	114,2	113,3	132,6	130,2	115,6	119,9	210,6
Ireland	7	240,8	243,7	250,5	255,3	261,8	262,7	270,6	301,0	282,4	262,2	275,3
Italy	12	379,0	379,0	368,2	390,9	378,4	382,9	388,3	392,6	398,2	389,6	398,7
Latvia	14	65,7	66,0	68,1	69,2	62,5	70,3	63,4	71,1	72,4	72,0	71,7
Lithuania	15	59,8	67,5	68,1	73,3	77,7	78,6	79,2	80,5	80,6	81,1	80,4
Luxembourg	16	384,8	400,5	387,2	412,6	403,1	431,4	487,5	465,4	485,2	503,1	492,6
Malta	18	331,4	259,0	337,7	348,3	288,3	309,6	322,7	333,9	342,4	255,0	292,8
Netherlands	19	101,7	102,8	104,8	102,1	102,4	102,9	102,9	102,4	102,8	103,4	102,3
Poland	21	114,1		137,1		125,7	133,3	138,2	143,7	150,0	156,6	163,0
Portugal	22	270,2	275,9	282,8	263,8	295,6	304,4	315,0	322,5	321,6	327,8	338,5
Romania	23	98,2	117,0	104,3	119,6	118,2	117,9	117,9	121,3	122,1	122,4	121,4
Slovak Republic	25	96,3	102,3	107,5	110,4	113,0	110,9	112,1	113,3	114,8	119,0	118,4
Slovenia	24	68,8	74,2	79,0	80,9	82,8	84,0	85,0	86,5	87,0	88,1	88,4
Spain	9	285,5		290,7		305,3	308,8	304,6	302,3	303,6	304,9	308,9
Sweden	27	54,9	56,2	57,2	58,9	57,7	58,4	58,6	58,1	60,3	61,6	62,5

\*Before 2017, Cyprus also included "legal advisors", who cannot represent clients in court.

**Finland:** Since 2015, the number of lawyers provided includes both the number of lawyers working in the private sector and the number of lawyers working in the public sector. Before 2015 the number given only included the members of the Finnish Bar Association who are entitled to use the professional titles advokat (advocate).

# Indicator 7: Professionals of justice

## comments provided by the national correspondents

### organised by country

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

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

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

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

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

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

Question 056. Number of heads of prosecution offices.

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

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

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

Question 133. Do judges and public prosecutors have additional benefits?

Question 146. Total number of lawyers practising in your country:

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

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

### Austria

**Q004 (General Comment):** Since the 2010 evaluation, the provided figure corresponds to the average gross income including taxes and social expenses borne by the employee, but not employer's contribution for social insurance. This is in line with the figures given in question 132 (gross annual salary of judges and prosecutors).

**Q004 (2022):** Source: Statistik Austria

**Q004 (2019):** 2018 data has been communicated, pending 2019 data.

**Q046 (General Comment):** For the all exercises, data have been provided in full time equivalent. The first instance judges sit in District and partly regional courts as well as in administrative courts. The second instance judges sit in partly regional courts and Courts of appeal. The last instance includes judges sitting in the Supreme Court and the Supreme Administrative Court.

**Q046 (2019):** Data in full time equivalent

1.: district courts and partly regional courts + administrative courts 2.: courts of appeal and partly regional courts

**Q046 (2018):** Data in full time equivalent

1.: district and regional Courts + administrative court

2.: courts of appeal

**Q046 (2017):** The data also include those of administrative courts.

**Q046 (2016):** This cycle administrative courts were taken into account for the first time.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

**Q046 (2015):** The right (not rounded) numbers are:

TotalMalesFemales

Total number of professional judges (1 + 2 + 3)1620,65 - 790,52 - 830,13

1. Number of first instance professional judges1222,95 - 559,08 - 663,87

2. Number of second instance (court of appeal) professional judges 330,35 - 187,75 - 142,60

3. Number of supreme court professional judges 67,35 - 43,69 - 23,66

Data in full time equivalent

1.: district and partly regional courts

2.: partly regional courts and courts of appeal

**Q046 (2014):** For 2014, the numerical values in the table have been rounded. The most exact replies would be: Total: 1 620,04 (789,68 Male, 830,36 Female); first instance professional judges: 1 224,36 (556,01 Male, 668,35 Female); second instance professional judges: 329,63 (190,78 Male, 138,85 Female); Supreme court professional judges: 66,05 (42,89 Male, 23,16 Female). In 2014, some judges entitled to adjudicate in different law fields have been counted twice.

**Q046 (2013):** In 2013, the different tasks had been assigned to the full time equivalent judges, distinguishing between dealing with first and second instance court proceedings on the one hand and administrative tasks on the other hand.

**Q046 (2012):** In 2012, in contrast with previous evaluations, the different tasks had been more exactly assigned to the full time equivalent judges, distinguishing between dealing with first and second instance court proceedings on the one hand and administrative tasks on the other hand.

**Q052 (General Comment):** Starting from 2021, the "Kanzlei" who are responsible for handling of case files are no more counted as "other staff" but as "staff in charge of different administrative tasks and of the management of the courts". Moreover, starting from 2021, "technical staff" also includes staff working at the courts' IT departments. "Other staff" only includes trainees (including trainees for Rechtspfleger) and staff representation. The trainees concerned are nearly all trained for the handling of case files. A small number of trainees is trained for IT-support. Generally speaking, in the last years, efforts were made to enhance the methodology of presentation of data for Q52 and ensure better compliance with the CEPEJ categorization.

**Q052 (2021):** Starting from 2021, the "Kanzlei" who are responsible for handling of case files are no more counted as "other staff", but as "staff in charge of different administrative tasks and of the management of the courts". "Other staff" only includes trainees (including trainees for Rechtspfleger) and staff representation. Moreover, starting from 2021, "technical staff" also includes staff working at the courts' IT departments, therefore the number is higher than in previous years.

**Q052 (2020):** "Other": Handling of case files ("Kanzlei")

2. Non-judge (judicial) staff whose task is to assist the judges: the increased number concerns administrative courts.

**Q052 (2019):** Non-judge staff whose task is to assist the judges: more staff at the administrative courts

Staff in charge of different administrative tasks and of the management of the courts: more staff

Other: Handling of case files ("Kanzlei")

**Q052 (2018):** Handling of case files ("Kanzlei")

**Q052 (2017):** The data also include those of administrative courts.

**Q052 (2016):** This cycle administrative courts were taken into account for the first time.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

**Q052 (2015):** The right (not rounded) numbers are:

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5) 4734,55 - 1407,08 - 3327,47

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal798,11 - 331,63 - 466,48

2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions) 19,05 - 1 - 18,05

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)439,56 - 155,86 - 283,70

4. Technical staff21,70 - 9,85 - 11,85

5. Other non-judge staff3456,13 - 908,74 - 2547,39

**Q052 (2014):** The numerical values in the table have been rounded. The most exact replies for this period would be: total non-judge staff: 4 704,51 (1 388 Male, 3 316,51 Female); Rechtspfleger: 784,78 (320,21 Male, 464,57 Female); non-judge staff whose task is to assist the judges: 19,18 (1 Male, 18,18 Female); staff in charge of different administrative tasks: 438,97 (159,85 Males, 279,12 Females); technical staff: 23,05 (9,95 Males, 13,10 Females); other non-judge staff: 3 438,53 (896,99 Males, 2 541,54 Females).

**Q055 (General Comment):** Data is presented in full time equivalent.

**Q055 (2014):** The numerical values provided in the table are rounded. The accurate figures are: total – 344,83 (171,52 males and 173,31 females); prosecutors at first instance level – 308,69 (147,13 males and 161,56 females); prosecutors at second instance (court of appeal) level – 20,94 (13,04 males and 7,90 females); prosecutors at Supreme Court level – 15,20 (11,35 males and 3,85 females).

**Q055 (2012):** In 2012, the various tasks were more exactly assigned to the number of full time equivalents - dealing with tasks of the prosecution on the one hand and the administrative tasks on the other hand.

**Q056 (General Comment):** Data are presented in full time equivalent.

**Q056 (2022):** Starting from 2022, the data provided in the table correspond to persons who exercise the function of head of prosecution office. Previous data were expressed in FTE.

**Q056 (2014):** The numerical values provided are rounded. The accurate figures are: total – 26,64 (16,79 males/9,85 females); heads of prosecution offices at first instance level – 19,60 (12,50 males/7,10 females); heads of prosecution offices at second instance level – 6,49 (3,89 males/2,60 females); heads of prosecution offices at Supreme Court level – 0,55 (0,40 males/0,15 females).

**Q057 (2022):** The agents of public prosecutor's offices ("Bezirksanwälte") are judicial officers with legal training, and are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor (Quite similar to the "Rechtspfleger", but with a lower range of competence); starting from 2022, agents of public prosecutor's offices in training are included in the frame of Q60.

**Q057 (2020):** The agents of public prosecutor's offices ("Bezirksanwälte") are judicial officers with legal training, and are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor (Quite similar to the "Rechtspfleger", but with a lower range of competence); agents of public prosecutor's offices in training included

**Q057 (2018):** The agents of public prosecutor's offices ("Bezirksanwälte") are judicial officers with legal training, and are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor (Quite similar to the "Rechtspfleger", but with a lower range of competence); agents of public prosecutor's offices in training included.

**Q057 (2016):** The agents of public prosecutor's offices ("Bezirksanwälte") are judicial officers with legal training, and are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor (Quite similar to the "Rechtspfleger", but with a lower range of competence).

**Q060 (2022):** Staff in charge of different administrative tasks and of the management of the prosecution offices  
Technical staff

Trainees (including trainees for Bezirksanwälte) and staff representation

**Q132 (2022):** Judges/prosecutors are first placed into a certain pay grade according to their position within the judiciary system (e.g. regional courts, supreme court, administrative courts, etc.), where they receive the according base salary (§ 66 RStDG / § 190 RStDG). Every four years the salary increases by a fixed amount up until a certain maximum. Judges and public prosecutors in certain senior positions, such as the head of a district court, the vice president or president of a court of first instance or the head of a senior public prosecutor's office/public prosecutor's office, are entitled to a service allowance (between EUR 171.90 and EUR 1332.30 as at 31 December 2022). The service allowance is part of the monthly salary. The service allowance is part of the monthly payment together with the salary.

In principle, it could be stated that the salary covers all additional work performed by judges and public prosecutors in terms of quantity and time. Administrative Courts:

First instance professional judge at the beginning of his/her career: Gross annual salary: EUR 78545

Net annual salary: EUR 49400

Judge of the Administrative Supreme Court: Gross annual salary: approx. EUR 142000

**Q132 (2021):** Administrative Courts:

First instance professional judge at the beginning of his/her career: Gross annual salary: EUR 75700

Net annual salary: EUR 46900

Judge of the Administrative Supreme Court: Gross annual salary: EUR 133000

**Q132 (2020):** Administrative Courts:

First instance professional judge at the beginning of his/her career: Gross annual salary: EUR 75000

Net annual salary: EUR 46600

Judge of the Administrative Supreme Court: Gross annual salary: EUR 130000

**Q132 (2019):** Administrative Courts - First instance professional judge at the beginning of his/her Career:

Gross annual salary, in €: 72.900 Net annual salary, in €: 45.100

**Q132 (2018):** Gross annual Salary in € on 31 Dec 2018 First instance professional judge at the beginning of his/her career 53 865

Judge of the Supreme Court or the Highest Appellate Court : 131 227,88

Public prosecutor at the beginning of his/her career: 57 158,80

Public prosecutor of the Supreme Court or the Highest Appellate Instance : 131 227,88

Administrative court:

first instance professional Judge at the beginning of his/her Career: 69 600,00

Judge of the Supreme Court or the Highest Appellate Court: 126 000

**Q132 (2016):** Because of the requirement of numerical values the numerical values in the table above are rounded. the correct and exact answer is:

Gross annual Salary in € on 31 Dec 2016 (= Gross annual Salary in local currency on 31 dec 2016):

First instance professional judge at the beginning of his/her career: 59 962,40

Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President): 126 594,16

Public prosecutor at the beginning of his/her career: 55 139

Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Public prosecutor General): 126 594,16

**Q132 (2014):** For 2014, the numerical values in the table are rounded. The correct and exact reply concerning the gross annual salary in Euros on 31 December 2014 is: first instance professional judges at the beginning of their career: 50 402,80 Euros; judges of the Supreme Court or the Highest appellate Court: 121 651,25 Euros; public prosecutors at the beginning of their career: 53 485,60 Euros; public prosecutors of the Supreme Court or the Highest appellate instance: 121651,25 Euros.

**Q133 (General Comment):** Judges at Administrative Courts get the same benefits as functionaries (e.g. anniversary reward, child allowance, possibly cost of living bonus, travel fees of transportation allowance)

**Q133 (2018):** Judges at Administrative Courts get the same benefits as functionaries (e.g. anniversary reward, child allowance, possibly cost of living bonus, travel fees of transportation allowance)

**Q133 (2016):** Judges at Administrative Courts get the same benefits as officials (i.e. anniversary reward, child allowance, possibly costs of living Bonus, travel fees or Transportation allowance).

**Q146 (2021):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31 December 2021 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)). The data only include lawyers registered in the list of Austrian lawyers, lawyers registered in the list of established European lawyers according to the Lawyers' Directives registered by 31 December 2021. It does not include legal advisors as such a professions/type of service provider does not exist in Austria.

**Q146 (2017):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2017 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)).

The data only includes lawyers registered in the list of Austrian lawyers (6.238), lawyers registered in the list of established European lawyers (87) registered by 31st of December 2017. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

**Q146 (2016):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2016 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)).

The data only includes lawyers registered in the list of Austrian lawyers (6.132), lawyers registered in the list of established European lawyers (84) registered by 31st of December 2016. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

**Q146 (2015):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2015 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)). The data only includes lawyers registered in the list of Austrian lawyers (6.057), lawyers registered in the list of established European lawyers (81) registered by 31st of December 2015. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

**Q146 (2014):** The 2014 data includes lawyers registered in the list of Austrian lawyers (5940), lawyers registered in the list of established European lawyers (80) and trainee lawyers (2072) registered by 31 December 2014. It does not encompass solicitors or legal advisors as such professions do not exist in Austria.

**Q147 (2017):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2017 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)).

The data only includes lawyers registered in the list of Austrian lawyers (6.238), lawyers registered in the list of established European lawyers (87) registered by 31st of December 2017. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

**Q147 (2016):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2016 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)). The data only includes lawyers registered in the list of Austrian lawyers (6.132), lawyers registered in the list of established European lawyers (84) registered by 31st of December 2016. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

**Q147 (2015):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2015 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)). The data only includes lawyers registered in the list of Austrian lawyers (6.057), lawyers registered in the list of established European lawyers (81) registered by 31st of December 2015. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

## Belgium

**Q004 (2021):** The average gross annual salary is 44022,8 euros, source National Bank of Belgium.

**Q004 (2020):**

Answer provided based on the latest data published by the National Accounts (April 2021).

**Q004 (2019):** Average gross annual salary for employees (both full-time and part-time).

**Q004 (2016):** Average gross salary for a full-time employee (without exceptional bonuses and vacation pay)

**Q046 (2022):** Since 2021, the table also includes data for the Council of State and the Council of Alien Law Litigation, counted as first-instance judges. Following a recent expansion of the framework, the number of councillors at the Council of State has increased from 44 to 58 (Law of September 6, 2022). However, in 2022 there were only 30 men and 12 women serving as judges at the Council of State (totaling to 42), with some positions still vacant by late 2022. Therefore, only a total of 42 was accounted for in the table. The current established framework is set at 58 councillors. For the Council for Alien Law Litigation, you will find 54 judges (including women and 21 men).

**Q046 (2021):** Source: FPS Justice, Directorate-General for the Judiciary, HR Department Judiciary, Notaries and Enforcement agents.

Point 3 concerns judges of the Court of Cassation.

As for the previous cycles, the table contains data for the civil and criminal courts. For this cycle, the (administrative) judges of the Council of State and of the Aliens Litigation Council (41 and 55 judges respectively) have been added to the table. With regard to the administrative judges of the Council of State (as for the Aliens Litigation Council), it is decided to count them as first instance judges. It should be noted, however, that judges of the Council of State intervene both at first and last instance. The number of judges at the Council of State is 44 members and for the Aliens Litigation Council it is 55. For the Aliens Litigation Council, the total of 55 is broken down as follows: 32 female judges - 23 male judges, of whom the first president and the president are men. For the Council of State, the situation is as follows: in principle, the Council is composed of 44 members (1 first president, 1 president, 14 chamber presidents and 28 councillors of State); in practice, 41 members are currently in office (two recent retirements and one death); 20 Dutch-speaking and 21 French-speaking; 12 women and 29 men. It is worth mentioning that an extension of the framework of the Council of State is provided for by a law of 6 September 2022 (which amended article 69 of the laws on the Council of State, coordinated on 12 January 1973). The Council will now consist of 58 members. These new members have not yet been recruited.

**Q046 (2020):** "No particular reason for the increase in the number of female second instance judges; related to natural evolution (more women in the first degree means, after a while, a larger base for recruitment to the appellate degree). As in previous cycles, the table contains data for the judicial courts. The number of judges in the Council of State is 44 members and for the Council of Foreigners' Disputes it is 54 judges. "

**Q046 (2019):** Number of judges in courts within the ambit of the Federal Public Service of Justice (ordre judiciaire)

**Q046 (2018):** As a result of the reform of the cantons of justice of the peace, the number of places for justices of the peace has decreased by 25.

**Q046 (2014):** For 2014, the number of professional judges includes presidents of courts.

**Q046 (2013):** The 2013 data on the number of professional judges reflects the situation as at 18 January 2014.

**Q046-2 (2022):** It is to be noted that the Council of State (comprising 42 councillors in 2022, and whose framework was extended to 58 by a law in September 2022) also adjudicates as a court of last instance. It has been decided under Q46 and Q46-2 to consider the Council of State as a court of first instance, The Asylum and Immigration Tribunal Counts 54 judges reckoned as administrative judges of first instance.

**Q046-2 (2020):** The system does not allow part-time work for judges. Data by type of case are not known. Judges are appointed at the court level, and the head of the court assigns them to the different chambers of the court and allocates cases.

**Q052 (2022):** The variance in comparison to the 2020 data for points 2 and 3 stems for the inclusion of legal aides supporting judges, who were previously categorized under point 3 (with administrative staff) rather than point 2.

**Q052 (2019):** "Technical personnel": the slight increase observed between 2018 and 2019 results from investments in personnel.

**Q052 (2013):** The number of women per category is as follows: Total: 3839,45; category 2: 1212,62; category 3: 2031,93; category 4: 594,90.

**Q052 (2012):** The 2d category "non-judge staff whose task is to assist the judges such as registrars" covers clerks and referendaries; the 3d category "staff in charge of different administrative tasks" includes HRM staff, seconded staff to specific authorities of the judicial organisation and administrative staff of the court registry. This distribution can be presented with the following figures: Total: 5457,95 (3930,35 women); 2: 1707,72 (1166,52 women); 3: 2766,23 (2075,73 women); 5: 984 (688,10 women).

**Q052-1 (2022):** The lack of correspondence between the total for Q52 and Q52-1 is due to the technical staff not being included in the table under question 52-1. These employees operate at three different levels, and their number (593) cannot be divided among these levels.

**Q052-1 (2021):** Source: Directorate P&O - HR Department Judicial staff - Directorate General Judicial Organisation, Federal Public Service Justice (FPS Justice)

**Q052-1 (2020):** Source: HR Service Judicial Personnel-Directorate General Judicial Organization, FPS Justice

**Q055 (2021):** Source: FPS Justice - Directorate General for the Judiciary, HR Department of the Judiciary, Notaries and Enforcement agents

**Q055 (2020):** Support Service of the College of Public Prosecutors

**Q055 (2014):** In 2014, the number of professional prosecutors includes the heads of division of the 15 public prosecutors' offices and the heads of the 8 prosecution offices within labour courts.

**Q056 (General Comment):** Of the 6 heads of department in the public prosecution service at second instance, the federal prosecutor is included.

**Q056 (2014):** In 2014, the number of first instance prosecutors' offices and prosecution offices within labour courts was reduced, resulting in a decrease in the number of heads of prosecution services. The decrease between 2012 and 2014 in the number of court presidents and heads of prosecution offices in first instance (male and female) is due to the reform of the judicial map concerning first instance courts.

**Q057 (General Comment):** Note that there is the possibility for the competent Attorney General to authorize permanently appointed public prosecutors to exercise public action before police courts in certain cases. This requires a motivated individual order and after positive opinion of the competent Attorney General (cf. Article 162 § 2 of the Judicial Code).

**Q057 (2016):** By a reasoned individual order and after a positive opinion has been given by the competent public prosecutor, permanently appointed public prosecutors may bring a public action before the police court, except in the case of involuntary death as a result of a traffic accident, in so far as they can prove at least two years' seniority as a lawyer in the judiciary.

**Q060 (2020):** V: 1694

M: 730

**Q132 (General Comment):** Remuneration is subject to financial seniority, with an increase every three years. The calculation of net salary depends on individual parameters (based on the situation of the person concerned, married, number of dependent children etc.) and therefore cannot be described in general terms. The following deductions are made from gross salary: health insurance contributions, survivor's pension contributions, special social security contribution, withholding tax.

**Q132 (2019):** Judge at the court of first instance or deputy king's prosecutor, with three years of seniority (beginning of career) married and two dependent children.

Advisor to the Supreme Court with 24 years of seniority, married and no dependent children.

Advocate General at the Supreme Court, with 24 years of service and no dependent children.

**Q132 (2016):** Judge at the Court of First Instance or Deputy Crown Prosecutor, with three years seniority (beginning of career) married and two dependent children

Councillor at the Court of Cassation with 24 years seniority, married, no dependent children

Advocate General at the Court of Cassation, with 24 years seniority, no dependent children

**Q133 (General Comment):** The magistrates are subject to a specific pension scheme (with a retirement age limit of 67 years + preferential fraction).

**Q133 (2022):** The magistrates are subject to a specific pension scheme (with a retirement age limit of 67 years + preferential pension fraction).

**Q133 (2021):** Judges and prosecutors have a specific pension scheme (age limit at 67 + preferential rate).

**Q133 (2020):** Magistrates have a specific pension scheme (age limit at 67 + preferential rate).

**Q146 (General Comment):** According to the latest "Barometer of the Legal Profession" (2020) conducted by the Order of Flemish Bars in collaboration with Ghent University (UGent) and Louvain University (KUL), as of December 2019, 64.8% of trainee lawyers were women. Conversely, 57.6% of registered lawyers who have completed their training were men. Similarly, as per the most recent "Barometer of the Legal Profession" (2018 – a new barometer is expected to be launched in 2022) carried out by AVOCATS.BE in collaboration with Liège University, aside from indicating an ongoing feminization trend within the profession, it also suggests that this feminization will significantly intensify in years to come. The majority among lawyers under 35 are women.

**Q146 (2022):** The total is composed as follows: 11,072 for the Order of Flemish Bars - Orde van Vlaamse Balies and 8,238 for the Order of French-speaking and German-speaking Bars (as of December 1st, 2022). It emerges from the latest barometers organized respectively by the Order of Flemish Bars - Orde van Vlaamse Balies and by the Order of French-speaking and German-speaking Bars that the legal profession is becoming more feminine in Belgium.

**Q146 (2021):** The figures are for the Orde Van Vlaamse Balies, 10 973, and for the Order of the French-speaking and German-speaking Bars, 8 188 as of 1 December 2021: a total of 19 161 lawyers.

Unfortunately, none of the Bars was able to provide figures by gender. The Bars report a stable annual increase. According to the latest "barometers of the profession" carried out by the Bar Associations (in 2018 and 2020), it seems that the legal profession is becoming more and more feminised, and the age pyramid suggests that this feminisation will increase in the years to come.

**Q146 (2020):** For the Order of the French- and German-speaking Bars: 8,160 and for the Orde van Vlaamse Balies (Order of the Flemish Bars) 10715--> total 18,875. According to a recent study (2020), in December 2019, 64.8% of trainee lawyers were women. On the other hand, 57.6% of the lawyers on the roll (who have completed the traineeship) were men. However, if these percentages are compared with those in previous similar studies, it must be concluded that the legal profession in Belgium is becoming more female.

**Q146 (2019):** The data correspond to the number of lawyers registered with the Belgian bars on September 1, 2019, therefore at the start of the judicial year 2019-2020. This number fluctuates during the judicial year.

Number of lawyers registered with Flemish bars: 10,862.

Number of lawyers registered with French and German speaking bars: 8,043.

**Q146 (2018):** 8002 for the French and German-speaking Bar Association  
10656 for the Flemish Bar Association (OVB)

**Q146 (2017):** 7 939 lawyers for the French and German-speaking Bar Association on 1 December 2017  
10 665 lawyers at the Flemish Bar (OVB)

**Q146 (2016):** 7,930 lawyers for the French- and German-speaking Bar Association on 1 December 2016  
10,602 lawyers at the Flemish Bar (OVB)

**Q146 (2015):** As at 1 December 2015, there were 7,882 French-speaking and German-speaking lawyers (avocats.be) and 10,520 Dutch-speaking lawyers (Orde van Vlaamse balies).

## **Bulgaria**

**Q004 (2021):** Preliminary data.

The minimum wage in the country has been risen with 6.6%. In section "Human health and social work activities" the average annual wage increased with 25.7% due to additional wage payments related with the health crisis. In section "Education" there was an increase of the teachers' wages and salaries and the increase in the section was 17.0%. High growth rate of wages and salaries in 2021 compared to 2020 (17.7%) was recorded in "Accommodation and food service activities" as the section started to recover after 2020 lockdowns.

**Q004 (2018):** NSI data

**Q004 (2016):** No explanation.

**Q046 (General Comment):** The number of first instance professional judges encompasses the judges of the first instance courts as follows - 113 district, 28 administrative, 3 military-district;

As well as the courts of second instance to be considered the 28 regional/provincial, 5 appellate and The Military Court of Appeal

Supreme Courts are the Supreme Court of Cassation and the Supreme Administrative Court

**Q046 (2022):** Regional courts have mixed competences as first and second instance for certain categories of cases, as for the purposes of the questionnaire, in view of the instructions for its completion and given their predominant competences, they are categorized as courts of second instance.

**Q046 (2021):** First instance courts – district, administrative, military district and Specialized Criminal Court.

Second instance courts (courts of appeal) – regional, appellate, Appellate Specialized Criminal Court and Military Appellate Court.

Supreme Courts – Supreme Court of Cassation and Supreme Administrative Court

**Q046 (2020):** Number of professional judges from district courts - 959, incl. men - 354 and women - 605. Annex: Summary information on the data as of 31.12.2020, received by all regional courts and all administrative courts, regarding the number of judges working in the first instance panels and the number of judges, who administer justice in the appellate / cassation panels, as well as data on how many of them are men and how many of them are women. It should be borne in mind that, according to the information received, in almost all courts, a large number of judges sit both at first instance and as second instance judges. Therefore, the sum of the number of first instance judges and the number of second instance judges should not give the total number of magistrates in the respective region/ administrative court. Number of professional judges from the Court of Appeal - 124, incl. men - 43 and women - 81.

**Q046 (2019):** 046/2. The indicated number of 134 judges refers only to the magistrates appointed and working in the 7 courts of appeal in Bulgaria. The calculation is made on the basis of the question itself, which draws attention only to the number of appellate judges (judges working in a court of appeal), as is evident from it - "professional judges of second instance / appellate court /". In almost all regional courts, most judges sit in both the first and second instance departments of the courts and this makes it difficult to differentiate them. This year all judges in regional courts are listed in 046/1 - Number of first instance professional judges.

**Q046 (2017):** P. 1 – The number of first instance professional judges consists of judges in 27 Regional courts within regional centres; 86 out of regional centres; 28 Administrative courts; 1 Specialized Criminal Court; 3 Military courts; and the number of the first instance judges in District courts has been added to them;  
P.2 – The number of the second instance judges consists of judges in 27 District courts; Sofia City Court; 5 Courts of Appeal; 1 Military court of appeal and 1 Appellate Specialized Criminal Court. This number does not include the second instance judges who have adjudicated in first instance panels.  
P.3- The number of working judges in the Supreme Court of Cassation and Supreme Administrative Court at 31.12.2017

**Q046 (2016):** P. 1 – The number of first instance professional judges consists of judges in 27 Regional courts within regional centres; 86 out of regional centres; 28 Administrative courts; 1 Specialized Criminal Court; 3 Military courts; and the number of first instance judges in District courts has been added to them;  
P.2 – The number of second instance judges consists of judges in 27 District courts; Sofia City Court; 5 Courts of Appeal; 1 Military court of appeal and 1 Appellate Specialized Criminal Court. This number does not include the second instance judges who have served in first instance courts. P.3- The number of working judges in the Supreme Court of Cassation and Supreme Administrative Court at 31.12.2016

**Q046 (2015):** 1. The figure 1760 includes the number of judges, employed at the 1st instance courts ((113 regional courts (27 Regional courts in the district centers and 86 regional courts outside the district centers); 28 Administrative courts; 1 Specialized criminal court; 3 Military courts) including the number of the first instance judges` (524) working in the first instance court formations in the District courts as from 31.12.2015. The number of Military courts has been reduced after decision under protocol ? 44/13.12.2013 of the Supreme Judicial Council from 5 to 3.

2. The number of judges, employed at the 2nd instance courts as from 31.12.2015 and the Courts of Appeal is 277. This figure is a result from the addition of the judges in the 28 District courts; 6 Courts of appeal and 1 Specialized criminal court of appeal – 801 judges in total, where the number of the first instance judges in the District courts (524) have been deducted.

3. The number of judges, employed in the Supreme Court of Cassation and the Supreme Administrative courts as from 31.12.2015 is 188.

**Q046 (2014):** In 2014, the number 1753 shows the number of judges employed in the first instance courts (113 regional, 28 administrative and 3 military courts) and 550 first instance judges, working in the district courts. The number of military courts was reduced from 5 to 3. The number of second instance judges is 277 and does not encompass first instance judges, working in the first instance chambers of the district courts.

**Q046-2 (General Comment):** Category "other": military judges

**Q046-2 (2022):** The total number of 1230 first-instance judges includes 922 district judges for whom no information regarding specialization is available, and military judges are listed in the "Other" column.

The total number of 778 judges of the second instance includes 37 junior judges for whom no information regarding specialization is available, and the judges of the Military Court of Appeal are listed in the "Other" column.

Regarding the Supreme Court of Cassation, the total number of 180 judges also includes the president of the court, for whom no information is available regarding specialization.

**Q046-2 (2021):** The total number of first-instance judges is 1258. It includes 991 district (first instance) judges, for whom there is no available information regarding the specialization, 236 administrative, 10 other (military) and 21 - judges at first instance Specialized Criminal Court.

The total number of second-instance judges includes also 59 junior judges, adjudicating at regional courts (second instance), for whom information on specialization is not available. 5 other are military judges.

The total number of supreme judges includes the president of the Supreme Court of Cassation, for whom there is no available information regarding the specialization.

**Q046-2 (2020):** The column "others" in question 46-2 refers to the military judges - 12 regional/provincial and 5 appellate - a total of 17.

The total number of judges in the district courts is 959, and the same, with the exception of the Sofia District Court, are not divided by subject matter. Therefore, data related to the number of first instance judges dealing with civil / commercial and criminal cases are not available. Appendix: Summary information on the data as of 31.12.2020, received by all regional/provincial courts (first and second instance) regarding the number of judges in them, who work in the civil, commercial and criminal divisions. It should be borne in mind that, according to the information received, in almost all courts, a large number of judges sit in more than one division, therefore the summation of the number of judges from the three divisions should not give the total number of judges in the respective court. Total number of judges in the Court of Appeal (second instance) - 124, of which in the civil division - 36, in the commercial division - 38 and in the criminal division - 50.

**Q052 (General Comment):** Since 2012, the category "other" encompasses the number of non-judge staff employees working in the recreational field, while in 2010 it subsumes the number of court assistants. The Judicial Administration Commission does not keep statistics of those who are trained, as well as of trainee judges. There are junior judges in the courts in the country, for whom Judicial Administration Commission has no relation, no data. Accordingly, the total number of judicial employees in the courts does not include trainee judges.

**Q052 (2019):** Since 2012, the category "other" encompasses the number of non-judge staff employees working in the recreational field, while in 2010 it subsumes the number of court assistants.

**Q052 (2017):** These are the staff employed in the recreational establishments of the Supreme Administrative Court and the Supreme Court of Cassation such as: manager of the training center, chefs, worker in the kitchen, bartender, waiter, tendant.

**Q052 (2015):** Unlike the previous evaluation cycles, now we indicate the figure 502 – technical staff (it includes drives, cleaning staff, guards, etc.), which reduce the number of the employees engaged with administrative tasks and court management under number 3.

Other non-judge staff includes 55 court servants working in recreation department.

**Q052 (2013):** The number of non-judge staff assisting judges includes the number of all court staff from the so called specialized administration supporting judges, including court secretaries and court assistance, while for 2010 it subsumes only court secretaries. The category "staff in charge of different administrative tasks" subsumes the number of non – judge staff of general administration.

**Q052 (2012):** The number of non-judge staff assisting judges includes the number of all court staff from the so called specialized administration supporting judges, including court secretaries and court assistance, while for 2010 it subsumes only court secretaries.

**Q052-1 (General Comment):** The regional courts in Bulgaria are first and second instance so this is a problem when giving data according to CEPEJ criteria, so this can explain the discrepancies here.

Item 1 "Total number of court employees working in the courts of first instance" includes all employees of the district and administrative courts. Item 2 "Total number of court employees working in the courts of second instance (appellate court)" includes all employees working in the regional courts and courts of appeal in the country.

**Q052-1 (2021):** 2. "Total non-judge staff working in courts at second instance": the increased number is due to newly opened vacancies for non-judge staff in view of strengthening the courts' activities.

**Q052-1 (2020):** It is noteworthy recalling the difficulty of determining the place of the regional/provincial courts in the "first instance" and "second instance (appellate)" columns. For the purposes of the CEPEJ survey, they are classified as "second instance (appellate)". Accordingly, item 1 "Total number of court employees working in the courts of first instance" includes all employees of the district and administrative courts, while item 2 "Total number of court employees working in the courts of second instance (appellate court)" includes all employees working in the regional courts and courts of appeal.

**Q055 (General Comment):** The provided data refers to the actual number of employed persons for the year of reference.

**Q055 (2016):** 1511 is the total number of working prosecutors at 31.12.2016; 888 prosecutors at first instance level includes – the prosecutors from 113 Regional Prosecutor`s Offices and 1 Specialized Prosecotr`s Office; 500 prosecutors work in 28 District Prosecutor`s Offices, 7 Appellate Prosecutor`s Offices and 3 Military District Prosecutor`s Offices; 123 are the prosecutors working in Supreme Prosecutor`s Office of Cassation and Supreme Administrative Prosecutor`s Office and 1 Prosecutor General. (The indicated numbers do not include the number of the investigative magistrates in the investigative departments at District Prosecutor`s Offices and National Investigation Service and their administrative heads.

**Q055 (2014):** For 2014, the number of prosecutors acting at 1st instance includes prosecutors of the regional prosecutor's offices, specialized prosecutor's offices and the military prosecutor's offices. The number of prosecutors acting at 2nd instance includes prosecutors from district and appellate prosecutor's offices. The number of prosecutors at Supreme Court level includes prosecutors from the Supreme Prosecutor's Office of Cassation, Supreme Administrative Public Prosecutor's Office, and the Prosecutor General. In contrast with the 2012 evaluation, the number of investigators in the District Investigation Departments at the District Prosecutor's Offices and the National Investigation Service is not taken into consideration for 2014.

**Q055 (2012):** For 2012, the total includes 512 magistrates with position of "investigator in the Investigation Department at the District Prosecution Office". Conversely, these 512 magistrates are not subsumed in the number of prosecutors at 1st instance level. The number of prosecutors at 2nd instance level including Prosecutor's Office of Appeal and Military District Prosecutor's Office encompasses 451 prosecutors and 433 investigators in the Investigation Departments at the District Prosecution Offices and military investigators. The number of prosecutors at Supreme Court level includes 128 prosecutors and 79 investigators at the National Investigation Service.

**Q056 (2020):** In the provided in the previous cycle 2018-2020 the information on the total number of administrative heads, instead of the indicated figure 133 (one hundred and thirty-three), the figure should be 153 (one hundred and fifty-three). The difference is probably due to a technical error or to the provision of the actual number of incumbents, without reflecting the persons appointed to perform the functions of administrative heads. Due to the impossibility to establish the real cause, information on the data in the individual columns cannot be given.

The data provided (cycle 2020-2022) comply with the instructions on question № 056 in the explanatory note to the scheme for evaluation of judicial systems, ie. there are also the persons who have been appointed to perform the functions of administrative heads due to the lack of a holder of the position. The optimization performed under Art. 30, para. 2, item 7 of the JSA of the district prosecutor's offices, whereby with decisions of the Plenum of the SJC under protocol № 21 / 19.07.2018 and 20 / 29.07.2019 a total of 39 (thirty-nine) district prosecutor's offices were closed and transformed in territorial divisions as follows:

- 11 district prosecutor's offices, as of 01.01.2019;
- 28 district prosecutor's offices, as of 01.01.2020

Following this transformation, the total number of prosecutors at first instance, respectively their administrative heads, is now 74.

Thus, from the real number of administrative heads cycle (2018 – 2020) - 153, 39 (thirty-nine) administrative heads were removed from the closed district prosecutor's offices, in view of which the total number of heads of prosecutor's offices decreased to 114 (one hundred and fourteen), of which: the number of heads of prosecutor's offices at first instance is 74 (seventy-four), the number of heads of prosecutor's offices at second instance is 39 (thirty-nine), and at the supreme level - 1 (one).

**Q056 (2016):** 113 administrative heads of Regional Prosecutor's Offices and 1 Specialized Prosecutor's Office; 38 are the administrative heads of 28 District Prosecutor's Offices, 3 Military District Prosecutor's Offices, 7 Appellate Prosecutor's Offices; 1 Prosecutor General

**Q056 (2014):** For 2014, the figure 113 includes heads of regional prosecutors' offices. The figure 41 includes 29 district, 7 appellate and 3 military district prosecutors' offices, the Supreme Prosecutors Office of Cassation and the Supreme Prosecutors Office of Appellate.

**Q060 (2022):** number of full-time positions for judicial officers in the general and specialized administration in all prosecutor's offices of the Republic of Bulgaria – 2901 /as of December 31, 2022/  
- number of full-time employees in specific positions for judicial officers in the educational centers of the Prosecutor's Office of the Republic of Bulgaria – 55 /as of December 31, 2022/

**Q060 (2021):** The decrease in the number of staff (non-public prosecutors) in the prosecutor's offices is due to the closing of the majority of the first-instance prosecutor's offices and their merger with those in the regional centers. Thus, the managing and duplicating positions in the closed prosecutor's offices were cut.

**Q060 (2014):** For 2014, the number of actually working servants in the Prosecutors office at 31 December 2014 (2918,5) includes also 66 servants working in the field of recreational craft. The main source of this data is the establishment plan of the Prosecutors office of the Republic of Bulgaria for the number of prosecutors and investigators and a reference for the number of employees in the Prosecutors office of the Republic of Bulgaria at December 2014.

**Q060 (2012):** For 2012, the number of actually employed servants in the Prosecutors Office at 31 December 2012 (2989,5) includes 177 servants in the recreation department.

**Q132 (2022):** Data, provided by the Supreme Judicial Council. The increase of gross salaries (respectively net salaries) compared to the previous assessment cycle (2020-2022) is due to the increase in labour remuneration - 10% in 2021 and 10% in 2022, as well as the funds provided in the budget of the judiciary for additional remuneration in connection with Art. 233, paragraph 6 of the Judiciary System Act.

Comment from the Supreme Court of Cassation: The amount of maximum basic monthly remuneration of judges shall be determined by the Plenum of the Supreme Judicial Council. Judges shall receive additional remuneration for long service and professional experience, determined in relation to the basic remuneration at the rate of up to 40% (2% – for 1 calendar year for acquired service and professional experience in a judicial authority; 1.5% – for 1 calendar year for acquired service and professional experience outside a judicial authority, but in the same time, similar or the same nature of work, position or profession; 1% – for 1 calendar year for acquired service and professional experience outside a judicial authority and in another specialty). The maximum amount of 40% is set by the Judiciary System Act, in force since 11.08.2007. Judges who reached a higher percentage before the amendment of the law shall retain the percentage reached in accordance with the decision of the Supreme Judicial Council under Protocol No.29/21.09.2007. In the Supreme Court of Cassation, 14 judges receive additional remuneration in excess of 40%. Judges don't get a 13th salary or bonuses paid regularly to everyone, regardless of their personal circumstances. By a decision of the Plenum of the Supreme Judicial Council, an additional remuneration may be paid to judges, but its receipt is not mandatory and unconditional. The entitlement to receive an additional remuneration is defined in the Rules for Determination and Payment of Additional Remuneration (adopted by a decision of the Plenum of the Supreme Judicial Council under Protocol No. 29/22.11.2018, amended and supplemented by a decision under Protocol No. 13/13.06.2019, amended and supplemented by a decision under Protocol No. 28/21.11.2019, amended and supplemented by a decision under Protocol No. 18/12.05.2022 and the Rules for Determination and Payment of Additional Remuneration to Judges pursuant to Article 233, paragraph 6, the first sentence of the Judiciary System Act (adopted by the Judicial Collegium of the Supreme Judicial Council by Decision under Protocol No. 24/22.06.2021, amended by Decision under Protocol No. 41/17.11.2021). In 2022 additional remuneration in the amount of 11,220 BGN or 5,736.69 EUR was paid to the judges of the Supreme Court of Cassation in accordance with the decision of the Plenum of the Supreme Judicial Council on the application of the Rules for Determination and Payment of Additional Remuneration. (Gross annual salary, in €= basic salary+ additional remuneration for seniority)

**Q132 (2021):** In the data for Q 132, the line "Prosecutor at the beginning of his/her career" is correct, but refers to the salaries of a district (first instance) prosecutor at the beginning of his/her career. The data for judges and prosecutors is calculated from the salary report collected and summarized by the Judiciary as of December 2021. The gross salary of the lowest judicial/prosecutor level, i.e. district judge and district prosecutor, is calculated. The system also has the position of "junior judge", but at the beginning of their career, they work in second-instance courts (regional courts), and based on the Questionnaire, information is requested about the lowest position in the first instance. The salary of a district judge and a district prosecutor according to "Table No. 1 of the SJC for Determining the Maximum Basic Monthly Salaries of Judges, Prosecutors and Investigators" is the same.

The data for question 132, line "Prosecutor of the Supreme Court or the Highest Appellate Instance" for the supreme judges and supreme prosecutors is calculated from the salary report provided by the supreme judicial bodies as of December 2021. The gross salary of a magistrate in the supreme judicial body was calculated. According to "Table No. 1 of the SJC for Determining the Maximum Basic Monthly Salaries of Judges, Prosecutors, and Investigators", the determined remuneration of a supreme judge and a supreme prosecutor is the same.

**Q132 (2020):** In 2019, with a decision of the Plenum of the SJC under item 6 of Protocol № 2 / 24.01.2019, an updated Table № 1 of the SJC was approved to determine the maximum basic monthly salaries of judges, prosecutors and investigators pursuant to Art. 218, para 2 and para 3 of the JSA with an increase of 10%, as of 01.01.2019. With the same decision the ranks for magistrates were increased by BGN 100 per rank, as of 01.03.2019.

In 2020, with a decision of the Plenum of the SJC under item 2 of Protocol № 2 / 30.01.2020, an updated Table 1 of the SJC was approved for determining the maximum basic monthly salaries of judges, prosecutors and investigators on the grounds of Article 218. , para 2 and para 3 of JSA with an increase of 10%, as of 01.01.2020. With the same decision the ranks for magistrates were increased by BGN 50 per rank, as of 01.03.2020.

**Q132 (2018):** The sums shown do not include the amount of the social security contributions, in order to be made comparable to the data given in the previous assessment cycle when they were not included either in the amount of the gross salary for the relevant position. The source of the data was information summarized and analyzed in the "Financial planning and analysis" Department of Supreme Judicial Council of Bulgaria

**Q132 (2016):** Under the provisions of Art. 218 (2) of the Judiciary System Act, the basic monthly remuneration for the lowest judicial, prosecutorial or investigating magisterial position shall be set at the double amount of the average monthly salary of employees in the public-financed sphere according to data of the National Institute of Statistics.

The increase in the salaries of the magistrates that occupy the lowest position is in line with the increase of the average monthly salary of the employees in the public-financed sphere, according to data of the National Statistical Institute and the financial resources of the budget of the judiciary.

Under the provisions of Art. 218, (3) of the Judiciary System Act, the remuneration of the other positions, including judges and prosecutors in the Supreme Court / Supreme Prosecution Office in the bodies of the judiciary, shall be determined by a decision of the SJC Plenum and taking into account the financial possibilities on the budget of the judiciary.

**Q132 (2014):** For 2014, the indicated amounts do not include the insurance contributions for the purpose of data comparability in respect of the previous evaluation scheme, when these amounts have not also been taken into consideration.

**Q132 (2012):** For 2010, the basis for assessment were the data from Table 1 of the Supreme Judicial Council determining the maximum amount of the monthly salary of judges, prosecutors and investigators, while for 2012, the basis for assessment were the data from the Information for the funds for salaries from the establishment plans and the average salary by positions, which is prepared by all the bodies of the judiciary and is summarized in the SJC. This information file reflects the actually received gross salaries, which include the basic salary and additional remuneration for grade and service.

**Q133 (2022):** On the basis of Art. 223 of the Judiciary System Act - judges and prosecutors can use housing from the departmental housing fund of the bodies of the judiciary.

**Q133 (2021):** Pursuant to Article 223 of the Judiciary System Act, judges and prosecutors may use dwellings from the institutional housing stock of the judiciary.

**Q133 (2020):** Pursuant to Article 223 of the Judiciary System Act, judges and prosecutors may use dwellings from the institutional housing stock of the judiciary

**Q133 (2019):** Pursuant to art. 223 of the Judiciary System Act, judges and prosecutors may use housing of the departmental housing fund of the judicial authorities.

**Q148 (2019):** With a comment that legal advisors, other legal educated staff at institutions, businesses, legal entities and sole traders who are hired employees represent only their employer in court ("as a client")

**Q148 (2018):** With a comment that legal advisors, other legal educated staff at institutions, businesses, legal entities and sole traders who are hired employees represent only their employer in court ("as a client").

## Croatia

**Q004 (2022):** will be explained later

**Q004 (2021):** Average monthly gross salary for 2021 for person in paid employment in legal entities in the Republic of Croatia is available at web page of the Croatian Bureau of Statistics (<https://podaci.dzs.hr/2021/en/10583>).

This monthly gross salary (9599 Croatian Kuna) has been multiplied by 12 and then divided by Croatian Kuna / Euro average annual medium exchange rate published by the Croatian National Bank (7,52418 Croatian Kuna for 1 Euro; this information is available at <https://www.hnb.hr/temeljne-funkcije/monetarna-politika/tecajna-lista/tecajna-lista>.)

**Q046 (General Comment):** In the total number of judges, only data on actually working judges is presented ( the total does not include judges on unpaid leave; judges on maternity leave; judges suspended after disciplinary procedure; judges transferred to other State body- for example to Ministry of Justice or Judicial Academy).

**Q046 (2022):** The data refer to all judges:

court presidents, judges authorized to perform court administration and judges.

The number does not include judges:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**Q046 (2018):** Source: Ministry of Justice of the Republic of Croatia

The number of court presidents is included in the number of judges provided, but the data does not include the number of judges who are on unpaid leave, judges who are in non-active status, judges who work part-time in accordance with the Maternity and Parental Benefits Act, judges who are on maternity leave or on parental leave, judges suspended after disciplinary proceedings, judges working part time in order to time care for a child with special needs, judges transferred in another state body (Ministry of Justice, Judicial Academy, State Judicial Council) and international institutions and missions.

**Q046 (2017):** The number of court presidents is included in the number of judges provided, but the data does not include the number of judges who are on unpaid leave, judges who are in non-active status, judges who work part-time in accordance with the Maternity and Parental Benefits Act, judges who are on maternity leave or on parental leave, judges suspended after disciplinary proceedings, judges working part time in order to time care for a child with special needs, judges transferred in another state body (Ministry of Justice, Judicial Academy, State Judicial Council) and international institutions and missions.

**Q046 (2016):** Source: Ministry of Justice of the Republic of Croatia

The number of court presidents is included in the number of judges provided, but the data does not include the number of judges who are on unpaid leave, judges who are in non-active status, judges who work part-time in accordance with the Maternity and Parental Benefits Act, judges who are on maternity leave or on parental leave, judges suspended after disciplinary proceedings, judges working part time in order to time care for a child with special needs, judges transferred in another state body (Ministry of Justice, Judicial Academy, State Judicial Council) and international institutions and missions.

**Q046 (2015):** The Republic of Croatia submits now correct numbers of professional judges sitting in courts for previous cycles (2013 and 2014), because in the previous cycles this number did not include court presidents, while there were excluded in the separate questions. Therefore, the correct numbers for these cycles is now provided.

**Q046 (2014):** In 2014, the number of professional judges in first instance courts includes judges of municipal, commercial, administrative and misdemeanour courts. The number of judges in second instance courts includes judges of county courts, the High Commercial Court, the High Misdemeanour Court and the High Administrative Court. The number of 3rd instance judges refers to the Supreme Court. Four first instance administrative courts became operational in 2012, while the Administrative Court of the Republic of Croatia became the High Administrative Court.

**Q046-2 (General Comment):** The difficulty to provide the data lays in mixed specialization of judges in courts, so exact data cannot be extracted.

**Q052 (General Comment):** The total number of non-judicial staff is a result of a deduction and subsumes only actually working staff. Thus, the total does not include staff on unpaid leave; staff on maternity leave; staff suspended after disciplinary procedures; staff transferred to other State bodies (for example the Ministry of Justice or Judicial Academy). Besides, two non-judicial officials working half-time (for the reason of care for a child with special needs) are counted as 1 non-judicial official. The reason for fluctuation and differences in the number of Rechtspflegers in Republic of Croatia is that they work for 2 years, then prolonged 5 years and then they get a permanent post or not.

**Q052 (2022):** The data refer to civil servants and employees employed for an indefinite period.

The number does not include those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**Q052 (2015):** The Republic of Croatia submits correct numbers of non-judge staff who are working in courts for previous cycles (2012, 2013 and 2014), because in the previous cycles this number included the staff working for public prosecutors. Therefore, the correct numbers for these cycles are now provided.

**Q052 (2014):** In 2013, the number of "Rechtspfleger" included judicial advisors because they work autonomously on cases, on the one hand, and staff who are not judges, but who can enact decisions (land registry officials and court registry officials), on the other hand. In 2014, the interpretation changed and judicial advisors were moved to the category "non-judicial staff whose task is to assist the judges", since they work autonomously but their decision must be signed by a judge.

**Q052 (2013):** The variations between 2012 and 2013 in respect of certain sub-categories are due only to a different methodology of classification. The total is slightly different for the two years.

**Q052-1 (2022):** The data refer to officials and employees employed on an indefinite basis (data from table 052.)

The number does not include those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**Q055 (General Comment):** The provided data encompasses all officials in the public prosecutors' offices, including heads of the public prosecutors' offices (the Public Prosecutor of the Republic of Croatia, county and municipal public prosecutors, the head of the Bureau for Combating Corruption and Organised Crime) and all public prosecutors deputies. The number of prosecutors at the first instance level includes all municipal public prosecutors, their deputies, as well as the head of the Bureau for Combating Corruption and Organised Crime and his deputies. The number of prosecutors at the second instance (court of appeal) level includes all county public prosecutors and their deputies. The number of prosecutors at the Supreme Court level includes the Public Prosecutor and his deputies.

**Q055 (2022):** The data refer to all state attorneys:

State Attorney General, municipal/county state attorneys, deputy municipal/county state attorneys authorized to perform duties of municipal/county state attorneys, deputy state attorneys and deputies of municipal/county state attorneys.

The number is reduced by those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**Q055 (2018):** The above information includes all officials in the public prosecutor's offices – all public prosecutors (heads of prosecution offices) and public prosecutors' deputies (deputies of the Public Prosecutor, deputies of the Head of the Bureau for Combating Corruption and Organised Crime and deputies of the county and municipal public prosecutors). The number of prosecutors at the first instance level includes all municipal public prosecutors (heads of municipal prosecution offices and Head of the Bureau for Combating Corruption and Organised Crime), their deputies, as well as the deputies of the Head of the Bureau for Combating Corruption and Organised Crime. The number of prosecutors at the second instance level (court of appeal) includes all county public prosecutors (heads of the county prosecutors' offices) and their deputies. The number of prosecutors at the supreme court level includes the Public Prosecutor General and his deputies.

**Q055 (2012):** In 2012, the public prosecutors' Office of the Republic of Croatia employed 21 officials. The county public prosecutors' offices employed 155 officials, and the municipal public prosecutors' offices employed 410 officials. Out of 617 officials, 385 or 62.4% were women. The number of officials remained the same as in 2011. As of 31 December 2012, 7 public prosecutor's posts and 130 deputy public prosecutor's posts were vacant.

**Q056 (General Comment):** The organisational structure of the public prosecution services comprises: the State Attorney of the Republic of Croatia, the Office for Combating Corruption and Organised Crime (USKOK), county State attorneys' offices and municipal State attorneys' offices. The number of public prosecutors' offices has been significantly rationalised. The number of Heads of the State attorneys' offices does not correspond to the number of municipal State attorneys' offices, because in some of these offices the Heads of offices were not appointed and, until such appointment is made, their duties are exercised by their deputies. The number of the first instance State attorneys' offices includes the number of the municipal State attorneys and Head of Office for Combating Corruption and Organised Crime (USKOK).

**Q056 (2022):** The number is reduced by those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**Q056 (2020):** In 2018, the number of Heads of the State attorneys' offices did not correspond to the number of municipal state attorneys' offices, because in some of these offices the Heads of offices were not appointed. By 2020, they were appointed. Additionally, since 1st of January 2019., 3 new first instance POs were established. The number of the first instance State attorneys' offices includes the number of the municipal state attorneys and Head of Office for Combating Corruption and Organised Crime.

**Q056 (2018):** In 2018, the organisational structure of the public prosecution in the Republic of Croatia is comprised of the State Attorney of the Republic of Croatia, the Office for Combating Corruption and Organised Crime, 15 county state attorneys' offices and 22 municipal state attorneys' offices. The number of Heads of the State attorneys' offices does not correspond to the number of municipal state attorneys' offices, because in some of these offices the Heads of offices were not appointed. The number of the first instance State attorneys' offices includes the number of the municipal state attorneys and Head of Office for Combating Corruption and Organised Crime.

**Q056 (2016):** In 2016, the organisational structure of the public prosecution in the Republic of Croatia is comprised of the State Attorney of the Republic of Croatia, the Office for Combating Corruption and Organised Crime, 15 county state attorneys' offices and 22 municipal state attorneys' offices. The number of Heads of the State attorneys' offices does not correspond to the number of municipal state attorneys' offices, because in some of these offices the Heads of offices were not appointed. The number of the first instance State attorneys' offices includes the number of the municipal state attorneys and Head of Office for Combating Corruption and Organised Crime.

**Q056 (2014):** On 31 December 2014, there were 10 vacancies opened for Heads of State attorneys' offices (2 at the county level, and 8 at the municipal level).

**Q060 (2022):** The data refer to civil servants and employees employed for an indefinite period.

The number does not include those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**Q132 (2021):** Salaries of judges and other judicial officials are determined by multiplying the base for calculating the salary by the coefficient for a particular official, which are proscribed by the Judges' and other Judicial Officials' Salaries Act (Official Gazette No. 10/99, 25/00, 01/01, 30/01, 59/01, 114/01, 116/01, 64/02, 153/02, 154/02, 17/04, 08/06, 142/06, 34/07, 134/07, 146/08, 155/08, 39/09, 155/09, 14/11, 154/11, 12/12, 143/12, 100/14, 147/14, 120/16, 16/19). Determined salaries are increased by 0.5% for each completed year of service, by a maximum of 20%.

**Q132 (2020):** Salaries of judges and other judicial officials are determined by multiplying the base for calculating the salary by the coefficient for a particular official, which are proscribed by the Judges' and other Judicial Officials' Salaries Act (Official Gazette No. 10/99, 25/00, 01/01, 30/01, 59/01, 114/01, 116/01, 64/02, 153/02, 154/02, 17/04, 08/06, 142/06, 34/07, 134/07, 146/08, 155/08, 39/09, 155/09, 14/11, 154/11, 12/12, 143/12, 100/14, 147/14, 120/16, 16/19). Determined salaries are increased by 0.5% for each completed year of service, by a maximum of 20%.

**Q132 (2012):** Due to the different calculation of tax rates and changes in the amounts of tax reliefs, there is a difference between calculation of salaries in 2010 and 2012.

**Q133 (2019):** Additional benefits was recently introduced by the Law amending the Law on Salaries of Judges and Other Judicial Officials (Official Gazette 16/19).

**Q147 (2020):** Not applicable

**Q148 (2020):** Not applicable

## Cyprus

**Q046 (General Comment):** Cyprus has a two tier system. The Supreme Court is the second and final instance court. All judges of the Supreme Court hear appeals.

**Q046 (2020):** Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court. The data for Supreme Court in this question are included in the highest instance courts, but the case flow data of the Supreme Court are included in the second instance cases - questions 97 and 98.

**Q046 (2015):** From 2014, following the retirement of male judges at last instance, female judges were appointed.

**Q046-2 (2021):** All 13 Supreme court judges hear all cases. District court judges are dealing with criminal and civil cases, and they were previously included in the 'Other' cases. We have now limited this to judges of special jurisdiction courts.

**Q046-2 (2020):** This includes the supreme court judges who deal with all types of cases, first instance family court judges, labour court judges, rent control court judges and military court.

Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court. The data for Supreme Court in this question are included in the highest instance courts, but the case flow data of the Supreme Court are included in the second instance cases - questions 97 and 98.

**Q052 (General Comment):** The total number of non-judge staff includes clerical staff and also court bailiffs.

**Q052 (2022):** court bailiffs

Increase in the needs of the court led to appointment of more employees.

**Q052 (2021):** court bailiffs

**Q052 (2020):** Other non-judge staff includes court bailiffs. Differences in number of staff compared to previous year come from new appointments and retirements.

**Q052 (2018):** Court bailiffs are included in category Other.

**Q052 (2017):** court bailiffs

**Q052 (2016):** court bailiff

in 2014 the correct number for male no judge staff assisting the judge should be 9

Question 52: if we change the number of male non judge staff assisting the judge for 2014 from 23 to 9, we must also change the number of non-judge staff assisting judges from 143 to 129 and also the total from 462 to 448. Do you agree on up-dating in this way 2014 data in order to ensure the consistency of the table? the numbers for 2014 must also be changed

**Q052 (2015):** Between 2014 and 2015, there was a change in the distribution of non-judge staff. In 2014, in the category "staff in charge of administrative tasks", only the number of high-level administrative staff was included. The other administrative staff were included in the category "other non judge staff". Whereas in 2015, all administrative staff were included in the category "staff in charge of administrative tasks". This change of distribution leads to significant variations.

**Q052 (2014):** Variations concerning data on different categories of non-judge staff are due to different methodology of presentation of data used for 2014 and the previous evaluations.

**Q052-1 (2022):** Increase in the needs of the court led to appointment of more employees.

**Q052-1 (2021):** Positions that were vacant had been filled.

**Q052-1 (2020):** Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court. The data for Supreme Court in this question are included in the highest instance courts, but the case flow data of the Supreme Court are included in the second instance cases - questions 97 and 98.

**Q052-1 (2018):** The Court of Appeal is also the Supreme Court

**Q055 (2022):** More positions have been filled.

**Q055 (2020):** The number includes also legal advisors to the Attorney General's office.

The number increased because more positions of prosecutors were approved.

**Q055 (2014):** All prosecutors appear before all courts.

**Q056 (General Comment):** All heads of prosecution offices can appear before all courts.

**Q056 (2012):** In 2012, the noticed decrease in the number of heads of prosecution services was due to the freezing of places within the public sector.

**Q057 (2016):** the Attorney General can assign to lawyers the prosecution of certain cases.

**Q060 (2021):** In 2021, a significant number of public prosecutors were appointed, as new posts have been approved and vacant posts have been filled.

**Q060 (2020):** trainees are not included

**Q147 (2018):** This figure represents the Lawyers who are registered and have a license for registering practicing advocates

**Q147 (2017):** the lawyers who do not renew their license are not included in this number

**Q148 (2022):** the Cyprus Bar Association regulates the Advocates who have a renewed practicing license.

## **Czech Republic**

**Q004 (2022):** The gross salary is constantly growing + the impact of the exchange rate

**Q004 (2021):** The gross salary is constantly growing.

**Q004 (2020):** The gross salary is constantly growing.

**Q004 (2019):** Positive trends in Czech economy and the exchange rate have had an influence on the rise of average gross annual salary (in €).

**Q004 (2016):** The Czech economy is doing well + the exchange rate.

**Q046 (General Comment):** The Czech Republic has a four-tier system. The number of judges of the two High Courts is included in the number of second instance judges. This methodology of presentation of data is applied since 2013, while for the previous evaluations, magistrates of the High Courts were considered as third instance judges.

**Q046 (2016):** The Czech Republic has a four-tier system. The number of judges of the two High Courts is included in the number of second instance judges.

**Q046-2 (2022):** The category civil/commercial includes all proceedings except criminal and administrative.

**Q046-2 (2021):** Insolvency proceedings and Guardianship proceedings

**Q046-2 (2020):** Insolvency Proceedings

**Q052 (General Comment):** The category “other” encompasses for 2010 judicial trainees or staff in charge of court documentation. For 2012, 2013 and 2014, besides the already mentioned components, it subsumes also press centre and telephone exchange.

The judicial trainee is entitled to perform the acts of the court under the conditions and to the extent specified in factual and time plan of the preparatory service which is compiled by the chairman of the regional court after consultation with the advisory board for the education of trainees. The plan must be focused in such a way that the training for the performance of the function of a judge serves in particular to:

- a) deepening the trainee's professional knowledge of substantive and procedural law,
- b) developing the trainee's ability to apply legislation in a specific matter,
- c) gaining knowledge of individual agendas maintained by courts and their implementation,
- d) acquisition of procedural procedures and habits necessary for the performance of the function of a judge,
- e) acquaintance with ethical principles related to the performance of the function of a judge.

In accordance with the preparatory service plan, the trainee performs preparatory service at a district or regional court. The trainee is usually assigned to one judge. Familiarization with individual court agendas is ensured by the fact that the president of the court where the judicial trainee is currently located gradually assigns the trainee to individual court departments.

The preparatory service includes adaptation courses, seminars and lectures organized by the Judicial Academy and educational activities organized by court for at least 2 days per month.

Nowadays, there are few judicial trainees and in 2022 the title will be replaced by a „judicial candidate“.

**Q052 (2017):** Other - judicial trainees, staff in charge of court documentation, press centre and telephone exchange.

**Q052 (2016):** Other - judicial trainees, staff in charge of court documentation, press centre and telephone exchange.

**Q052 (2015):** In 2015, compared to 2014, the number of non-judge staff increased due to a project financed from the European social fund and state budget: “Project on improvement of the efficiency of courts by strengthening of the administrative capacities”. The project is running until 30th December 2015.

**Q052 (2014):** In 2014, the number of non-judge staff increased due to a project financed from the European social fund and State budget: “Project on improvement of the efficiency of courts by strengthening of the administrative capacities”. The project is running until 30th December 2015.

**Q055 (General Comment):** The Czech Republic is endowed with a system of 4 levels of State prosecution offices: district, regional, high and supreme. The number of high public prosecutors is included in the number of prosecutors at second instance level.

**Q056 (2022):** The number of females heads of prosecution offices has decreased only from 2 to 1.

**Q132 (2022):** the impact of exchange rate

**Q132 (2020):** the salaries have risen generally + exchange rate

**Q132 (2012):** In 2012, the salary of public prosecutors was increased in order to bring it closer to the judges' salary.

**Q133 (2018):** Judges and prosecutors are entitled to obtain housing only if they are temporarily transferred to another court/prosecution office.

**Q133 (2016):** Judges and prosecutors are entitled to obtain housing only if they are temporarily transferred to another court/prosecution office.

**Q146 (2022):** There is no special reason for the increase, the profession is open to everyone regardless of the gender.

**Q146 (2020):** Data to: 31.12.2020

**Q146 (2018):** Data to: 31.12. 2018

**Q146 (2017):** There are 11587 active lawyers and 1496 inactive.

**Q146 (2015):** From the above mentioned number of lawyers there are 11011 active practising and 1289 temporary inactive.

**Q146 (2013):** In 2013, 10 255 lawyers are practicing in an active manner, while 1 141 lawyers discontinued their practicing.

**Q147 (2016):** There are no legal advisors (as described in the question above) in the Czech Republic.

**Q148 (2016):** There are no legal advisors (as described in the question 147) in the Czech Republic.

## Denmark

**Q046 (2017):** The figures above show the numbers of appointed judges in the Danish judicial system. Thus, the figures also include the Court of Greenland, the High Court of Greenland and the court of the Faroe Islands.

**Q046-2 (General Comment):** We cannot answer this question by case type as all judges make decisions in all types of cases in Denmark.

**Q052 (2020):** -

**Q052 (2019):** information NA

**Q052 (2017):** "other non judge staff" - in 2017 there was no staff to fit into this category.

**Q052 (2016):** The 2016 data on the number of *rehtspfligere* is correct. The discrepancy that occurs compared to 2014 data is due to a mistake in the 2014 numbers.

**Q052-1 (2020):** -

**Q055 (2022):** The number is the actual number of employees in full-time equivalent as of December 2022. Full-time equivalents are allocated on the 1st of the month, and it is therefore not possible to draw a precise number for 31 December. The number is therefore drawn for 1 December 2022 and scaled up to a full year.

**Q055 (2021):** The number is the actual number of employees in full-time equivalent as of December 2021. Full-time equivalents are allocated on the 1st of the month, and it is therefore not possible to draw a precise number for 31 December. The number is therefore drawn for 1 December 2021 and scaled up to a full year. The actual numbers of full-time equivalents are calculated as digital numbers which is not possible to add in the questionnaire. This is why the total number of prosecutors does not add up when compared to the number of males and females.

**Q055 (2016):** The observed discrepancies are due to ordinary changes in staffing.

**Q055 (2014):** The variations over the period 2012-2014 are due to the fact that in 2012, information was missing about prosecutors engaged in tasks concerning administrative cases (*Ledelsessekretariat*) and prosecutors employed by the national police (*Rigspolitiet*).

**Q056 (2022):** Please note that number 1 is counted as the director of the prosecution service in the 15 different police districts of Denmark, Greenland and the Faroe Islands. 2 is the heads of the 3 state prosecutors offices (Copenhagen, Viborg and State Prosecutor for Special Crime). 3 is the Director of Public Prosecutions (*Rigsadvokaten*).

**Q056 (2020):** Please note that number 1 is counted as the director of the prosecution service in the 15 different police districts of Denmark. 2 is the heads of the 3 state prosecutors offices (Copenhagen, Viborg and State Prosecutor for Special Crime Unit) 3 is the Director of Public Prosecutions (*Rigsadvokaten*).

**Q056 (2016):** The observed discrepancies are due to ordinary changes in staffing.

**Q057 (General Comment):** Some police officers conduct cases pertaining to minor offences in court, but they carry out this function on behalf of the prosecution service.

**Q057 (2018):** There is a small number of police officers who conduct cases pertaining to minor offences in court on behalf of the prosecution service, but it is only a small part of their normal tasks as a police officer.

**Q060 (General Comment):** In Denmark, the staff attached to the public prosecution service (non-public prosecutors) are shared between the police and the prosecution offices (first instance level).

**Q060 (2022):** In the response from 2020, all employees of the prosecution, i.e. also prosecutors, were for unknown reasons included. In the 2021 data the number is 747 in relation to non-public prosecutors. And this year the number is 605 people. The decrease is due to, among other things, that police personnel employed by the prosecution were also included, and due to an organizational change in the public prosecution services.

**Q060 (2021):** The number is the actual number of employees in full-time equivalent as of December 2021. Full-time equivalents are allocated on the 1st of the month, and it is therefore not possible to draw a precise number for 31 December. The number is therefore drawn for 1 December 2021 and scaled up to a full year. The actual numbers of full-time equivalents are calculated as digital numbers which is not possible to add in the questionnaire.

**Q060 (2020):** In 2020, lawyers and police personnel attached to the Prosecution Service are included in the figures.

**Q060 (2018):** The staff attached to the public prosecution service (non-public prosecutors) are shared between the police and the prosecution offices (first instance level).

**Q132 (General Comment):** We are not able to inform the net salary. The Danish tax system is progressive. That means that the percentage of tax depends on the income and the municipal tax varies from municipality to municipality.

**Q132 (2022):** Regarding prosecutor: The employment of a new public prosecutor is covered by the collective agreement. In addition to the amount stated above, the public prosecutor in the beginning of his/her career is paid an annual supplement of 17.174 kr./€ 2.304. This supplement covers the prosecutor's participation in The Local Prosecution Service's shift schedule (b-vagt). The public prosecutor is paid a basic salary, which is decided centrally in the collective agreement, based on years of working experience, qualifications, work assignments and responsibility in the specific position. In addition to the basic salary, the public prosecutor can be paid a locally negotiated supplement. The supplements depend on the qualifications and specific responsibilities in the position as a prosecutor. Public prosecutors are entitled to an annual salary negotiation. The Prosecution Service's Remuneration Policy states a maximum annual salary for the public prosecutors. The maximum annual salary for any Senior Prosecutor/Special Prosecutor, including the prosecutors at The Supreme Court Unit with the Director of Public Prosecutions is 714.000 DKKR/€ 95.829. The maximum annual salary for any Deputy State Prosecutor within the Danish Prosecution Service, including the Deputy State Prosecutor at The Supreme Court Unit with the Director of Public Prosecutions, is 942.000 DKKR/€ 126.430. The amounts are stated without pension as well as without remuneration for participation in shift schedules etc. Civil servants receive 16,8 % of the total salary as a pension contribution, and employees under the collective agreement receive 17,1 %. However, the pension contribution for the availability supplement (rådighedstillæg) is 12,5 %.

**Q132 (2021):** The annual salaries are specified without pension. The annual salary for a Public prosecutor of the Supreme Court or the Highest Appellate is specified based on the average salary for Senior Prosecutors, Special Prosecutors and the Deputy State Prosecutor at The Supreme Court Unit with the Director of Public Prosecutions.

**Q133 (2022):** However, professional judges are employed as "civil servants" who receive a lifelong pension.

**Q146 (2021):** The figures given above are the number of lawyers at the end of 2021.

**Q146 (2013):** The 2013 data corresponds to the statistical data for September 2014.

**Q146 (2012):** The 2012 data does not include assistant attorneys.

**Q147 (2019):** License to practice as an "advokat" is mandatory in Denmark.

**Q148 (2019):** This number includes lawyers who have deposited their Danish license to practice as a lawyer. The number is limited to persons born after the 1st of October 1954. Please note that all lawyers have a degree in law (cand.jur), but to practice law in Denmark as an "advokat", lawyers need a license. Lawyers without a license are not included in the number.

## Estonia

**Q004 (2022):** Inflation

**Q004 (2020):** Inflation

**Q004 (2018):** There is no specific reason.

**Q046 (2014):** In 2014, one male judge left and a female judge was appointed.

**Q046 (2012):** In 2010, there were 3 female professional judges at the Supreme Court. At the beginning of 2012, one female judge became the judge representing Estonia in the European Human Rights Court.

**Q046-2 (General Comment):** Judges of 1st and 2nd instance are not obliged to only be civil or criminal judges. It can change depending on the workload and wishes of the judge.

**Q046-2 (2022):** Judges of 1st and 2nd instance are not obliged to only be civil or criminal judges. It can change depending on the workload and wishes of the judge. The number of civil judges within the courts has been increased in 2022 at the expense of administrative judges.

**Q046-2 (2020):** In the first instance we don't have judges formally separated as criminal or civil judges.

**Q052 (2020):** Trainees are not included in the numbers provided for Q52 and Q52-1.

**Q052 (2019):** Court interpreters are in the category "other non-judge staff".

**Q052 (2018):** Court interpreters are in the category "other non-judge staff".

**Q052 (2017):** The increase in the number of male staff in charge of administrative tasks is due to the general movement of personnel.

"Other non-judge staff": Court interpreters.

**Q052 (2016):** The observed variations in the numbers with regard to the different sub-categories are due to a general movement of staff.

In 2015, a reform of the Land Registry and Registration Department was carried out, during which the four districts were brought together registry and land registry departments to the Tartu County Court, thus establishing one land registry department and one registry office. The reform involved significant optimization of work processes and dossiers which resulted in the reduction of staff working in the registers. The objectives and results of the reform were largely achieved because registries are kept electronically, and individuals can largely interact with the registers, transmit and receive documents electronically.

**Q052 (2015):** The number of technical staff has been decreasing due to redundancies in the Registration and Land Registry Departments. The project of court lawyers was carried out having in mind that the Registration and Land Registry departments are fully digital. Therefore there is a possibility to decrease the number of technical staff.

**Q052 (2014):** A pilot project has been introduced in 2013 in one county court consisting in providing each judge with a personal legal assistant. After the first year of the pilot project, the average proceeding times in civil cases in that particular court dropped from 201 days to 160 days; after the second year the average proceeding times dropped further to 132 days. In 2015, the project has been extended to all first and second instance courts.

**Q052 (2013):** Since 2013, the second category includes a new position among court staff – judicial clerks. They assist judges in the administration of justice, participating in the preparation of court cases or in court proceedings. They replace step by step former consultants. There is one judicial clerk for every judge. In 2013, the reform was implemented in the largest court of general jurisdiction as a pilot (Harju County Court). In 2015, it was extended to all first and second instance courts.

**Q052 (2012):** The overall number of court staff has not changed much during the last years: 976 (2010), 957 (2012) and 990 (2013). Differences in figures in the sub-categories are due to the different categorization of court staff.

**Q052-1 (2022):** Many of the non-judge staff is shared between courts, e.g. translators. Main purpose is to cut costs and offer better service with the help of digitalisation.

**Q055 (General Comment):** The categorization of questions 55 and 56 regarding public prosecutors do not exist in Estonia.

**Q056 (General Comment):** The categorization of questions 55 and 56 regarding public prosecutors do not exist in Estonia.

**Q056 (2020):** .

**Q056 (2012):** For 2012, the number of heads of prosecution offices includes 1 Prosecutor General, 2 Deputies of the Prosecutor General, 4 Chief Prosecutors.

**Q057 (2018):** We have assistant prosecutors who act under the guidance of the prosecutor.

**Q057 (2016):** We have assistant prosecutors who act under the guidance of the prosecutor.

**Q060 (2020):** More males have been hired.

**Q132 (2020):** Since 2010 the salary of prosecutors depends of the salary of the President and is indexed by 1 April of each calendar year. In 2018 the salary system of public prosecutors changed and with that the smallest salaries increased the most.

**Q132 (2019):** Since 2010 the salary of prosecutors depends of the salary of the President and is indexed by 1 April of each calendar year. In 2018 the salary system of public prosecutors changed and with that the smallest salaries increased the most.

**Q132 (2012):** The salary of judges was increased on 1 January 2013.

**Q133 (2012):** On the occasion of the 2012 evaluation, it has been stressed that the salary of judges was increased on 1 January 2013. On the same time, the special pension was abolished for judges who are appointed to office after 30 June 2013, while judges appointed to office before 1 July 2013 retain their special pension.

**Q148 (General Comment):** Data on the number of legal advisors who cannot represent their clients in court is not collected.

## Finland

**Q004 (General Comment):** Source: Structure of earnings, Statistics Finland (Calculated data)  
<https://stat.fi/en/statistics/pra>

**Q004 (2022):** Final data for the year 2021. Calculation method for full-time employees' annual salary = Monthly salary + vacation pay + performance pay + lump sums + annual service allowance.

**Q004 (2021):** Preliminary information: salary in 2020 multiplied by the annual percentage change in the earnings level index 2021q4

**Q004 (2020):** In 2020, the average gross annual salary was EUR 3 595 per month.

**Q004 (2019):** In 2019, the average gross annual salary was EUR 3528 per month.

**Q004 (2018):** In 2018, the average gross annual salary was EUR 3465 per month. Correspondingly, the median was EUR 3079 per month. The most common monthly earnings of all full-time wage and salary earners was EUR 2600 per month.

**Q046-2 (General Comment):** We do not have statistic of the amount of the civil and/ or commercial and criminal judges in the general courts as in many courts judges work in both types of cases. In Market Court, there are 23 judges who are civil/commercial judges.

**Q052 (General Comment):** The Finnish court staff organisation does not correspond to the CEPEJ subcategories. Therefore, only the total of non-judge staff can be provided for the question 52. Office staff has tasks mentioned in the categories 2-5. Summoners' tasks are for example to serve summons, subpoenas and other documents. Trainee judges have the same responsibility as judges but they do not have competence to deal with difficult cases. They are always appointed for a fixed term period (one year). In the courts of appeal, the administrative courts, the Supreme Court, the Supreme Administrative Court, the Labour Court and the Market Court a referendary prepares and presents a case to the judges but the final judgment is decided by the judges. The tasks of trainee judges and referendaries correspond to the categories 1 and 2.

1. "Rechtspfleger (or similar bodies)": The senior judge of a district court may appoint in writing a member of the office personnel at the district court who has given an affirmation corresponding to the judge's affirmation, who has received sufficient training and who has sufficient skills to attend to the duties: (1) in cases referred to in Chapter 5, section 3 of the Code of Judicial Procedure: (a) to give judgments by default; (b) to give, on the basis of Chapter 21, section 8(c) of the Code of Judicial Procedure, decisions and judgments on court costs, if the respondent has conceded the claim; (c) to decide on the staying of an action if the plaintiff has withdrawn the action and the respondent does not call for a decision in the case; (2) to decide on applications for divorce on the basis of section 25, subsection 1 of the Marriage Act (234/1929) if both spouses are domiciled in Finland. If the case to be decided by office personnel, as referred to in subsection 1, proves to be extensive, subject to interpretation or otherwise difficult to decide, the case shall be transferred for a decision of a notary or a legally trained judge at the district court. The chief judge of a district court may appoint in writing a member of the office personnel at the district court who has sufficient skills, to issue summons and certificates, to effect service of documents and to attend to other duties connected to the preparation, consideration or enforcement of administration of justice matters. Before taking such tasks the staff member must give an oath. (Courts Act, Chapter 19, Section 6).

**Q052 (2022):** The total non-judge staff includes office staff 1521, summoners 274, trainee district judges 135 and referendaries 264.

**Q052 (2021):** The total non-judge staff includes office staff 1530, summoners 269, trainee district judges 131 and referendaries 278. 1. "Rechtspfleger (or similar bodies)": The senior judge of a district court may appoint in writing a member of the office personnel at the district court who has given an affirmation corresponding to the judge's affirmation, who has received sufficient training and who has sufficient skills to attend to the duties: (1) in cases referred to in Chapter 5, section 3 of the Code of Judicial Procedure: (a) to give judgments by default; (b) to give, on the basis of Chapter 21, section 8(c) of the Code of Judicial Procedure, decisions and judgments on court costs, if the respondent has conceded the claim; (c) to decide on the staying of an action if the plaintiff has withdrawn the action and the respondent does not call for a decision in the case; (2) to decide on applications for divorce on the basis of section 25, subsection 1 of the Marriage Act (234/1929) if both spouses are domiciled in Finland. If the case to be decided by office personnel, as referred to in subsection 1, proves to be extensive, subject to interpretation or otherwise difficult to decide, the case shall be transferred for a decision of a notary or a legally trained judge at the district court. The chief judge of a district court may appoint in writing a member of the office personnel at the district court who has sufficient skills, to issue summons and certificates, to effect service of documents and to attend to other duties connected to the preparation, consideration or enforcement of administration of justice matters. Before taking such tasks the staff member must give an oath. (Courts Act, Chapter 19, Section 6).

**Q052 (2020):** The total non-judge staff includes office staff 1477, summoners/process serves 273, trainee district judges 137 and referendaries 275. 1. "Rechtspfleger (or similar bodies)": The senior judge of a district court may appoint in writing a member of the office personnel at the district court who has given an affirmation corresponding to the judge's affirmation, who has received sufficient training and who has sufficient skills to attend to the duties: (1) in cases referred to in Chapter 5, section 3 of the Code of Judicial Procedure: (a) to give judgments by default; (b) to give, on the basis of Chapter 21, section 8(c) of the Code of Judicial Procedure, decisions and judgments on court costs, if the respondent has conceded the claim; (c) to decide on the staying of an action if the plaintiff has withdrawn the action and the respondent does not call for a decision in the case; (2) to decide on applications for divorce on the basis of section 25, subsection 1 of the Marriage Act (234/1929) if both spouses are domiciled in Finland. If the case to be decided by office personnel, as referred to in subsection 1, proves to be extensive, subject to interpretation or otherwise difficult to decide, the case shall be transferred for a decision of a notary or a legally trained judge at the district court. The chief judge of a district court may appoint in writing a member of the office personnel at the district court who has sufficient skills, to issue summons and certificates, to effect service of documents and to attend to other duties connected to the preparation, consideration or enforcement of administration of justice matters. Before taking such tasks the staff member must give an oath. (Courts Act, Chapter 19, Section 6).

**Q052 (2019):** The total non-judge staff includes office staff 1455, summoners 267, trainee district judges 135 and referendaries 271

**Q052 (2018):** The total non-judge staff includes office staff 1435, summoners 263, trainee district judges 136 and referendaries 297.

**Q052 (2017):** Office staff 1440, summoners 263, trainee judges 122, referendaries 312

**Q052 (2016):** office staff 1473, summoners 248, trainee district judges 136, junior district judges 1, referendaries 312

**Q052 (2015):** office staff 1428, summoners 265, trainee district judges 138, junior district judges 5, referendaries 309

**Q052 (2014):** For the 2014 exercise the total of 2 161 subsumes 1 434 office staff, 266 summoners, 136 trainee district judges, 7 junior district judges and 318 referendaries.

**Q052 (2013):** For 2013, the total of 2 196 subsumes 1445 office staff, 265 summoners, 133 trainee district judges, 7 junior district judges, 346 referendaries.

**Q052 (2012):** For 2012, the total of 2 214 subsumes 1447 office staff, 264 summoners, 129 trainee district judges, 9 junior district judges, 365 referendaries.

**Q055 (General Comment):** The National Prosecution Authority comprises the Office of the Prosecutor General that acts as the general administrative unit, and five prosecution districts: Southern Finland, Western Finland, Northern Finland, Eastern Finland and Åland. The National Prosecution Authority has 34 offices around Finland. The Prosecutor General is the supreme prosecutor and the head of the prosecution service. The Prosecutor General directs and develops prosecutorial activity by issuing general instructions and guidelines to the prosecutors. She/he also appoints district prosecutors. The Prosecutor General may take over a case from a prosecutor, but cannot order a prosecutor to decide the case in any given manner. She/he can also self-decide on the bringing of charges and designate a prosecutor to pursue the case in the courts. The Deputy Prosecutor General decides the matters in his/her competence on the same authority as the Prosecutor General. He/she also acts as a deputy for the Prosecutor General when necessary. For regular prosecutorial tasks, the Office of the Prosecutor General has state prosecutors whose jurisdiction covers the entire country. Most criminal matters (about 91 3000 cases annually) are dealt with by the prosecution areas. The Office of the Prosecutor General deals mainly with criminal cases with wider significance to society as a whole, a few dozen every year. Prosecutors in Finland are not bound on Court instances, and every prosecutor is expected to, in a normal situation, to handle and prosecute the criminal case all the way to the Supreme Court, if needed.

**Q055 (2020):** Prosecutors in Finland are not bound on Court instances.

**Q056 (2020):** Prosecutors in Finland are not bound on Court instances.

This number includes the five prosecution districts, the The Prosecutor General and the Deputy Prosecutor General. The number of heads of prosecution offices decreased between 2018 and 2020 due to the re-organization of the prosecution.

**Q056 (2018):** The Prosecutor General, the Deputy Prosecutor General and 11 heads of the local prosecution offices. New heads of prosecution offices have been appointed and more of them are females.

**Q056 (2016):** the Prosecutor-General, the Deputy Prosecutor-General and 11 heads of local prosecution offices

**Q056 (2014):** For 2014, the total referres to the Prosecutor-General, the Deputy Prosecutor-General and 11 heads of local prosecution offices.

**Q056 (2012):** For 2012, the total referres to the Prosecutor-General (male), the Deputy Prosecutor-General (male) and 13 heads of local prosecution offices (13 males and 2 females).

**Q057 (General Comment):** The Chancellor of Justice of the Government and the Parliamentary Ombudsman may also prosecute or order that charges to be brought in matters falling within the scope of their supervisory authority. If a prosecutor has decided not to prosecute, the injured party has the right to him/herself bring a charge for the offence in order to have the case heard by a court.

**Q057 (2018):** If a prosecutor has decided not to prosecute, the injured party has the right to self bring a charge for the offence in order to have the case heard by a court. The Chancellor of Justice of the Government and the Parliamentary Ombudsman may also prosecute or order the charges to be brought in matters falling within the scope of their supervisory authority.

**Q060 (2022):** Prosecutor's secretaries and other specialist staff

**Q060 (2021):** In 2021, more staff was hired.

**Q060 (2018):** More staff has been recruited.

The number of males has increased.

**Q132 (2022):** In Finland, there are several salary categories for judges. The salary depends also on the years of work experience. At the end of 2022 first instance judge is in a salary category T11 in which the gross salary is from 4944,63 €/month to 6428,019€/month depending on his/her experience. A permanent first instance judge T13 has usually at least nine years of work experience which means the salary is 6036,7065 €/month. In Finland, the taxation is progressive so the information on net salary varies from person to person and is not available.

Prosecutors salaries are based on three components: task-specific , personal component and component based on the years of employment. At the start of the career prosecutors usually start at the lower levels of task-specific paylevels, as well as the component based on years of employment is lower. By your own capability you can rise your own personal component. Experienced professionals usually have higher levels in all three components.

**Q132 (2020):** Prosecutors in Finland are not bound on Court instances.

**Q132 (2016):** In Finland there are several salary categories for judges. The salary depends also on the experience. A first instance judge has a category of T 11 for which the gross salary is from 4501,79 €/month to 5627,24 €/month depending on his/her experience. A permanent 1st instance judge has usually at least 9 years experience which means the salary is 5177,06 €/month. In Finland we have progressive taxation so the information on net salary is not available.

**Q146 (General Comment):** As of 2014, only attorneys-at-law, public legal aid lawyers and licenced legal counsels are allowed to represent a client in court. In addition, in-house lawyers can represent their company in court. Lawyers working for trade unions can represent a client in a district court and in the Labour Court in disputes regarding employment relationship. Lawyers working for public authorities can represent the public authority in court.

In order to qualify as an attorney-at-law, a lawyer needs to have at least four years of work experience and must pass the demanding three-part professional qualification test known as the bar examination. The titles of attorney-at-law and attorney's office are protected by law and can only be used by lawyers accepted into the Finnish Bar Association. Attorney's offices employ also associate lawyers, that is lawyers who are not yet members of the bar.

**Q146 (2022):** The number includes 2255 attorneys (i.e. members of the Bar Association), 1733 licensed trial counsels and 200 public legal aid attorneys. From the public legal aid attorneys 90 were also members of the Bar Association.

**Q146 (2021):** The total number of lawyers includes 2230 attorneys-at-law, 1738 licensed legal counsels and 205 public legal aid lawyers. These lawyers can represent a client in court. The title of attorney-at-law is protected by law and can only be used by lawyers accepted into the Finnish Bar Association.

The total number of in-house lawyers, trade union lawyers and lawyers working for public authorities is not available.

**Q146 (2020):** In 2020, the total number of lawyers includes 2211 attorneys-at-law, 1664 licensed legal counsels and 212 public legal aid lawyers. These lawyers can represent a client in court. The title of attorney-at-law is protected by law and can only be used by lawyers accepted into the Finnish Bar Association.

The total number of in-house lawyers, trade union lawyers and lawyers working for public authorities is not available.

**Q146 (2019):** It is estimated that there are 16.000 people with law degree in Finland – it is no possible to provide an exact number of "legal advisors".

Approx. 4.000 lawyers can represent their clients in Court. These consist of 1631 licensed legal counsels, 2177 members of the Finnish Bar Association (attorneys-at-law) and 214 public legal assistants in state legal aid offices.

The Finnish Bar Association states that 66% are men and 34% women. However, 52% of their new members are women.

**Q146 (2018):** In 2018, the total number of 3965 lawyers includes 2143 attorneys-at-law, 1603 licensed legal counsels and 219 public legal aid lawyers. These lawyers can represent a client in court. The title of attorney-at-law is protected by law and can only be used by lawyers accepted into the Finnish Bar Association.

In addition, in-house lawyers can represent their company in court. Lawyers working for trade unions can represent a client in a district court and in the Labour Court in disputes regarding employment relationship. Lawyers working for public authorities can represent the public authority in court. The total number of these in-house lawyers, trade union lawyers and lawyers working for public authorities is not available.

**Q146 (2017):** The total number of lawyers 3,846 includes 2,137 members of the Finnish Bar Association, 1,588 licensed lawyers and 228 public legal aid lawyers. 107 legal aid lawyers were also members of the Finnish Bar Association.

**Q146 (2016):** The number of lawyers indicated for 2012, 2013 and 2014 refers to members of the Finnish Bar Association who are entitled to use the professional titles *advokat* (advocate). Law firms (firms owned by members of the Bar) employ also associates. Besides, legal aid offices employ also legal advisers who are not all members of the Bar Association. Till 2014, jurists (persons who have a Master's Degree in law) could offer similar legal services than members of the Bar. From the beginning of the year 2014, only advocates, public legal aid attorneys and counsels who have obtained the license referred to in the Licensed Counsel Act are allowed to represent a client in the court.

In 2016, the total number of lawyers 3,791 includes 2,119 members of the Finnish Bar Association, 1,540 licensed lawyers and 229 public legal aid lawyers (97 public legal aid lawyers are also members of the Finnish Bar Association). Only members of the Finnish Bar Association are entitled to use the professional title "advocate".

**Q147 (2019):** The Association of Finnish Lawyers, which is the only association in Finland for all lawyers, has approximately 16.000 members. 55% of their lawyer members are women, and 57% of the student members are women. (<https://www.lakimiesliitto.fi/liitto/jasenet/>)

**Q148 (2018):** The exact number of legal advisors who cannot represent their clients in court is not available.

## France

**Q004 (2022):** Revised calculation method: payroll/headcount computed on a full-time equivalent basis.

**Q004 (2021):** The exact data are 37 742,7

**Q004 (2020):** The exact figure is 34,494.5\_x000D\_

Source INSEE

**Q046 (2022):** The entered data includes judicial and administrative judges.

DSJ: Data extracted from the LOLFI HRIS - Staffing of professional magistrates in service at the headquarters of judicial jurisdictions as of 31/12/2022. The values are expressed in FTE.

**Q046 (2021):** Data taken from an extraction of the LOLFI SIRH - Number of professional judges on 31/12/2021. The values are expressed in FTEs. Source DSJ

Administrative justice data: 1. total number of professional judges at first instance: 899(463 men, 436 women); 2) Number of professional judges in the courts of appeal (2nd instance): 304 (163 men, 141 women); 3. number of professional judges in the Supreme courts: 128 (81 men, 47 women). 1+2+3. Total number of professional judges: total 1331 (707 men, 624 women). The figures are expressed in physical numbers as at 31/12/2021. The members of the National Court of Asylum (CNDA) and the Paid Parking Litigation Commission (Commission du contentieux du stationnement payant) are counted under the first instance.

Source: Council of State

The gender distribution is based on the number available in FTE for all professional judges except for administrative judges for whom the distribution is available in FTE only for the total.

**Q046 (2020):** "Here are the details:

With respect to the judiciary. The data are expressed in full-time equivalent. These figures concern only judges (and not paralegals) who sit in court (magistrates seconded to the central administration are not counted). In the table above, the figures have been rounded up when the decimal is greater than or equal to 0.5:

Total number of professional judges: total 6177.9; men 1725.5; women 4452.4

1. Number of first instance professional judges: total 4378.6; men 1133.7; women 3244.9

2. Number of second instance professional judges : total 1577.8; men 503.8; women 1074

3. Number of Supreme Court professional judges : total 221.5; men 88; women 133.5

Source: LSB

For the administrative order, the data include the National Court of Asylum (CNDA) and the Commission du contentieux du stationnement payant (CCSP). In FTE, only the total is available. The detail in physical staff is as follows:

Total number of professional judges: total 1357; men 727; women 630

1. Number of first instance professional judges : total 920; men 487; women 433

2. Number of second instance professional judges : total 306; men 156; women 150

3. Number of Supreme Court professional judges : total 131; men 84; women 47

Source: EC

"

**Q046 (2019):** Data are presented in full time equivalent, part-time employees being counted, which explains the possible horizontal and vertical inconsistencies in the table. For information: number of judges from civil society (first instance):

Total: 19,002 (489 temporary judges (MTT) + 13,277 labor judges (conseillers prud'hommes (CPH) + 1,832 Assessors of the Social Centres (APS) + 3,404 Consular Judges of the Commercial Courts (JC) Men: 11,249 (243 MTT + 6,902 CPH + 1,294 APS + 2,810 JC); Women: 7,753 (246 MTT + 6375 CPH + 538 APS + 594 JC). Source: LOLFI. Number of judges on duty in the courts.

The data do not encompass "public prosecutors and their staff". All judges in courts are counted, including presidents of courts, as the latter perform judges' duties.

**Q046 (2018):** With regard to administrative justice, in 2018, it should be noted that the number of judges sitting in specialised courts increased due to the very sharp increase in the number of appeals to the National Court of Asylum (CNDA) and the creation of the Commission du contentieux du stationnement payant (CCSP).

In the area of judicial justice, the increase is due to the filling of vacancies in the courts and the decrease in the number of departures of judges.

**Q046 (2014):** The 2014 data on number of judges of courts of law subsumes also the presidents appointed by 31 December 2014.

**Q046 (2013):** In 2013, in first instance, there are 161 presidents of ordinary courts of law and 42 presidents of administrative courts. In second instance, there are 37 first presidents of courts of law and 8 presidents of administrative courts. They are encompassed in the indicated figures. However, presidents of administrative courts of appeal are not included (being members of the State Council, they are included within the number of Supreme court judges).

**Q046 (2012):** The 2012 data is expressed in FTE, for positions actually filled on 31 December 2012 within courts of law and administrative courts. For the latter, data in FTE concerning the distribution between men and women is not available. Out of the 1377 first instance and appeal judges, there are 816 men and 561 women. Data on men-women distribution for the State Council is not available in FTE: there were 105 men and 47 women. For courts of law, there were in FTE: total: 5771 FTE (2066 men/3705 women); first instance professional judges (1326 men/2804 women); appeal court professional judges (622 men/795 women); Supreme court professional judges (118 men/106 women). The State Council used different calculation methods for 2010 and 2012.

**Q046-2 (2022):** The increase in the number of State Counsellors between 2021 and 2022 is attributed to returns from mobility.

**Q046-2 (2021):** Non-specialised judges, who account for approximately 45% of the staff of the civil and criminal courts, are required to work in both criminal and civil matters. As a result, the distribution between the different types of litigation is not quantifiable, as these assignments fall within the organisational powers of the head of court.

Similarly, certain specialised judges (juvenile judges and liberty and custody judges) are also likely to intervene in both civil and criminal cases due to their areas of competence.

Source DSJ. Data have been rounded up from 0.5, down below. Source: Council of State for the administrative part (data have been rounded).

**Q046-2 (2020):** "The distinction by type of case is not possible in the justice of the judicial order.

Note: the distribution of the processing of civil and criminal cases within the tribunals and courts, which depends on the organization of the jurisdictions, does not allow us to fill in this table. For the administrative courts, the FTEs have been rounded up. The precise non-rounded data can be made available if necessary. "

**Q052 (2022):** The category of 'Other non-judge personnel' encompasses legal assistants and specialized assistants who do not work for the prosecution. Also included in the category of 'Non-judicial personnel assisting judges similar to court clerks' are Category B contract staff recruited under the justice support plan implemented since the second half of 2020 on the sole basis of Article 7 bis of Law No. 84-16 of January 11, 1984 concerning statutory provisions relating to State civil service created by the Public Service Transformation Act of August 6, 2019 establishing project contracts. These contractors are hired for a period of three years.

The significant increase in their number (489 more than in 2021) combined with that of court clerks (+2787 compared to last year) as well as other non-judge personnel (+104 compared to last year) contributes to an overall increase reported for the year 2022.

As at December 31st, 2022, 1,549 Category A and B agents (including 1,066 women) were undergoing initial training at École Nationale des Greffes (European School), most of them undertaking practical internships within judicial institutions. These individuals will join the judiciary during either this or next year significantly increasing the number of agents working in judicial institutions and regional administrative services.

Regarding the 'staff responsible for tasks related to the administration and management of courts', the observed increase is linked to the implementation of a proactive policy to reinforce SARs and support chief justices' secretariats (increase in the number of court registry directors in SARs, increase in the number of administrative secretaries...).

**Q052 (2021):** Concerning the total of 22 115, it should be noted that this figure includes 597 legal assistants and specialised assistants working for the courts and 939 contractual staff recruited in the framework of local justice. The "other non-judge staff" correspond to legal assistants and specialised assistants who do not work for the prosecution services. The category "non-judge (judicial) staff whose task is to assist the judges such as registrars" includes the category B contractual staff recruited under the support plan for justice implemented since the second half of 2020 on the sole basis of Article 7 bis of Law No. 84-16 of 11 January 1984 on the statutory provisions relating to the State civil service, created by the law on the transformation of the civil service of 6 August 2019, which institutes the project contract. These contractual employees are recruited for three years. The significant increase in the number of these contractual staff (240 more than in 2020), combined with the increase in the number of court clerks (+221 compared to last year) and the increase in the number of other non-judge staff (+210 compared to last year), contributes to the increase in the overall figures communicated for the year 2021. As on 31 December 2021, 1 666 category A and B staff (including 1 383 women) were undergoing initial training at the "École nationale des greffes", most of them on practical training in the courts. These staff will join the courts in 2022 or 2023, which will significantly increase the number of staff working in the courts and the regional administrative services.

Source DSJ

**Q052 (2020):** "Non-judge staff" correspond to legal assistants and specialized assistants who do not work for the prosecution service. Unlike in previous years, this distinction could be made for the numbers in 2020, which explains the decrease in the figures provided compared to the previous year. The category "Non-judicial staff responsible for assisting judges, like registrars" includes the category B contractual employees recruited under the plan to support justice, implemented since the second half of 2020 on the sole basis of article 7bis of the law n°84-16 of January 11, 1984, concerning statutory provisions relating to the State civil service, created by the law on the transformation of the civil service of August 6, 2019, instituting the project contract. These contract employees are hired for 3 years.

As of 12/31/2020, 1,699 category A and B agents (including 1,388 women) were undergoing initial training at the National School of Clerks, most of whom were on practical training in the courts. These personnel will join the courts during 2021 or 2022, which will significantly increase the number of agents working in the courts and regional administrative services.

The data compiles data from the judicial and administrative justice systems. Interns are not included. "

**Q052 (2019):** As of 31/12/2019, 1,693 category A and B staff (including 1,408 women) were undergoing initial training at the "Ecole nationale des greffes", most of them on practical training courses in the courts. These staff will join the courts in 2020 or 2021, which will significantly increase the number of staff working in the courts and regional administrative departments. Other non-judge staff includes specialised assistants (106, 48 men and 58 women) and legal assistants (422, 93 men and 329 women) working in the civil and criminal courts. The increase in the number of legal assistants between 2018 and 2019 is due to the creation of new budgetary posts obtained.

**Q052 (2018):** With the exception of heading 5 "Other non-judge staff", the distinction between staff attached to judges and staff attached to prosecutors is not possible  
At the date of 31/12/2018, 1,173 category A and B staff (including 1,003 women) were in initial training at the National School of Registries, most of whom were on practical training in the courts. These staff will join the courts in 2019 or 2020, which will significantly increase the number of staff working in the courts and regional administrative services.  
"Other non-judge staff" includes specialised assistants and assistant lawyers who assist non-judge prosecutors in their duties. The detail by function and gender is as follows:  
Categories Total Male Female  
Specialized assistants 23 13 10 10  
Assistant lawyers 245 53 192  
Total 268 66 202

**Q052 (2017):** The distinction between staff attached to judges and staff attached to prosecutors is not possible. Namely, the sub-category 2 encompasses specialised assistants (31) and assistant lawyers (242), who assist civil and penal judges or prosecutors in the preparation of case files.

**Q052 (2016):** No distinction is possible between staff attached to courts and staff attached to public prosecution services. The category "Other non-judge staff" refers to specialized assistants (18) and legal assistants (111) who work in civil and penal courts.

**Q052 (2015):** It should be noted that as of 31 December 2015, 1013 categories A and B staff (including 886 women) were in initial training at the Ecole nationale des greffes (French National School for Registrars), most of them in practical training in courts. This high volume of staff has joined the courts in 2016 or will do so in 2017, which will increase the number of staff actually working in the courts and regional administrative offices.

The distinction between staff in charge of assisting judges and staff in charge of assisting prosecutors is not possible. The latter are therefore part of the figures provided.

**Q052 (2013):** The 2013 data encompasses non-judge staff appointed to judges and public prosecutors. On 31 December 2013, 1064 agents were in initial training. They joined courts of law in 2014 or will do in 2015. Among the 21946 non-judge staff, 1911 were appointed to administrative courts. The 274 agents of the State Council counted in 2012 were appointed to a support function and are therefore excluded from the 2013 figures. The size of the litigation section of the State Council represents 87 FET. The staff of the National Court for asylum right has also been taken into account in categories 2, 3 and 4 for a total of 325 FET (not counted until 2013). In 2013, the State Council distributed non-judge staff which was before included in the category "other" in the proposed categories.

**Q052 (2012):** On 31 December 2012, 1039 staff were in initial training at the National School for Registrars, most of them in practical training in courts. They joined the tribunals in 2013 or will do so by 2014, which will increase the number of agents actually in office in courts and regional administrative services. Data pertaining to administrative courts is classified within the category "other" because of the versatility of their staff (1,505.5 FTE). As for the State Council, the number in FTE of the non-judge staff is 274.

**Q052-1 (2022):** It has not been possible to exclude the legal assistants and specialized assistants working for the public prosecutor's office from the breakdown of data provided in the table above (1076 in total nationwide for first instance courts, appellate courts, and supreme courts). Also included in these figures are contractual 'local justice' personnel whose recruitment was authorized as of 2020 under project-based contracts (see annotation to question 52). The difference between the total for Q52 and the total for Q52-1 is once again explained this year by the non-inclusion in question Q 52-1 of personnel working in SAR: indeed, since question Q52-1 only concerns non-judicial staff working in first instance courts, appellate courts, and supreme courts, SAR personnel are not counted therein.

**Q052-1 (2021):** It has not been possible to exclude the legal assistants and specialised assistants working for the public prosecution services for the breakdown of the data provided in the table above (359 in total for the First instance courts, Courts of appeal and Supreme courts, at national level). Also included in these numbers are the 'justice de proximité' contract staff whose recruitment has been authorised from 2020 onwards on the basis of the project contract (see comment of Q52). On the other hand, staff working in the SAR are excluded (contrary to Q52), i.e. 1 766 staff.  
Source DSJ

**Q055 (2021):** Data taken from an extraction of the LOLFI SIRH - Number of public prosecutors on 31/12/2021. The values are expressed in FTEs.  
Source DSJ

The data have been rounded upwards from 0.5 and downwards below, with the exception of the data relating to the number of male prosecutors at the Courts of appeal (the exact figure is 249.6) in order to ensure vertical consistency.

**Q055 (2020):** Only the judicial order is concerned

**Q055 (2014):** For 2014, State prosecutors, heads of public prosecution services, are included.

**Q055 (2012):** For 2012, only prosecutors of courts of law appointed by 31 December 2012 were counted.

**Q056 (2012):** For 2012, the public prosecutor of the Cassation court, general public prosecutors to the courts of appeal and State prosecutors were counted.

**Q057 (General Comment):**

There are delegates of the public prosecutor who undertake certain duties on behalf of the prosecuting attorney: implementing alternative measures to criminal prosecution, notifying individuals of proposed measures within the framework of a penal composition, serving notices for penal orders to convicted individuals, overseeing compliance with community service sentences and monitoring enforcement of penalty sanctions. Additionally, they are responsible for collecting fines imposed through penal orders and representing the public prosecutor in territorial proceedings.

**Q057 (2022):** There exist delegates of the public prosecutor who undertake specific missions on behalf of the prosecutor: implementing alternative measures to criminal prosecution, notifying proposed measures within the framework of a penal composition, serving notice of penal orders to offenders, overseeing compliance with community service sentences and monitoring enforcement of punitive sanctions. Furthermore, they are tasked with collecting fines imposed through penal orders and representing the public prosecutor in territorial proceedings.

**Q057 (2016):** No other person has functions comparable to those of the public prosecutor, the latter being sole in charge of the public prosecution. On the other hand, certain powers may be delegated on an ad hoc basis within a specific framework. Thus, before the police court and the local court which are competent to try contraventions of the first four levels, the functions of the public prosecutor are carried out by an officer of the public prosecutor's office (OMP) in the person of the competent police commissioner in the jurisdiction of these courts.

The prosecutor of the Republic may also designate a representative of the public prosecutor to intervene in the procedure of criminal composition or to remind the perpetrator of the obligations resulting from the law, to direct the perpetrator to a health, social or professional structure or to ask the perpetrator to regularise his/her situation or to compensate the damage resulting from the offence. The prosecutor's delegates may be natural persons or associations. They are empowered to do so by the public prosecutor, must take an oath before the court and are bound by professional secrecy. They submit an annual activity report to the prosecutor.

The prosecutor's delegates are not members of the public prosecutor's office and are not in charge of initiating public prosecutions, unlike the officers of the public prosecutor's office mentioned above. Indeed, the prosecutor's delegates are only competent within the framework of the mission assigned to them for an alternative measure to prosecution in a specific case.

**Q057 (2014):** Data in FTE is not available for two reasons. On the one hand, deputy prosecutors (about 950) and criminal mediators are involved as delivery agents and not employees. On the other hand, associations, to the number of 155, are also entitled to fulfill these missions, but it is still not possible to determine the number of FTE devoted to these specific missions, among other socio-judicial missions.

**Q057 (2012):** It is not possible to provide a number in FTE for two reasons. On the one hand, deputy prosecutors (about 1000 in 2012) and criminal mediators are involved as delivery agents and not employees. On the other hand, associations, to the number of 150, are also entitled to fulfill these missions, but it is still not possible to determine the number of FTE devoted to these specific missions, among other socio-judicial missions.

**Q060 (2022):** This figure encompasses legal assistants and specialized aides working within the prosecutor's office. It does not account for deputy prosecutors.

**Q060 (2021):** 359 = legal assistants and specialised assistants

Source DSJ

**Q060 (2016):** It should be recalled that court staff are assigned to the services of judges and public prosecutors, and details of this breakdown are not available. For very specific staff, the data are nevertheless known: 60 specialised assistants and 49 legal assistants.

**Q060 (2014):** Staff assisting the public prosecution office are comprised in the whole of the registry staff under the direction of a registry director. The latter works closely with the chairman of the court and the public prosecutor at the court. Therefore, data on staff of the public prosecution office are, to this date, indistinct from those of court staff (question 52). Moreover, some very specialised public prosecution services can be assigned to specialised assistants, sometimes from other jurisdictions, to help them deal with the most complex proceedings. These specialised assistants are at number 44 (including 23 women) in 2014.

**Q132 (General Comment):** First-instance professional judge (civil and criminal courts) at the beginning of his/her career: judge at the 3rd step of the second grade - lump-sum compensation: 35% - flexible bonus 12%.  
Public prosecutor at the beginning of his/her career: prosecutor of the Public Prosecutor's Office at the 3rd step of the second grade - lump-sum compensation: 38% - flexible bonus 12%.  
Judge of the Court of Cassation: President of Chamber CC (F: 1369) - flexible bonus 14%.  
Prosecutor at the Court of Cassation: First Advocate General CC (F: 1369) - flexible bonus 14%.

**Q132 (2022):** According to the administrative court judges' annual salary, it amounts to 57,400 euros gross and 48,700 euros net. As for the Council of State judges, their annual remuneration stands at 190,000 euros gross and 161,000 euros net.

**Q132 (2021):** The data filled in the table are those of the civil and criminal justice, source DSJ.  
Concerning the administrative justice, the data are as follows: professional judge of first instance, beginning of career: 50 200, 41 300; judge of the Supreme court or of the last instance of appeal: 95 100, 76 900. Source – Council of State

**Q132 (2020):** "The completed table concerns only magistrates of the judicial order.  
For the administrative order: -gross annual salary in euros of a professional judge of 1st instance at the beginning of his career: 47,100 euros  
-gross annual salary in euros of a Supreme Court judge: 94,000 euros  
-net annual salary in euros of a professional judge of first instance at the beginning of his career: 38,700 euros  
-net annual salary in euros of a supreme court judge: 76,000 euros.  
sources DSJ and CE."

**Q132 (2014):** In 2014, the annual gross salary of administrative judges was 42,615€ and the annual net salary was 36,318€. At the State Council, the annual gross salary was 108,881€.

**Q133 (2020):** Pursuant to the provisions of the order of April 5, 2017, establishing the lists of functions of the State services of the Ministry of Justice provided for in Articles R. 2124-65 and R. 2124-68 of the General Code of the Property of Public Persons that may give rise to the granting of a concession of housing by absolute necessity of service or of a precarious occupation agreement with penalty, certain heads of courts and jurisdictions benefit from a precarious occupation agreement with penalty.\_x000D\_

A fee is charged to the beneficiary of this agreement. It is equal to 50% of the real rental value of the occupied premises.\_x000D\_

**Q146 (2021):** Source DACS

**Q146 (2020):** source DACS

**Q146 (2018):** data at the date of 1st of January 2018

**Q146 (2017):** Data as at 1 January 2018

**Q146 (2016):** data as at 1 January 2017

**Q146 (2014):** The 2014 data refers to the number of lawyers on 1 January 2015.

**Q146 (2012):** The 2012 data reflects the number of lawyers in January 2012.

**Q147 (2019):** This category does not exist. The profession of legal adviser was integrated into the legal profession by the law of 31 December 1990. The activity of legal advice is open to certain professionals by virtue of their status but also to other professionals after an approval has been issued by the Ministry of Justice.

**Q148 (2021):** Source DACS

**Q148 (2018):** There is no regulated profession in France for lawyers who cannot represent clients in court.

## Germany

**Q004 (2022):** The figure represents the average gross annual salary of employees working in full time including special payments (without special payments: 50 805 EUR)  
Special payments are any payments outside of the regular remuneration. Typical examples of such payments are Christmas bonuses/end-of-the year bonuses, holiday bonuses, payments for jubilees, bonuses for the fulfilment of target agreements.

**Q004 (2021):** The figure represents the average gross annual salary of employees working in full time including special payments (without special payments: 49 202 EUR)  
Special payments are any payments outside of the regular remuneration. Typical examples of such payments are Christmas bonuses/end-of-the year bonuses, holiday bonuses, payments for jubilees, bonuses for the fulfilment of target agreements.

**Q004 (2020):** figure represents the average gross annual salary of employees working in full time

**Q004 (2019):** With regard to this question, no data are available for 2019. The data from 2018 have therefore been included.

**Q004 (2018):** With regard to this question, no data are available for 2018. The data from 2017 have therefore been included.

**Q004 (2016):** The circumstances have changed since the last campaign

**Q046 (General Comment):** 1. There is a "court-staff statistic" ("Personalbestand") of the federal states that reports the number of judges in full-time equivalent as of 31 December of the reference year. This statistic also shows the number of female judges but it is not possible to allocate the judges to the different instances/stages of appeal. This statistic does not include the judges at the Federal Courts ("Supreme Courts").

2. The "staff-assignment statistic" ("Personalverwendung") of the federal states basically reports the average number of personnel actually deployed during the reference year (full-time equivalent). For example, employees who were not present for more than 20 working days during a quarter for reasons other than holiday and/or training are excluded. The staff-assignment statistic offers the possibility to allocate the judges to the different instances but it does not show the number of female judges. It does not include the federal judges either.

3. The "judiciary-staff statistic" ("Richterstatistik") combines the number of the judges of the federal states from statistic No 1 (court staff statistic) with the number of judges at the Federal Courts (full-time equivalent as of 31 December 2020). This statistic is not published every year but every two years. It differentiates between the judges of the federal states and the judges of the Federal Courts (highest instance) and includes the number of female judges.

Regarding Q46 the figures under "1. Number of first instance professional judges" and "2. Number of second instance (court of appeal) professional judges" were taken from statistic No 2 (staff-assignment) because statistic No 1 does not offer the possibility to allocate personnel to the different instances. The figures under "3. Number of Supreme Court professional judges" were taken from statistic No 3 because the federal judges only appear in that statistic.

**Q046 (2022):** 1. and 2.: Data was taken from the "staff-assignment statistic" of the federal states. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training). The staff-assignment statistic does not distinguish between male and female judges. The "court-staff statistic" of the federal states on the other hand distinguishes between "total" and "female" but does not allow for a differentiation between the instances. According to the court-staff statistic as of 31 December 2022 there were 22 027 judges (FTE) in total, among them 10 813 female and 11 214 male.

3: Figures represent the number of judges at the Federal Courts in FTE as of 31 December 2022. The number of judges at the Federal Courts is published every second year (see General Comment).

**Q046 (2021):** 1. and 2.: Data is taken from the "staff-assignment statistics" of the Länder. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training). The staff-assignment statistics do not distinguish between male and female judges. The "regular" court-staff statistics of the Länder distinguish between "total" and "female" but do not allow for a differentiation between the instances. According to the regular court-staff statistics as of 31 December 2021 there were 22 006 judges in total, 10 626 female and 11 380 male (full-time equivalents).

3: Figures represent the number of judges at the Federal Courts in full time equivalents as of 31 December 2020. The number of judges at the Federal Courts is published every second year (see General Comment).

**Q046 (2020):** 46.1 and 46.2: Data is taken from the "staff-assignment statistics" of the Länder. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training). The staff-assignment statistics do not distinguish between male and female judges. The "regular" court-staff statistics of the Länder distinguish between "total" and "female" but do not allow for a differentiation between the instances. According to the regular court-staff statistics as of 31 December 2020 there were 21.944 judges in total, 10.418 female and 11.526 male (full-time equivalents) 46.3: Figures represent the number of judges at the Federal Courts in full time equivalents as of 31 December 2020.

"Pact for the Rule of Law" (Pakt für den Rechtsstaat):

The federal level and the Länder on 31 January 2019 agreed on a 'Pact for the Rule of Law'. The pact foresees additional funding of EUR 220 million from the federal level for the Länder to create 2000 additional posts for judges and prosecutors, including the necessary administrative staff by 31 December 2021. In addition, the federal level is creating 24 additional posts at the Federal Court of Justice and 71 posts at the Prosecutor General of the Federal Court of Justice. New posts that were created after the beginning of 2017 are included into the count.

A joint report by the Federal Government and the Länder on the state of implementation of the pact was presented on 10 June 2021. The report concluded that the implementation has well progressed, noting in particular that over 2 700 post for judges and prosecutors have been created so far, with 2 500 being filled.

These numbers will not be reflected directly in the data given above, because the figures represent the average value of the actual personnel deployed during the reference year (in full-time equivalents).

It should also be noted that one of goals of the 'Pact for the Rule of Law' is to address the challenges related to the upcoming wave of retirements of judges and public prosecutors.

**Q046 (2019):** The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2018).

**Q046 (2018):** The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2018).

**Q046 (2017):** Comment - Please provide any useful comment for interpreting the data above: The information provided counts the number of full-time equivalent staff. There are no absolute figures for the number of persons making up this staff. A judge working full hours is counted as a full-time equivalent (i.e. 1). A judge working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for a judge working half the usual number of hours). Re 1 and 2: Information based on staffing overviews. These data are ascertained according to a complex calculation mechanism as an annual average of the actual personnel deployed (for example: minus the number of staff absent for more than 20 working days in a single quarter for reasons other than vacation and/or further-training). Re 3: The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2016).

**Q046 (2016):** The information provided counts the number of full-time equivalent staff. There are no absolute figures for the number of persons making up this staff. A judge working full hours is counted as a full-time equivalent (i.e. 1). A judge working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for a judge working half the usual number of hours). Re 1 and 2: Information based on staffing overviews. These data are ascertained according to a complex calculation mechanism as an annual average of the actual personnel deployed (for example: minus the number of staff absent for more than 20 working days in a single quarter for reasons other than vacation and/or further-training). Re 3: The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2016).

**Q046 (2015):** The data refer to the year 2014. At present, no more recent data are available.

Sources: Federal Office of Justice (Bundesamt für Justiz), Schöffenstatistik (statistical information on lay judges) as per 31 December 2014 as well as information provided by the Federal Länder

**Q046-2 (2022):** "Other" includes judges handling family cases and labour law cases. In previous cycles, this category also included judges handling cases at the financial and social courts. In accordance with the classification of cases used for question 91, these judges are now allocated to the category "administrative".

"First instance" and "Second instance": Data is taken from the "staff-assignment statistic" of the federal states. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).  
"Supreme Court": the figures are taken from the "court-staff statistic" and represent the number (FTE) of judges at the federal courts (Federal Court of Justice, Federal Patent Court, Federal Administrative Court, Federal Finance Court, Federal Labour Court, Federal Social Court, Federal Constitutional Court, Military Disciplinary Courts) as of 31. December 2022. It shows the number of judges (FTE) at the Federal Court of Justice (154) but includes no information on their assignment to civil or criminal cases. According to the website of the Federal Court of Justice, there are currently 114 judges (headcount) assigned to the civil panels and 47 to the criminal panels.

**Q046-2 (2021):** "Other" includes: family cases (at the Local and Higher Regional Courts), cases at the Labour Courts, Social courts, Finance courts

"First instance" and "Second instance": Data is taken from the "staff-assignment statistics" of the Länder. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).

"Supreme Court": the figures are taken from the court-staff statistics and represent the number (FTE) of judges at the Federal Courts (Federal Court of Justice, Federal Patent Court, Federal Administrative Court, Federal Finance Court, Federal Labour Court, Federal Social Court, Federal Constitutional Court, Military Disciplinary Courts) as of 31. December 2020. The statistic is published every second year. It shows the number of judges (FTE) at the Federal Court of Justice (152) but includes no information on their assignment to civil or criminal cases. According to the website of the Federal Court of Justice, there are currently 113 judges (headcount) assigned to the civil panels and 46 to the criminal panels.

**Q046-2 (2020):** "Other" includes: family cases (at the Local and Higher Regional Courts), cases at the Labour Courts, Social courts, Finance courts

"First instance" and "Second instance": Data is taken from the "staff-assignment statistics" of the Länder. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).

"Supreme Court": the figures are taken from the court-staff statistics and represent the number (FTE) of judges at the Federal Courts (Federal Court of Justice, Federal Patent Court, Federal Administrative Court, Federal Finance Court, Federal Labour Court, Federal Social Court, Federal Constitutional Court, Military Disciplinary Courts) as of 31. December 2020. The statistic shows the number of judges (FTE) at the Federal Court of Justice (152) but includes no information on their assignment to civil or criminal cases. According to the website of the Federal Court of Justice, there are currently 114 judges (headcount) assigned to the civil panels and 47 to the criminal panels.

Slight horizontal and vertical inconsistencies are caused by rounding.

**Q052 (General Comment):** Data is taken from the "staff-assignment statistic" of the federal states and represents an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training). The staff-assignment statistic do not distinguish between male and female staff.

**Q052 (2022):** "Other non-judge staff" represents:

- staff on the basic level career track as far as not allocated to categories 1 - 4 (including motorpool staff, staff at court cashiers' offices, internal mail and file delivery service, maintenance etc.)
  - staff in staff representation bodies, as representatives for staff with disabilities and as gender equality commissioners
- Discrepancies of technical staff and other non-judge staff:

The categorisation of staff allocated to "other non-judge staff" was revised and corrected in comparison to previous cycles. Staff on unpaid leave for training purposes was removed. Reception and security services were formerly allocated to "other staff". In alignment with the Explanatory Note, reception and security services are now allocated to the category "technical staff". Other potentially "technical" staff such as motorpool or maintenance staff are not recorded separately in the "staff-assignment statistic" but only together with other lines of work as "staff at basic level career track together".

**Q052 (2021):** These figures denote the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

**Q052 (2020):** These figures denote the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

**Q052 (2019):** These figures denote the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

**Q052 (2017):** This figures denotes the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

**Q052 (2016):** This figures denotes the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

Comments:

These are personnel-deployment figures denoting the number of full-time equivalent employees not exercising judicial office. Personnel-deployment figures are not collected according to reference date. Instead, an annual average is calculated over four quarters. There are no absolute figures for the number of persons making up this staff. An employee working full hours is counted as a full-time equivalent (i.e. 1). An employee working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for an employee working half the usual number of hours). Figures for the federal courts are not included.

**Q052 (2014):** The 2013 and 2014 data are the same due to the impossibility to obtain data for 2014. The trend observed since 2010 reveals stable figures.

**Q052-1 (2022):** While the staff-assignment statistic allocates judges to instances, non-judge staff is not allocated to instances.

**Q052-1 (2021):** Unlike in the case of judges (question 46), non-judge staff are not allocated to individual instances in the staff-assignment statistics of the Länder.

**Q052-1 (2020):** Unlike in the case of judges (question 46), non-judge staff are not allocated to individual instances in the staff-assignment statistics of the Länder.

**Q052-1 (2018):** Differentiating non-judge staff at first and second instance level based on their gender is not possible since the ordinary court system in Germany consists of three instances (local courts, regional courts and higher regional courts). At the same time, regional courts function as a court of appeal on fact and law but can also hear cases at first instance. Unlike in the case of judges (question 46), non-judge staff are not allocated to individual instances.

**Q055 (General Comment):** The information relates to the number of job shares for public prosecutors. There are no absolute figures for the number of persons. The information on the job shares count a judge working full-time as 1. A judge working part-time is counted as the fraction of 1 which corresponds to the proportion of his/her working hours to full-time (e.g. 0.5 for a judge working half the usual number of hours).

**Q055 (2022):** 1.: Data is taken from the court staff statistic of the federal states and represents the number of public prosecutors (FTE) at the local and regional courts as of 31. December 2022

2. Data is taken from the court staff statistic of the federal states and represents the number of public prosecutors (FTE) at the higher regional courts as of 31. December 2022

3. Data is taken from the court staff statistic and represents number of public prosecutors (FTE) at the Federal Court of Justice.

**Q055 (2021):** Figures represent full-time equivalents as of 31. December 2021

"Pact for the Rule of Law" (Pakt für den Rechtsstaat):

The federal level and the Länder on 31 January 2019 agreed on a 'Pact for the Rule of Law'. The pact foresees additional funding of EUR 220 million from the federal level for the Länder to create 2000 additional posts for judges and prosecutors, including the necessary administrative staff by 31 December 2021. In addition, the federal level is creating 24 additional posts at the Federal Court of Justice and 71 posts at the Prosecutor General of the Federal Court of Justice. New posts that were created after the beginning of 2017 are included into the count.

A joint report by the Federal Government and the Länder on the state of implementation of the pact was presented on 10 June 2021. The report concluded that the implementation has well progressed, noting in particular that over 2 700 post for judges and prosecutors have been created so far, with 2 500 being filled.

It should be noted that one of goals of the 'Pact for the Rule of Law' is to address the challenges related to the upcoming wave of retirements of judges and public prosecutors.

**Q055 (2020):** Figures represent full-time equivalents as of 31. December 2020

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It should be noted that one of goals of the 'Pact for the Rule of Law' is to address the challenges related to the upcoming wave of retirements of judges and public prosecutors.

**Q055 (2016):** Figures indicate the number of full-time equivalent staff (not the number of individuals). A prosecutor working full hours is counted as a full-time equivalent (i.e. 1). A prosecutor working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for a prosecutor working half the usual number of hours).

**Q056 (General Comment):** The total number of heads of the public prosecution offices is at least the number of Regional Courts (115) plus the number of Higher Regional Courts (24) at which the chief public prosecution offices are located.

**Q056 (2022):** There are no statistics specifically on the number of the heads of public prosecution offices. The figures were calculated based on the number of public prosecution offices (115 public prosecution offices at the Regional Courts, 24 prosecutor general's offices at the Higher Regional Courts, 1 Federal Prosecutor General's office at the Federal Court of Justice). Generally, each public prosecution office has one head but there might be cases in which two persons working in part time share the position or in which one person (temporarily) is the head of two public prosecution offices.

**Q056 (2020):** There are no statistics specifically on the number of the heads of public prosecution offices. The figures were calculated based on the number of public prosecution offices (115 public prosecution offices at the Regional Courts, 24 prosecutor general's offices at the Higher Regional Courts, 1 Federal Prosecutor General's office at the Federal Court of Justice). Generally, each public prosecution office has one head but there might be cases in which two persons working in part time share the position or in which one person (temporarily) is the head of two public prosecution offices.

**Q056 (2018):** There is no evidence of how many heads of prosecutors there are.

However, since the structure of the public prosecutor's offices (public prosecutor's offices, Attorney General's Office and General

Prosecutor's Office) is the same as that of the courts (District Court, Higher Regional Court, Federal Supreme Court), there are at least as many senior prosecutors as there are courts. The total number of heads of the public prosecution offices is at least the number of Regional Courts plus the number of Higher Regional Courts at which the chief public prosecution offices are located.

**Q056 (2016):** There is no evidence of how many heads of prosecutors there are. However, since the structure of the public prosecutor's offices (public prosecutor's offices, Attorney General's Office and General Prosecutor's Office) is the same as that of the courts (District Court, Higher Regional Court, Federal Supreme Court), there are at least as many senior prosecutors as there are courts. The total number of heads of the public prosecution offices is at least the number of Regional Courts (116) plus the number of Higher Regional Courts (24) at which the chief public prosecution offices are located. These are currently 140.

**Q057 (General Comment):** Section 142 of the Courts Constitution Act (GVG) provides for the function of an official solicitor. In Germany, an official solicitor is a civil servant in a special career of the higher judicial service who performs certain tasks of a public prosecutor. In principle, they can perform prosecutorial duties before local courts without restriction, but at federal state level the orders on the organisation and operation of the public prosecutor's offices regularly limit the activities of the official solicitors to an enumerative catalogue of offences to be tried before the criminal judge. In addition, section 142 of the Courts Constitution Act (GVG) provides that legal trainees may be entrusted with the performance of prosecutorial duties. These legal trainees are persons who have completed their law studies with the first state examination and are in a two-year preparatory service, the completion of which is intended to qualify them for the judicial office. Within the scope of the assignment of duties, the trainee has the same procedural powers as an official solicitor.

**Q057 (2016):** The number cited concerns exclusively associate public prosecutors at a local court (Amtsanwälte). This figure as well reflects job shares (not a number of heads). Besides these associate public prosecutors, there are trainee jurists, civil parties to criminal proceedings, and revenue authorities. However, their number is not known (NA) and therefore was not included in the answer to question 57.

Officials of the public prosecution office:

The office of the public prosecution office at the Local Courts can also be exercised by officials of the public prosecution office with a right of audience before the local courts (section 142 (2) of the Courts Constitution Act). The jurisdiction of the officials of the public prosecution office does not encompass preparing public charges in local court proceedings in criminal matters falling under the jurisdiction of courts other than the local courts. In accordance with the Order regarding the Organisation and Service Operations of the Public Prosecution Offices (Anordnung über Organisation und Dienstbetrieb der Staatsanwaltschaft, OrgStA) issued by some Land administrations of justice, officials of the public prosecution office are only assigned criminal matters in which the criminal court judge rules, and then only the criminal matters designated in a list. Trainee jurists:

Responsibility may be assigned to trainee jurists for discharging the duties of an official of the public prosecution office with a right of audience before the local courts and, in an individual case, for discharging the duties of a public prosecutor under the latter's supervision (section 142 (3) of the Courts Constitution Act).

Civil party to criminal proceedings:

Under certain preconditions, some criminal offences can be prosecuted by aggrieved persons by means of a private charge without needing to first call on the public prosecution office. A private charge can also be filed by someone who is entitled to file a request to prosecute in addition to or in place of the aggrieved person.

Revenue authorities:

Tasks comparable to those of the public prosecution office are performed by the revenue authorities in the fiscal criminal proceedings: If the revenue authority conducts the investigation independently in accordance with section 386 (2) of the Fiscal Code (Abgabenordnung, AO), it has the same rights and obligations as the public prosecutor's office has in an investigation (section 399 (1) of the Fiscal Code).

**Q060 (2022):** Figures include official solicitors ("Amtsanwälte") referred to in question 57.

**Q060 (2021):** This figure includes:

- The number of associate prosecutors (i.e. officials of the public prosecution office with a right of audience only before the Local Courts – in German: "Amtsanwälte"), the staff at the public prosecution offices and associate prosecutors' offices based at the Regional Courts as well as the staff at the public prosecution offices based at the Higher Regional Courts (full-time equivalent staff as of 31. December 2021)
- The staff (222 in total, 140 female) at the Office of the Federal Prosecutor General (headcount as of 31. December 2021).

**Q060 (2020):** This figure includes:

- The number of associate prosecutors (i.e. officials of the public prosecution office with a right of audience only before the Local Courts – in German: "Amtsanwälte" – see question 57), the staff at the public prosecution offices and associate prosecutors' offices based at the Regional Courts as well as the staff at the public prosecution offices based at the Higher Regional Courts (full-time equivalent staff as of 31. December 2020)
- The staff (207 in total, 135 female) at the Office of the Federal Prosecutor General (headcount as of 31. December 2020).

**Q060 (2018):** This figure indicates the number of full-time equivalent staff (not the number of individuals).

- It includes the number of associate prosecutors (i.e. officials of the public prosecution office with a right of audience only before the Local Courts – in German: "Amtsanwälte" – see question 57).
- It covers the public prosecution offices and associate prosecutors' offices based at the Regional Courts (1st instance), the public prosecution offices based at the Higher Regional Courts (2nd instance), and the Office of the Federal Prosecutor General (in this case: number of individuals).

**Q060 (2016):** This figure indicates the number of full-time equivalent staff (not the number of individuals).

- It includes the number of associate prosecutors (i.e. officials of the public prosecution office with a right of audience only before the Local Courts – in German: "Amtsanwälte" – see question 57).
- It covers the public prosecution offices and associate prosecutors' offices based at the Regional Courts (1st instance), the public prosecution offices based at the Higher Regional Courts (2nd instance), and the Office of the Federal Prosecutor General (in this case: number of individuals).

**Q060 (2014):** According to 2014 data, the indicated figure reflects job shares (not a number of heads). The data submitted relate to the cut-off date of 31 December 2013. No figures are available that are more up-to-date. The number refers to the staff of the public prosecutor's offices and the offices of associate public prosecutors at the local courts (courts of first instance), of the public prosecutor's offices at the higher regional courts (courts of second instance), and of the office of the federal prosecutor (Public Prosecutor General at the Federal Court of Justice; in the latter case, the figure reflects the number of heads).

**Q132 (General Comment):** The salaries of judges and public prosecutors are determined by remuneration laws ("Besoldungsgesetze") which exist in each federal state as well as on the federal level. These laws define the remuneration based on different pay-groups, pay-grades and experience levels. Judges and public prosecutors belong to pay-group "R" that has several pay-grades ("R1", "R2", "R3"...). The allocation to the pay-grades depends on the kind of court, position at the court and size of the court. The number of available pay-grades and the details of allocation differ among the remuneration laws. In simplified terms, judges at local courts, regional courts, labour courts, social courts and administrative courts are allocated to pay-grade "R1" according to the remuneration laws of the federal states. Judges at higher regional courts, regional labour courts, regional social courts, regional administrative courts and finance courts as well as judges with an outstanding position (e.g. director, presiding judge) at the courts mentioned for pay-grade "R1" are allocated to pay-grade "R2" according to the remuneration laws of the federal states. Higher pay-grades according to the remuneration laws of the federal states are reserved for judges in outstanding positions (e.g. presidents, presiding judges). Pay-grades R1 and R2 have several experience levels. Generally, judges will climb to the next experience level after a period of two years from the beginning of their career and then climb further every two or three years (details may differ among the federal states and also with regard to the Federal Courts). The Federal Remuneration Law applies to judges and public prosecutors at the federal courts. With regard to the Federal Remuneration Law, judges at the Federal Patent Court and Military Disciplinary Courts are allocated to pay-grade "R2". Judges at the highest federal courts (Federal Court of Justice, Federal Labour Court, Federal Social Court, Federal Administrative Court, Federal Finance Court) are allocated to pay-grade "R6", presiding judges to pay-grade "R8". Federal Public Prosecutors at the Federal Court of Justice are allocated to pay-grade "R6".

**Q132 (2022):** First instance judge or public prosecutor at the beginning of their career:

Data represents average base-salaries of judges and public prosecutors according to the remuneration laws ("Besoldungsgesetze") of the federal states. The average was calculated unweighted. The monthly base-salaries of the federal states were added up and divided by the number of federal states, regardless of how many judges and prosecutors with the respective pay-grades work in a federal state (number unknown).

Judge of the Supreme Court or Highest Appellate Court:

The calculation method was changed in comparison to previous years, causing high discrepancies. Data represents the base-salary of presiding judges at the Federal Court of Justice, Federal Administrative Court, Federal Labour Court, Federal Social Court and Federal Finance Court according to the Federal Remuneration Law ("Bundesbesoldungsgesetz"). This is the highest base-salary that a judge can achieve (excluding the court presidents and judges at the Federal Constitutional Court).

Public Prosecutor of the Supreme Court or Highest Appellate Court:

The calculation method was changed in comparison to previous years, causing high discrepancies. Data represents the base-salary of the Federal Public Prosecutors at the Federal Court of Justice according to the Federal Remuneration Law ("Bundesbesoldungsgesetz"). This is the highest base-salary that a public prosecutor can achieve (excluding the Federal Prosecutor General).

Judges and public prosecutors are entitled to additional payments depending on 1) their individual familial situation (married/partnership, children); 2) their position and function at the court (eg. judges with administrative tasks)

Calculations were made on the following basis:

- 1) judge/public prosecutor at the beginning of their career: pay-grade "R1" (remuneration laws of the federal states) , lowest level of experience, unmarried, no children, no special tasks
- 2) judges at the supreme courts: pay-grade "R8" (Federal Remuneration Law), unmarried, no children, no special tasks.
- 3) public prosecutors at the supreme court: pay-grade "R6" (Federal Remuneration Law), unmarried, no children, no special tasks

**Q132 (2021):** Data represents average base-salaries of judges and public prosecutors according to the remuneration laws ("Besoldungsgesetze") of the Länder. Judges and public prosecutors may be entitled to additional payments depending on - their individual familial situation (married/partnership, children)

- position and function at the court (eg. judges with administrative tasks)

The conditions and amount of any additional payments are determined by the remuneration laws of the Länder.

**Q132 (2020):** Data represents average base-salaries of judges and public prosecutors according to the remuneration laws ("Besoldungsgesetze") of the Länder. Judges and public prosecutors may be entitled to additional payments depending on - their individual familial situation (married/partnership, children)

- position and function at the court (eg. judges with administrative tasks)

The conditions and amount of any additional payments are determined by the remuneration laws of the Länder.

**Q132 (2016):** The salaries calculated were based on the following assumptions:

Outset of the career (judge / public prosecutor): remuneration pursuant to R1, salary bracket 1, single, no children

The average was formed as a simple average of the Länder, without weighting the numbers based on the number of judges active in them, since the corresponding data are not known. The figure given as the salary of a judge or public prosecutor of the Supreme Court is the basic salary R6 without any allowance for working at one of the highest federal courts and without family allowance.

No Information on annual net salary is available on the Basis of the personal circumstances of judges and public prosecutors.

**Q132 (2014):** The salaries calculated for 2014 were based on the following assumptions: outset of the career (judge/public prosecutor): remuneration pursuant to R1, salary bracket 1, single, no children. The figure given as the salary of a judge or public prosecutor of the Supreme Court is the basic salary R6 without any allowance for working at one of the highest federal courts and without family allowance.

**Q132 (2012):** The figure given for 2012 as the salary of a judge or public prosecutor of the Supreme Court is the basic salary R6 without any allowance for working at one of the highest federal courts and without family allowance.

**Q147 (General Comment):** All lawyers in Germany are empowered to plead before court. No distinction is made between different groups of lawyers in Germany, such as between solicitors and barristers. The stated within question 146 include in-house lawyers according to section 46 para. 2 of the Federal Code for Lawyers (Bundesrechtsanwaltsordnung – BRAO).. These are persons, who exercise their profession as salaried employees of persons or companies other than lawyers or patent attorneys or in a company for the joint practice of law or patent law. They shall be deemed to be practising as a lawyer if they are working as a lawyer for their employer under an employment agreement The conditions to be met with regard to the requirement “working as a lawyer” are set out in section 46 para. 3. Compared to lawyers, their powers to provide for legal advice and representation in court are restricted according to section 46 para. 5 (restriction to the employer’s legal affairs) and according to section 46c para. 2 BRAO. Like lawyers, in-house lawyers have to be admitted to the legal profession by the competent regional bar association. There are 24 473 in-house lawyers admitted to the legal profession in Germany (see question 148). In addition to lawyers, certain other individuals may also appear in court as legal advisers but there are no statistical data on these individuals.

**Q147 (2022):** see General Comment

**Q147 (2021):** See the general comments

**Q147 (2020):** See the general comments

**Q147 (2019):** See the general comments

## Greece

**Q004 (2022):** Our service has the data of the structure and distribution of Remuneration Survey in enterprises on the structure of remuneration of employees(having a dependent employment relationship) in enterprises by Sector (B-S branches), excluding X (Public Administration and Defense, compulsory Social Security) based on the NACE Rev. 2. The survey is conducted on a four-year basis. Therefore, the latest available figures are of the year 2018. The results of the survey will be published in late 2024 to early 2025.

**Q004 (2021):** Our service has the data of the structure and distribution of Remuneration Survey in enterprises on the structure of remuneration of employees(having a dependent employment relationship) in enterprises by Sector (B-S branches), excluding X (Public Administration and Defense, compulsory Social Security) based on the NACE Rev. 2. The survey is conducted on a four-year basis. Therefore, the latest available figures are of the year 2018. The results of the survey will be published in late 2024 to early 2025.

**Q004 (2020):** The data come from the Survey of the Structure and Distribution of Remuneration in Greece for the year 2018, from which the sector X is excluded (Public Administration and Defense, Compulsory Social Security) based on the classification of activities NACE Rev. 2 and relate to the average annual gross earnings in euros. Data is available by gender. The only one available at the moment.  
Men 19 234 Average Women 15 947 Average

**Q004 (2019):** The competent authority for this data (see Hellenic Statistical Authority) provides the relevant numbers. The competent authority did not provide any numbers for this section.

**Q004 (2016):** The data provided correspond to those of 2014, since the statistics on this point are carried out every four years. Therefore, they are not absolutely accurate.

**Q046 (2022):** The answer came after the cooperation of the Directorate for the organization and operation of Justice with Juststat. The discrepancy has been analyzed to last year questionnaire.

**Q046 (2021):** The answer came after the cooperation of the Directorate for the organization and operation of Justice with Juststat. The increase in the number of Supreme Court professional judges is explained by the fact that, the judges of the Court of auditors, who are all supreme, had not been previously counted, but now they are included.

**Q046 (2020):** Gender statistics are not kept. -Number of first instance professional judges :593 first-instance administrative judges,1167 first instance judges,916 judges of local courts and District Criminal Courts.  
- Number of second instance (court of appeal) professional judges:336 second-instance administrative judges,598 second instance judges  
- Number of Supreme Court professional judges:170 administrative judges of Council of State,5 of the General Committee of the Ordinary and Administrative Courts,76 judges of Areios Pagos(Supreme Court),  
The methodology of replying changed. Differences in numbers with previous years cannot be explained as we don't have enough information about previous data.

**Q046 (2018):** There is not a specific reason for the discrepancy of point 3. The number 243 is a result of the subtraction of points 1 and 2 from the total number of professional judges (1+2+3), just as last year.

**Q046 (2016):** Previous data concerning the number of second instance judges did not, inadvertently, include all the ranks for penal, political and administrative justice. Accordingly, this year the number is higher and explains also the variation in the total.

It should be mentioned that the number of judges at the courts of Peace, which on 31/12/2016 was 880, is not taken into consideration since they have a separate procedure entering the judiciary and they are a separate category within it.

**Q046 (2014):** The decrease in the number of second instance judges between 2013 and 2014 is due to the fact that administrative judges are not counted in this category for 2014.

**Q046 (2013):** In 2013, justices of peace are included, while Court of Auditors' judges are not considered in the total.

**Q046 (2012):** For 2012, the total number subsumes judicial officials of the civil-penal and administrative courts. It should be noticed that 688 magistrates were not included, as well as Court of Auditors' judges.

**Q046-2 (2022):** There are two categories of judges, those dealing with criminal and civil justice and administrative judges. There is no data on the separation of cases. For the Council of State (Supreme Administrative Court) in administrative cases the judges are 166.

**Q046-2 (2020):** There are two categories of judges, those dealing with criminal and civil justice and administrative judges. There is no data on the separation of cases

**Q052 (2020):** The above figures include civil servants, permanent and those with a private law relationship of indefinite duration

**Q052 (2016):** Previous data did not, inadvertently, exclude staff working for the public prosecution services.

**Q052-1 (2022):** The explanation was given in last year's questionnaire.

**Q052-1 (2021):** At the highest level there is the Court of auditors, whose judicial officials have been included above, the total number of them is 637 and consists of 219 men and 418 women. The above data were provided by the Directorate of judicial officials with the cooperation of Juststat of the Ministry.

**Q052-1 (2020):** The above figures include civil servants, permanent and those with a private law relationship of indefinite duration

**Q055 (2021):** The above data are given by the Directorate of organization and operation of Justice with the cooperation of JUSTSTAT.

**Q055 (2020):** Positions by law have increased. Gender data are not kept.

**Q056 (2020):** Gender data are not kept.

**Q056 (2016):** The previous data given referred to the heads of prosecution offices, which in Greece is a title (rank) and not to those who are actually in charge of the organization and the management of a Prosecution Office. This year's data are the correct ones.

**Q056 (2014):** The 2014 data concerns all prosecutors that possess the rank of "prosecutors", and not only those who are in charge of each prosecutor's office. The total number of prosecutors in charge of each prosecutor's office (heads) is 83.

**Q057 (General Comment):** Deputy Prosecutors and members of the prosecution (is the first degree after graduation from the National School of Judges) have related duties to prosecutors.

**Q060 (2022):** The majority is the category of Secretaries, the other categories are court bailiffs, typists, It clerks and two public prosecutor's offices have one security clerk each.

**Q060 (2021):** The modified response came after the cooperation of the Directorate of judicial officials with Juststat.

**Q060 (2020):** The above figures include civil servants, permanent and those with a private law relationship of indefinite duration.

**Q132 (2016):** Data on net annual salaries of judges and prosecutors is not available. In fact, after subtracting from the gross salary the insurance contribution, the amount is still subject to further taxation (22%-35%), depending on the family status of each judge and prosecutor.

**Q132 (2012):** The decrease between 2010 and 2012 of the annual salaries (gross and net) of judges and public prosecutors at the Supreme Court level was a result of a fiscal policy due to the economic crisis.

**Q133 (2021):** judges, except salary, receive two allowances (Article 30 of N.3205/2003), the faster processing allowance and attendance costs. These are not taxed. Article 6, paragraph 6 subparagraph 4, of the decision numbered A.1275 (B '6375/31.12.2021) indicating what is not included in the certificates of remuneration (page 81063 of the decision). However, if we are to be legally precise, the correct answer to the Cepej question is no. It is not a reduced taxation, but for sums granted, as to other classes of wage-earners, and they face expenses to which they are subjected for the exercise of their work.

**Q146 (2019):** The number is indicative and constantly changing, in the absence of restrictions on the number of positions.

Source: Plenary Session of the Presidents of Hellenic Bar Associations

**Q146 (2018):** The number is indicative and constantly changing, in the absence of restrictions on the number of positions.  
Source: Plenary Session of the Presidents of Hellenic Bar Associations

**Q146 (2013):** The 2013 data corresponds to the total number in the end of December 2013.

**Q147 (2022):** All lawyers can be legal advisers and therefore have the right to be represented in court.

**Q147 (2021):** All lawyers can be legal advisers and therefore have the right to be represented in court.

**Q147 (2020):** All lawyers can be legal advisers and therefore have the right to be represented in court.

**Q148 (2022):** All lawyers can be legal advisers and therefore have the right to be represented in court.

**Q148 (2021):** All lawyers can be legal advisers and therefore have the right to be represented in court.

**Q148 (2020):** All lawyers can be legal advisers therefore they have the right to represent their clients in court.

**Q148 (2019):** All lawyers can be legal advisers therefore they have the right to represent their clients in court.

**Q148 (2018):** All lawyers can be legal advisers therefore they have the right to represent their clients in court.

**Q148 (2016):** All lawyers can be legal advisers therefore they have the right to represent their clients in court.

## Hungary

**Q004 (2022):** In comparison to the previous year, the average gross annual salary increased due to the general development of Hungarian

economy, to the increase in our GDP, as well as to the raising of the minimum wage.

See the most important annual data on the labour market on the website of the Hungarian Central Statistical Office:

[https://www.ksh.hu/stadat\\_files/mun/en/mun0001.html](https://www.ksh.hu/stadat_files/mun/en/mun0001.html)

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[https://www.ksh.hu/stadat\\_files/mun/en/mun0001.html](https://www.ksh.hu/stadat_files/mun/en/mun0001.html)

**Q046 (General Comment):** Since 2012 and the establishment of the National Office for the Judiciary, the data collection methodology is the same. Accordingly, the number of first instance professional judges includes judges of the District Courts. As second instance judges are counted judges of the Regional Courts and the Regional Courts of Appeal. As concerns the Regional Courts, the distribution of first and second instance cases is based on the bylaws which are renewed every year by the president of each court after consultation with the judicial council and the professional department of the court. The number of Supreme Court judges is indicated in item 46.3.

**Q046 (2019):** There are additional 54 judges assigned to the National Office for the Judiciary (for work in accordance with judicial administration) and to the Ministry of Justice (to help the legislative work of the ministry). These judges do not hear cases while they are assigned.

**Q046 (2018):** There are additional 48 judges assigned to the National Office for the Judiciary (for work in accordance with judicial administration) and to the Ministry of Justice (to help the legislative work of the ministry). These judges do not hear cases while they are assigned.

**Q046 (2017):** There are additional 34 judges assigned to the National Office for the Judiciary (for work in accordance with judicial administration), and 4 judges assigned to the Ministry of Justice (to help the legislative work of the ministry). These judges do not hear cases during their assignment.

**Q046 (2016):** There are additional 35 judges assigned to the National Office for the Judiciary (for work in accordance with judicial administration), and 9 judges assigned to the Ministry of Justice (to help the legislative work of the ministry). These judges do not hear cases while they are assigned.

**Q046 (2014):** In 2014, 26 judges were assigned to the National Office for the Judiciary and 7 judges were assigned to the Ministry of Justice. These judges do not hear cases when carrying out their specific missions within the NOJ and the Ministry of Justice.

**Q046 (2013):** The number of Supreme Court female judges decreased between 2010 and 2012, while the number of Supreme Court male judges increased between 2012 and 2013. There is no specific reason in this respect, as the vacant positions are filled through an open application process, where the gender of the applicants is not taken into consideration in any way.

**Q046 (2012):** The number of Supreme Court female judges decreased between 2010 and 2012, while the number of Supreme Court male judges increased between 2012 and 2013. There is no specific reason in this respect, as the vacant positions are filled through an open application process, where the gender of the applicants is not taken into consideration in any way.

**Q052 (General Comment):** • Court secretaries („bíróági titkár”) are employees of the court that are similar to Rechtspfleger. They are lawyers, who after acquiring a degree at a law faculty have made the bar exam (which requires at least 3 years professional practice). They are enabled to perform duties of judges in cases specifically defined by law. According to the Constitution when a court secretary is dealing with a case he/she has the same independence as a judge. In criminal cases they can make out of trial decisions (e.g. order an expert to be included in the case), or they can hear witnesses on request of another court. This practically means they assist the judges in pre-trial phase of the case. In misdemeanour cases they adjudicate the case - this is an area of law in which mostly court secretaries deal with cases of first instance. In civil and labour cases they can make any decision that can be made without hearing the case. This practically means they assist the judges in pre-trial phase of the case. In administrative non-litigious cases they can make any decision that can be made without hearing the case. In company registry cases they can make every decision, as well in insolvency cases (with some exceptions).

• From 2012, the category "non-judge staff assisting judges" includes only staff directly assisting judges. • Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**Q052 (2022):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**Q052 (2021):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**Q052 (2020):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**Q052 (2018):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**Q052 (2017):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**Q052 (2016):** Other non-judge staff includes Staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**Q052 (2015):** For the gender ratio we are only able to provide the total figures.

Other non-judge staff (5) includes Staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**Q052 (2014):** In 2014, the category "other" includes "staff in charge of different administrative tasks", "technical staff" and some of those judicial employees who in 2012 were counted as "non-judge staff whose task is to assist judges".

**Q052 (2013):** The methodology of presentation of data used in 2013 is different. Some of those judicial employees who in 2012 were included in the category "non-judge staff whose task is to assist judges" were taken into account in the category "other". The latter includes in 2013 the total number of "staff in charge of different administrative tasks" and "technical staff" because these numbers could not be separated within the national database.

**Q052 (2012):** Court secretaries are enabled to perform duties of judges in cases specifically defined by law. The increase of the number of Rechtspfleger was mainly due to the expanding scope of their authority according to the amended procedural codes. More administrative tasks and cases of lesser difficulties are dealt with by Rechtspfleger. The category "non-judge staff assisting judges" includes in 2012 only staff directly assisting judges while in 2010, it encompassed other staff as well. In 2012, staff whose task does not consist in directly assisting judges was included in the item "other".

**Q055 (2022):** On 31 December 2022 2 prosecutors were working temporarily in the Ministry of Justice. These two persons were also included in the total number of prosecutors, but they were not taken into consideration when looking at the number of prosecutors working at each/different level. One of the two public prosecutors assigned to the Ministry of Justice is male and the other one is female. All prosecutors are appointed to work full-time, but it may occur that a prosecutor temporarily works part-time, for child care reasons for example. As far as prosecutors at first instance level are concerned, the table contains the number of prosecutors working for district and district level prosecution offices together with the number of prosecutors working for chief prosecution offices. Out of this number, the number of prosecutors working at chief prosecution offices is 534 (236 men and 298 women), the number of prosecutors working for district (district level) prosecution offices is 1203 (421 men and 782 women).

As to the number of prosecutors at second instance, the table includes the number of prosecutors working at the appellate chief prosecution offices. The reason for this is that no exact answer can be given to the question. In the Hungarian Prosecution Service, prosecutors working at district and district-level prosecution offices only proceed with first instance cases. Prosecutors of chief prosecution offices working at county (or county level) prosecution offices handle first instance cases which fall into the jurisdiction of regional/county courts, but part of the prosecutors of chief prosecution offices handle cases at second instance or at second instance as well in cases initiated at first instance by district or district prosecution offices. Our personnel database, however, does not contain information on the latter group of cases. Prosecutors of the appellate chief prosecution offices handle second instance cases or, in specific circumstances, they proceed at third instance. I wish to inform you that prior to 2022 we only indicated among the data the number of prosecutors of district prosecution offices at first instance and the number of prosecutors of chief prosecution offices and appellate chief prosecution offices at second instance. According to this method of calculation, the current data (for 31 December 2022) include the following:

Total number of prosecutors (1 + 2 + 3):

Total: 1874

Males: 727

Females: 1147

1. Number of prosecutors at first instance level:

Total: 1203

Males: 421

Females: 782

2. Number of prosecutors at second instance (court of appeal) level:

Total: 562

Males: 251

Females: 311

3. Number of prosecutors at Supreme Court level:

Total: 107

Males: 54

Females: 53

**Q055 (2021):** On 31 December 2021, two prosecutors were serving in the Ministry of Justice, on a temporary basis. They are included in the total number of prosecutors; however, they are not taken into account when giving the number of prosecutors serving at different instances (court levels). All prosecutors are appointed to a full-time job; however, it occurs that some prosecutors perform part-time service on a temporary basis for various reasons, such as raising children.

The 'number of prosecutors at first instance level' is an aggregate of the number of prosecutors serving at district-level prosecution services and other prosecution services equivalent to that level, as well as the number of prosecutors serving at high prosecution services. A part of the prosecutors serving at high prosecution services proceed also at second instance (high court) level. The number of prosecutors serving at high prosecution services is 520 (226 males, 294 females), while the number of prosecutors serving at district-level prosecution services (other prosecution services equivalent to that level) is 1210 (439 males, 771 females).

The 'number of prosecutors at second instance (court of appeal) level' means the number of prosecutors serving at appellate prosecution services.

**Q055 (2016):** Another 9 prosecutors were temporarily serving in the Ministry of Justice. They are included in the total number of prosecutors, but we did not take them into account at each level.

**Q056 (2022):** The table contains the following heads/senior leaders of prosecution offices: the Prosecutor General; appellate chief prosecutors (if there is no appellate chief prosecutor appointed or assigned, then the head of division at the appellate chief prosecution office who leads the appellate chief prosecution office); chief prosecutors (if there is no chief prosecutor appointed or assigned, then the deputy chief prosecutor who leads the chief prosecution office); prosecutors who are heads of district prosecution offices (if there is no leading prosecutor appointed or assigned, then the deputy head of the district prosecution office who leads the organizational unit).

The heads of organizational units with operational responsibilities (such as Information Technology Department and Independent Administrative Unit) are also included in the data of the Office of the Prosecutor General.

As previously indicated, prior to 2022, only the number of public prosecutors at district prosecution offices who handle first-instance cases and the number of public prosecutors at chief prosecution offices and appellate chief prosecution offices who handle second-instance cases were included in the database. According to this calculation method, the data for prosecution leaders as of 31 December 2022 are as follows:

Total number of heads of prosecution offices (1 + 2 + 3 level of jurisdiction)

Total: 151

Males: 91

Females: 60

1. Number of heads of prosecution offices at first-instance level

Total: 124

Males: 70

Females: 54

2. Number of heads of prosecution offices at second-instance (courts of appeal) level

Total: 26

Males: 20

Females: 6

3. Number of heads of prosecution offices at Supreme Court level

Total: 1

Males: 1

Females: 0

**Q056 (2013):** The number of heads of prosecution offices corresponds to the number of courts of appeal (5) and the number of district courts intervening in second instance (21).

**Q057 (2022):** According to the Criminal Procedure Code a victim may act as a private prosecutor and a substitute private prosecutor in criminal proceedings, but private prosecutors and substitute private prosecutors are not part of the administration of justice.

**Q060 (2022):** The above data include junior prosecutors, trainee prosecutors, officers doing semi-prosecutorial tasks, officers, clerks and blue-collar employees.

**Q132 (2022):** During the career/career progression of prosecutors, salaries are determined as follows.

The prosecutor's salary consists of a basic salary and the supplement determined in the Prosecution Employment Status Act Based on Article 66 (2) of Act XC of 2021 on the Central Budget of Hungary for 2022 and pursuant to Article 59 (3) of Act CLXIV of 2011 on the Status and Career Path of the Prosecutor General, Prosecutors and other Prosecution Employees, the basic salary of a prosecutor in 2022 was HUF 566660.

The basic salary of the prosecutor shall be determined on the basis of the length of service calculated in accordance with this Act, multiplied by the salary base and the multiplying factors specified in this Act for each grade.

Prosecutors who do not yet have any service time upon their appointment or whose accepted service time upon their appointment does not exceed three years shall be classified into pay grade 1. Prosecutors shall proceed one pay grade up on the scale upon the completion of every three years of service time. The length of service shall be calculated from the date of appointment of the prosecutor. However, time spent as a prosecutor before the appointment in the prosecution service and in the judiciary, as well as the time spent in other legal employment or activities requiring a completed bar exam or requiring a completed bar exam according to the rules applicable by the person exercising the employer's rights upon authorization by law shall be taken into account as time included in the length of service.

According to the Prosecution Employment Status Act, the basic salary of a prosecutor is 1.25 times the salary base in grade 1 of the prosecutor's salary scale, and 2.10 times the salary base in grade 14, which is the highest grade.

Prosecutors shall be entitled to a position supplement monthly, the amount of which is

a) twenty per cent of the pay base in the case of prosecutors working in district prosecution offices (113332 HUF in 2022), b) forty per cent of the pay base in the case of prosecutors working in chief prosecution offices (226664 HUF), c) seventy per cent of the pay base in the case of prosecutors working in appellate chief prosecution offices (396662 HUF), d) hundred and twenty per cent of the pay base in the case of prosecutors working in the Office of the Prosecutor General 679992 HUF).

In general, judges' salaries increase automatically with length of service after every 3 years. In addition, they receive a surplus allowance at all levels of jurisdiction (higher bonus on higher levels), and court executives also receive a management bonus. In addition, there are various allowances which may be granted to eligible judges (e.g. language allowance). From 1 January 2020, judges' salaries increased by an average of 32 percent. In 2021 by another 12 percent of the salary base and by a further 13 percent in 2022.

**Q132 (2020):** At its December 2019 session, the National Assembly passed a law increasing the salaries of judges by 32 percent and that of prosecutors by 21 percent.

**Q132 (2018):** The reason for the increase of judicial salaries is the increase of the base salary of judges by 15% in 2017-2018.

**Q146 (2022):** The number of lawyers in 2022 includes the number of legal advisors.

**Q146 (2020):** A new act on the attorneys (Act LXXXVIII of 2017) entered into force on 1 January 2018.

[https://njt.hu/translated/doc/J2017T0078P\\_20180101\\_FIN.pdf](https://njt.hu/translated/doc/J2017T0078P_20180101_FIN.pdf)

**Q146 (2018):** A new act on the attorneys (Act LXXXVIII of 2017) entered into force on 1 January 2018.

[https://njt.hu/translated/doc/J2017T0078P\\_20180101\\_FIN.pdf](https://njt.hu/translated/doc/J2017T0078P_20180101_FIN.pdf)

**Q146 (2017):** A new act on the attorneys entered into force, as of January 1, 2018. The next year's report will reflect the changes.

**Q146 (2016):** A new act on the attorneys will enter into force, as of January 1, 2018. The next year's report will reflect the changes.

**Q147 (General Comment):** Legal advisors (jogtanácsos) facilitate the functioning of the organisation by which they are employed. They conduct legal representation within the organisation, provide legal advice and information; prepare applications, contracts and other documents; participate in organising legal work. As a general rule, legal advisors, in contrast to attorneys, discharge their duties (which are not as extensive as those of attorneys) as employees. Their compensation is based on the regulations concerning employment. Any person entered in the register maintained by the county court in Budapest can become a legal advisor. Besides, applicants must hold citizenship in one of the member States participating in the Agreement on the European Economic Area; have no criminal record; hold a university degree; have passed the Hungarian professional examination in law.

**Q147 (2022):** Types of lawyers in Hungary

In Hungary "attorneys" are those legal professionals who hold a degree in law and have passed the BAR exam and registered by and members of the local bar association. There is no distinction between Hungarian attorneys, such as solicitors and barristers in the UK, any Hungarian attorney can represent a client before the court. An attorney, however, may practise either as an individual attorney, or as a member of a law firm. In other words, he/she can't be an employee. Please see below the number of attorneys practicing in Hungary (i.e., excluding legal advisors, junior lawyers, EU lawyers):

Number of attorneys (i.e., figures excluding legal advisors)

Total: 11,615

Males: 6,440

Females: 5,175

Those lawyers who work as employees of a company are called "legal advisors" (i.e. in-house counsels). They have the right to represent their employers in any proceedings, the limitation is that they can only act on behalf of their employers and can't have any other clients. There is a special category of legal advisors (in-house counsels) who are members of the local bar association as "registered legal advisors".

Moreover, there are "employed attorneys" (whose employer is limited to a lawyer or law firm), European legal counsels (under the EU Directives as implemented by Hungarian legislation), and employed European legal counsels.

All different categories described above are subordinated to the profession of a lawyer and legal advisor.

Monopoly

Lawyers (attorneys), and to a certain extent registered and non-registered legal advisors are the only professionals who are entitled to represent an individual and/or legal entity in legal matters. So, from this point of view there is a monopoly, since no one else is allowed to fulfil the role of legal representative as a professional, for consideration.

There is no general requirement to have legal representation in court or administrative cases, this is only mandatory in certain proceedings, so from this point of view there is no monopoly (please see the detailed list of the cases below, where legal representation is mandatory).

Attorneys have a monopoly of representation of defendants in criminal cases during the whole length of criminal proceedings.

Victims of criminal cases may also be represented by their family members.

In administrative proceedings, legal representation is not mandatory, and in general any person can represent a party who has the mandate to do so (but the limitation still applies that professionally only an attorney can represent parties in these proceedings too). Section 45 of the Code of Criminal Procedure (Act XC of 2017) prescribes the presence of a defence attorney in the following cases:

- a) a criminal offence for which the law prescribes five or more years of imprisonment,
- b) the accused is subject to a coercive measure affecting a person's personal freedom, or in another matter is subject to arrest, preliminary involuntary treatment in a mental institution, or is placed under imprisonment, custodial arrest or educational training;
- c) the accused is deaf, mute, blind or – regardless of his/her legal capacity – mentally incompetent,

~~d) the accused does not know the Hungarian language or the language of the proceedings~~

**Q147 (2020):** Legal advisors (jogtanácsos) facilitate the functioning of the organisation by which they are employed. They conduct legal representation within the organisation, provide legal advice and information; prepare applications, contracts and other documents; participate in organising legal work. As a general rule, legal advisors, in contrast to attorneys, discharge their duties (which are not as extensive as those of attorneys) as employees. Their compensation is based on the regulations concerning employment. Any person entered in the register maintained by the county court in Budapest can become a legal advisor. Besides, applicants must hold citizenship in one of the member States participating in the Agreement on the European Economic Area; have no criminal record; hold a university degree; have passed the Hungarian professional examination in law.

## Ireland

**Q004 (2022):** Year 2022 is the latest year for which data are available.

**Q004 (2021):** Year 2021 is the latest data available. The figure of €44,912.24 was taken from Q4 but it should be noted that the annual gross salary fluctuated during the course of 2021.

<https://www.cso.ie/en/releaseandduplications/en/elcq/earningsandlabourcostsq42021final/2022preliminaryestimates>.

According to preliminary estimates of the Earnings and Labour Costs Quarterly release, the average weekly earnings were €880.3 in Q1 2022, an increase of 2.3% from €860.19 one year earlier and an increase of 10.0% from the same period in 2020. This represents average earnings of those in employment in the Irish economy in Q1 2022, including those supported by the Employment Wage Subsidy (EWSS).

<https://www.cso.ie/en/releaseandduplications/en/elcq/earningsandlabourcostsq42021final/2022preliminaryestimates>.

**Q004 (2020):** Year 2019 is latest data available

**Q004 (2019):** Comments Taken from Earnings and Labour Costs Annual 2019 release of 26 June 2020

<https://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2019/>

**Q004 (2018):** Taken from Earnings and Labour Costs Annual 2018 release of 11 June 2019

<https://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2018/>

**Q004 (2016):** Average annual earnings increased by 1.1% to €36,919 in 2016, from €36,519 in 2015. Taken from CSO release of 29 June 2017 - Earnings and Labour Costs Annual 2016. See link <http://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2016/>

**Q046 (2022):** As of 31 December 2022, the number of male judges in the Court of Appeal had dropped from 8 to 6 in comparison to 2020 due to the elevation of two male judges from the Court of Appeal to the Supreme Court and the subsequent new appointment of two new Court of Appeal judges one of whom was male and the other female (-1 male judge of the Court of Appeal).

**Q046 (2021):** Figures as of 31/12/2021.

At that time there were 6 vacancies in total.

First Instance Courts – District Court, Circuit Court, High Court = total 3

Second Instance Court – Court of Appeal = total 1

Highest Instance Court – Supreme Court = total 1

**Q046 (2020):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the circuit court and ordinary judges of the High Court - including Court Presidents.

An amendment was made in 2019 to the number of judges in the court of appeal due to workload of the court.

**Q046 (2019):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents.

An amendment was made to the number of judges in the court of appeal due to workload of the court.

**Q046 (2018):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents.

**Q046 (2017):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents. As at 31 December 2017 there were three serving female Supreme Court judges.

**Q046 (2016):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents. As regards the number of Supreme Court judges, the figures reflect a reduction in the actual number of judges compared to the number reported in the previous reporting cycle.

**Q046 (2015):** The discrepancy between the total figures and the figures for gender is explained by vacancies in the judiciary's establishment, as follows: Supreme Court: 1; High Court: 1; Circuit Court: 2.

First instance judges are judges of the High Court, Circuit Court and District Court. The High Court and Circuit Court also exercise appellate jurisdiction.

Numbers above include Court Presidents.

**Q046 (2014):** In 2014, data on 2nd instance judges is available, since the new Court of Appeal was established only in 2014.

**Q046-2 (2022):** In all courts, (First Instance, Second Instance and Supreme Court) judges are empowered to deal with all case types within their court jurisdiction. While in some courts, most notably the High Court and the Circuit Court, judges may be assigned to specific cases for a period, nonetheless, all judges can deal with all types of cases within their jurisdiction.

**Q046-2 (2021):** Judges can be assigned to both criminal and civil cases. Although in some jurisdictions, mainly the High Court and Circuit Court, Judges might specialise for a period (sometimes for a period of years) in criminal and civil matters. All Judges can administer all types of cases within their jurisdiction. Administrative cases are not a separate category in Ireland.

**Q046-2 (2020):** Judges deal with both criminal and civil and commercial proceedings. Number of Judges would be the same across all headings (except administrative as already explained) - Court Service

**Q052 (General Comment):** Staff numbers in the Irish Courts Service are computed on the basis of "Full-time equivalent" resources, requiring that staff numbers include decimal points, reflecting part-time, work-sharing and other reduced time working arrangements. As decimal points are not imputable to this question in the data base, it has been necessary to round up or round down figures.

**Q052 (2022):** 2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions): In 2020 the following were counted: staff in Court offices, court going staff including Judicial Assistants and Tipstaff - District, Circuit & High Court including Judicial Assistant and Tipstaff, Court of Appeal including Judicial Assistant, Supreme Court Judicial Assist and Tipstaff. In 2022, Court Operational Directorates/Regional/Judicial Assistants staff are included in this figure. It also includes Tipstaff/Service Officers and Court Messengers.

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management): for 2020 ICT Staff were including in this figure. In 2022 ICT Staff are not included in this figure.

4. Technical staff: for 2022, ICT Staff and Cleaning Staff are included in this figure.

**Q052 (2021):** The discrepancies with previous data are explained by staffing fluctuations.

**Q052 (2017):** As concerns the increase observed in the number of female staff in charge of different administrative tasks, additional staff have been employed since the last reporting cycle.

**Q052 (2016):** With regard to the category "staff in charge of different administrative tasks", additional staff have been employed since the last reporting cycle.

**Q052 (2015):** Figures have rounded up or down to adjust for the fact that actual personnel resource numbers are calculated to decimal points to reflect employment of part of a full-time personnel resource (e.g. where work-sharing arrangements are in place).

**Q052 (2013):** The reduction in the number of Rechtspfleger since 2012 reflects in part the appointment of number of County Registrars falling within the Rechtspfleger category as Specialist Judges of the Circuit Court. There were also a number of vacant posts at the end of 2013.

**Q052-1 (2022):** The total non-Judge staff working in the courts includes staff of the Office of the CEO, Corporate Services staff, Strategy and Reform staff, ICT staff, Regions & C&D Operations, Superior Court Operations staff, as well as quasi-judicial and technical staff. These staff members work throughout the system, and not just in one of the district, circuit, high or supreme courts. 1. Total non-judge staff working in courts at first instance level: The FTE for 2022 is up on 2020, this figure is total staff minus staff in Court of Appeal and Supreme Court.

2. Total non-judge staff working in courts at second instance (court of appeal) level: In 2020 this included Court of Appeal staff including Judicial Assist and Tipstaff. In 2022 this includes Court of Appeal staff only.

3. Total non-judge staff working in courts at Supreme Court level: In 2020 this included Supreme Court staff including Judicial Assistants and Tipstaff. In 2022 this includes Supreme Court staff only, as Judicial Assistants are included in figure for 52/Q2 and Tipstaff are included in figure 52/Q5.

**Q052-1 (2021):** The discrepancies with previous data are explained by staffing fluctuations.

**Q052-1 (2020):** The total non-Judge staff working in the courts includes staff of the Office of the CEO, Corporate Services staff, Strategy and Reform staff, ICT staff, Regions & C&D Operations, Superior Court Operations staff, as well as quasi-judicial and technical staff. These staff members work throughout the system, and not just in one of the district, circuit, high or supreme courts.

**Q052-1 (2018):** Question 52 - 1 was answered to provide a breakdown of staff working as registrars and in offices and other support staff in those offices. The reason the figures would not add up to the total is because the figures exclude administrative staff who are employed by the Courts Service in administrative areas away from front line offices, and who cannot be distributed between instances. The wording in the column for the total of such staff (1049) was given on the basis that this column used the same wording as the previous table which presumably covered all Courts Service staff.

**Q055 (General Comment):** Allocation of prosecutors work is not in all instances divided as per the questions above. The sub-categories at 1, 2 and 3 of the question posed do not apply in the Irish system.

**Q055 (2022):** The Office has a number of grades for prosecutors which are different from the categories above, they include Prosecutor, Senior Prosecutor, Principal Prosecutor, Senior Principal Prosecutor, Assistant Director of Public Prosecutions, Deputy Chief Prosecutor. There is one Director of Public Prosecutions and one Deputy Director of Public Prosecutions

**Q055 (2020):** Our court going staff number at the 31st December 2020 is 128 - (50 male / 78 female). This figure includes our Prosecutors and Technical staff - Legal Executive. It also includes 1 Trainee Solicitor. In our Office our Technical Staff and Trainee Solicitors are court going staff and manage the running of a prosecution at trial in the same manner as some of our Prosecutors. In relation to the increase in staff resources for the ODP, and the context for same, please see the forewords of our Annual Report 2020 and our Annual Report 2019 available at <https://www.dpiireland.ie/publication-category/annual-reports/>.

**Q055 (2018):** There were 108.7 fulltime equivalent lawyers (fte) (headcount 111) on the payroll of the Office of the Director of Public Prosecutions at 31 December 2018 – 65.6 fte (67 headcount) of these were female and 43.1 fte (44 headcount) were male.

**Q055 (2016):** Of the staff complement in the Office of the Director of Public Prosecutions at the end of the reference year, 102 were of professional or technical grade at Prosecutor equivalent level or above.

**Q055 (2014):** Parts of Full Time Equivalents were counted in decimal figures and have been rounded up. The total represents the number of qualified Solicitors and Barristers employed directly in the Office of the Director of Public Prosecutions (DPP). A proportion of these lawyers represent the DPP in the District Court. Members of the police force also prosecute in this court within a prescribed 'delegated authority' from the DPP. Members of the independent Bar act on behalf of the DPP, on a self-employed basis, in first instance and appellate courts. There are a further 32 State Solicitors contracted to provide a solicitor service to the DPP in cases heard outside of the capital.

**Q056 (General Comment):** There is only one Office of Public Prosecution in Ireland and the Director of Public Prosecutions is the head of that office.

In fact, the effect of Section 3 (1) of the Prosecution of Offences Act 1974 is to make the Director of Public Prosecutions the prosecuting authority in relation to criminal matters (apart from a very limited number of functions retained by the Attorney General).

**Q056 (2022):** Please see Guidelines for Prosecutors (5th edition, 2019), paragraphs 2.4 to 2.10.

(<https://www.dppireland.ie/app/uploads/2023/01/Guidelines-for-Prosecutors-5th-Edition-eng.pdf>).

**Q056 (2020):** Please see Guidelines for Prosecutors (5th edition, 2019), paragraphs 2.4 to 2.10.

**Q057 (General Comment):** For completeness, it should be noted that Section 8 (2) of the Garda Síochána Act 2005 provides that any member of the police service (An Garda Síochána) may institute and conduct prosecutions in a court of summary jurisdiction (the District Court which is the court of first instance in criminal prosecutions) in the name of the Director of Public Prosecutions. The DPP has issued a number of general directions concerning the institution and conduct of prosecutions by members of the police service (Gardaí) who are required by Section 8 (3) of the 2005 Act to comply with such directions in deciding whether to institute and in instituting or conducting a prosecution. The number of Gardaí in the police service for 2018 was 14300. In this jurisdiction also, there are a number of specialised investigating authorities in relation to certain particular categories of crime or offending, including breaches of the tax code, provisions for safety and welfare at work, and company or competition law. Many investigative agencies have the power to prosecute summarily (in the District Court) without reference to the DPP.

**Q057 (2022):** Please see Guidelines for Prosecutors (5th edition, 2019), paragraphs 1.5 and 2.13 to 2.15.

(<https://www.dppireland.ie/app/uploads/2023/01/Guidelines-for-Prosecutors-5th-Edition-eng.pdf>).

**Q057 (2020):** Please see Guidelines for Prosecutors (5th edition, 2019), paragraphs 1.5 and 2.13 to 2.15.

**Q057 (2016):** There are 32 State Solicitors contracted to provide a solicitor service to the Director of Public Prosecutions in cases to be heard outside Dublin. Serious criminal offences, with the exception of certain criminal matters having an international dimension, are prosecuted in the name of the DPP. Much of the work of the DPP is carried out by barristers in private practice rather than by barristers in the employment of the State. Therefore, there is no equivalent to the salaried official known as a public prosecutor in other member states.

**Q060 (2022):** The non-public prosecutors include specialists in the following areas: Human resources and organisational development, finance, ICT, facilities, media and communications, corporate governance, procurement, strategic management including risk management, Freedom of Information, quality assurance and internal audit. There is a Policy and Research Unit supported by knowledge management and research function and librarian. All legal sections are supported by a team of administrative staff who are considered to be generalist.

**Q060 (2018):** There were 95.25 fulltime equivalent (fte) administrative/technical staff (headcount 102) on the payroll of the Office of the Director of Public Prosecutions at 31 December 2018 – 54.85 fte (61 headcount) of these were female and 40.40 fte 41 headcount) were male.

**Q060 (2016):** Of the staff complement in the Office of the Director of Public Prosecutions at the end of the reference year, 77 were administrative grades.

**Q060 (2014):** In the frame of the 2014 exercise, parts of Full Time Equivalents were counted in decimal figures and have been rounded up or down as appropriate.

**Q132 (2022):** The judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court as at 31 December 2022.

Statutory deductions such as PAYE, USC, pension contributions will vary according to personal circumstances. In every case these will be charged in accordance with the relevant statutory provisions.

Judges appointed post 1 January 2017 are placed on a three-point pay scale.

Reason for Discrepancy: The question asked in this year's survey is slightly different than the one asked in the previous survey. This means that the replies should not be compared directly. The 2021 survey asked for "Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President) as at 31 December 2020".

The figure provided for this in 2021 – €208,854.00 – corresponded to the salary for a newly appointed Judge with less than 1 year of experience in the Supreme Court.

The current survey asked for the salaries of judges and public prosecutors on 31 December 2022, specifically, the salary for "Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)".

The figure provided in this year's survey – €257,872.00 – corresponded to the highest salary point on the scale for Judge of the Supreme Court.

It should further be noted, that since 2020, the members of the judiciary had a number of pay increases in Ireland which included the restoration of pay to pre-austerity levels on 1 July 2022.

The salary of the Director of Public Prosecutions (the most senior person in the Irish Prosecution service ) is linked to Irish Civil Service Secretary General Grade II. This salary is currently €243,600. As with all civil service salaries, this is subject to pension (individual and spouse and dependent contributions) and tax related deductions such Income Tax, Universal Social Charge and Pay Related Social Insurance.

**Q132 (2021):** The information you are seeking has been retrieved from sources which are available to the public. For figures relating to judicial remuneration please see Association of Judges Ireland and for figures relating to the salaries of other civil servants which includes prosecutors see publicjobs.ie

**Q132 (2020):** The judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court as at 31 December 2020.

Statutory deductions such as PAYE, USC, pension contributions will vary according to personal circumstances. In every case these will

be charged in accordance with the relevant statutory provisions. Prosecuting in the Superior Courts is not necessarily linked to grade

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Statutory deductions such as PAYE, USC, pension contributions will vary according to personal circumstances. In every case these will be charged in accordance with the relevant statutory provisions. Prosecuting in the Superior Courts is not necessarily linked to grade

**Q132 (2016):** The judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court as at 31 December 2016.

**Q132 (2014):** The Judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court at December 2014 who were appointed to that courts on or after 1 January 2012. It is noteworthy that following a constitutional amendment in 2011, legislation was passed to allow for the reductions in the remuneration of judges. The Financial Emergency Measures in the Public Interest legislation refers.

**Q132 (2013):** There is no equivalent of a public prosecutor of the Supreme Court and so a summary of all lawyer grade salaries are provided below: Director of Public Prosecutions ( €176,350); Deputy Director of Public Prosecutions ( €156,380); Head of Directing Division (€142,199 (modified scale)); Professional Officer Grade II (€119,572); Professional Officer Grade III (€81,080); Professional Officer Grade IV (€67,434); Chief Prosecution Solicitor (€149,499); Principal Prosecution Solicitor (€85,127); Senior Prosecution Solicitor (€79,401); Prosecution Solicitor AP1 (€67,434); Prosecution Solicitor (€30,218 (new entrant from 1 January 2013)).

**Q132 (2012):** The Judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court at December 2012. Salary for prosecutor reflects the salary of a new entrant solicitor and the salary of a principal Prosecution Solicitor. In line with the Government's fiscal policy the salary or remuneration of public service staff and office holders has been reduced since the 2010 statistics. Following a constitutional amendment, legislation was passed to allow for the reductions in the remuneration of judges. The Financial Emergency Measures in the Public Interest legislation refers.

**Q133 (2022):** Judges receive an annual allowance as well as travel (mileage) and subsistence (hotels).

**Q146 (2022):** The above figures represent members of the Law Library (barristers) and members of the Law Society (solicitors)

**Q146 (2021):** As of 31 December 2021, there were 11,316 practicing solicitors in Ireland. 5,319 male, 5971 female and 26 undefined. For the undefined classification, this is due to the Society not being provided with information on the solicitor's gender. These statistics include solicitors with a practicing certificate in the Republic of Ireland, including practicing solicitors employed by the State. Reply from the Law Library: total n: 2118; males 1354; female 764. Please note that the numbers above are as at June 2021 and per our Annual Report <https://www.lawlibrary.ie/about/governance/annual-report/> The figures only relate to barristers who are members of the Bar of Ireland, and do not include barristers operating outside of the Bar of Ireland. The Roll of Barristers, held by the LSRA, contain that list. Further the above does not include solicitor numbers, which are available via the Law Society of Ireland and the LSRA.

**Q146 (2020):** The above figure is the sum membership of the Bar of Ireland and the Law Society. Total figure includes 24 lawyers with a gender reported as "Unknown".

**Q146 (2019):** This figure represents the current membership of the Bar Council of Ireland and the Law Society of Ireland.

**Q146 (2018):** This figure represents the current membership of the Bar Council of Ireland and the Law Society of Ireland.

**Q146 (2017):** This figure represents the total number of barristers practising as members of the Law Library/Bar of Ireland and the total number of solicitors who held practising certificates for 2017.

**Q146 (2016):** This figure represents the current membership of the Bar Council of Ireland and the Law Society of Ireland.

**Q146 (2014):** The number of lawyers comprises Solicitors and Barristers in the end of December 2014.

**Q147 (2022):** Practicing solicitors are entitled to represent their clients in court. More information is available here:

• <https://mcmahonsolicitors.ie/parties/#:~:text=Originally%2C%20only%20barristers%20had%20rights,majority%20of%20Circuit%20Court%20cases>

• <https://www.citizensinformation.ie/en/justice/courtroom/solicitors.html>

**Q147 (2021):** Traditionally, solicitors in Ireland could only represent their clients at the District Court and Circuit Court and would be required to engage a barrister to advocate on behalf of their clients at the higher courts. However, this has changed in recent years, and practicing solicitors are now entitled to a rights of audience and may argue cases at all courts. More information is available here:

<https://mcmahonsolicitors.ie/parties/#:~:text=Originally%2C%20only%20barristers%20had%20rights,majority%20of%20Circuit%20Court%20cases>.

<https://www.citizensinformation.ie/en/justice/courtroom/solicitors.html>

**Q148 (2021):** Solicitors may represent their clients in all court. However, many prefer to engage a barrister to do so on behalf of their client particularly in the higher courts. The Society is not aware of any exact figure of legal advisors who are prevented from representing their clients in court.

## Italy

**Q046 (General Comment):** Judges serving in specialized first-instance courts, such as regional audit commissions, local tax commissions, and military courts, which operate independently and are financially autonomous from the Ministry of Justice, are not included in the scope of question 46.

**Q046 (2018):** Since 2018, the figures have also included judges belonging to Administrative Justice. The above figures include 6634 ordinary judges and 381 administrative judges.

**Q046 (2017):** An upward trend in respect of the number of female judges in the Supreme Court: in Italy, the High Council of the Judiciary is competent for the transfers of judges from one office to another. This transfer procedure generally takes place once or twice a year. The number of open positions for each court is proportional to the percentage of vacancies in that particular court. During the last few years, there were occasions where the positions made available at the court of cassation were a bit higher than number one would have expected according to the percentage of vacancies. Hence, more judges applied for the vacancies at the court of cassation compared to other courts. To date the vacancies at the court of cassation are about 4% of the total number of positions. As a matter of fact the penetration of female judges shows a positive trend. In first and second instance courts the penetration is already over 50%. At court of cassation level there is much room for improvement.

**Q046 (2015):** The overall reduction of judges between 2014 and 2015 is partly due to the effect of the recent labor reform that lowered the mandatory retirement age for judges from 75 to 70.

**Q046 (2013):** In the last few competitive exams held in Italy, the percentage of female candidates was higher than this of male candidates. Accordingly, a positive variation can be observed in respect of the number of female judges between 2010 and 2013.

**Q046-2 (2022):** Judges who do not specifically deal with any of these types of cases, and judges with coordination and management duties.

**Q052 (General Comment):** The category "other non-judge staff" encompasses assistants, receptionists, porters and other judicial staff. As a general remark, it should be stressed that the high percentage of "other non-judge staff" in Italy is due to a very strict interpretation of the definition of the main categories. The specialized first instance courts that are not administered and financed by the Ministry of Justice (regional audit commissions, local tax commissions and military courts) are not taken into consideration at question 52.

**Q052 (2022):** Within the framework of the National Recovery and Resilience Plan (PNRR), the Ministry of Justice has carried out an extraordinary recruitment process to strengthen the so-called "Trial Office". This is an organisational tool consisting in the creation or the reinforcement of support teams for judges, with fixed-term employment and with the aim of reducing the backlog and the disposition time. This measure also improved the quality of justice by supporting judges in their normal activities of study, legal research, drafting documents, organising documents and thus allowing judges to concentrate on more complex tasks.

**Q052 (2021):** The number of staff has increased due to the hiring of new personnel through public competition.

**Q052 (2018):** Since 2018, the figures have also included court staff belonging to Administrative Justice.

**Q052 (2016):** According to the data provided for 2014, 2015 and 2016, we can notice a downward trend as concerns the number of technical staff (a decrease of 28% between 2014 and 2015 and a decrease of 26% between 2015 and 2016), especially the number of female staff (a decrease of 33% between 2014 and 2015 and of 32% between 2015 and 2016). An explanation of these variations is not available at this stage.

**Q052 (2015):** 'Other non-judge staff' includes: assistants, receptionists, porters and other judicial staff. The high percentage of "other non judge staff" in Italy is due to a very strict interpretation of the definition of the main categories.

**Q052-1 (2022):** See comment at Q.52

**Q052-1 (2018):** Since 2018, the figures have also included court staff belonging to Administrative Justice.

**Q055 (2016):** There is no specific explanation concerning the increase in the total number of prosecutors at Supreme Court level. However, numbers are small and therefore percentage changes vary more harshly.

**Q056 (2022):** The percentage of discrepancies is high due to the small absolute value.

**Q057 (General Comment):** In Italy, lay magistrates, known as "Vice Procuratori Onorari," play a unique role as members of the public prosecution system. Following a period of training, they are authorized to support professional public prosecutors in a range of capacities. These responsibilities include:

- Representation in Court: Lay magistrates can represent the public prosecution office during hearings related to misdemeanor criminal cases.
- Legal Research and Analysis: They engage in the study of jurisprudence and case-law, contributing to a deeper understanding of legal precedents.
- Procedural Assistance: Lay magistrates provide valuable assistance to professional public prosecutors in drafting procedural documents and acts.

**Q057 (2020):** In Italy this figure is called "Vice Procuratore Onorario". After a period of training, they can assist the public prosecutors. They can be employed in a variety of different tasks: hearings of misdemeanor criminal cases, jurisprudence studies, preparation of the request to discontinue cases, etc.

**Q057 (2018):** In Italy this figure is called "Vice Procuratore Aggiunto". After a period of training, they can assist the public prosecutors. They can be employed in a variety of different tasks: hearings of misdemeanour criminal cases, jurisprudence studies, preparation of the request to discontinue cases, etc.

**Q060 (2021):** The number of staff has increased due to the hiring of new personnel through public competition.

**Q132 (General Comment):** It is noteworthy that the salaries of judges and public prosecutors do not depend on the position held but rather on the experience (i.e. years of service). This means that the salary of a judge working in the lowest courts can be the same as the salary of a judge working in the Supreme Court of Cassation.

**Q146 (2013):** For 2013, the number of practicing lawyers was not available. The provided figure corresponds to the number of lawyers in 2012, assuming that data should be almost the same for both years.

## Latvia

**Q004 (General Comment):** After 2012, the minimum monthly salary increased, which had an effect on the average gross annual salary.

**Q004 (2022):** The average wage in Latvia continues to rise for several years in a row. In 2022, the increase in average wages was influenced by several factors: the lifting of the restrictions of COVID-19, which boosted economic activity, a low unemployment rate, which created the conditions for a small increase in wages.

**Q004 (2021):** The data provided by the Central Statistical Bureau.

**Q004 (2020):** The data provided by the Central Statistical Bureau.

**Q004 (2016):** on 2016

**Q046 (2017):** The changes in the number of judges at the Supreme Court are the outcome of the court reform developing pure three instance level court system. Until 2014 there were both appellate and cassation courts within the Supreme Court. Until end of 2014 and 2016 respectively there were additional appellate chambers dealing with criminal and civil cases. Since beginning of 2017 the number of judges at Supreme Court (cassation instance) is stable – 36.

**Q046 (2014):** The number of male judges in the Supreme Court decreased per 5 judges between 2012 and 2014 due to various reasons: three male judges retired; two male judges returned to regional courts (because they worked in the Supreme Court temporarily); one male judge passed away in 2014; one new male judge came to work in the Department of Civil Cases of the Supreme Court.

**Q046-2 (General Comment):** The courts of first instance of general jurisdiction do not explicitly distinguish between the specialization of judges on the basis of the main types of cases, therefore there is not possible to distinguish number of judges by case type (civil and/or commercial cases and criminal cases). Although there is a separate group of judges in the district (city) courts, which primarily hear cases of certain categories.

**Q046-2 (2021):** For Supreme Court - within the number of judges is not indicated number of President of the Supreme Court.

**Q046-2 (2020):** The courts of first instance of general jurisdiction do not explicitly distinguish between the specialisation of judges on the basis of the main types of cases, therefore there is not possible to distinguish the data between civil and or commercial cases and criminal cases.

**Q052 (General Comment):** The work of the Judicial Council is ensured by the secretariat of the Judicial Council which is a division of the Supreme Court. This means that the activities of the Council for the Judiciary are provided from the resources of the Budget of the Supreme Court.

**Q052 (2022):** Other non-judge staff - Supreme court: division of case-law and research, division of provision regime of secrecy, staff of secretariat of the Council for the Judiciary.

The observed variations in the different categories are due to changes in court staff.

**Q052 (2021):** Other non-judge staff: Supreme Court - Division of case-law an research, Division of provision of regime of secrecy, Staff of secretariat of the Council for the Judiciary.

In general at the end of 2021, there were many vacancies for court staff for the first and second instance courts, therefore also there are differencies in the number of court staff. In the previous cycles, the numbers for court staff for the first and second instance courts were calculated a little bit different, there were included also vacancies.

**Q052 (2020):** The observed variations in the different categories are due to changes in court staff.

Other for Supreme Court - Division of case-law and research, Division of provision of regime of secrecy, Staff of the Secretariat of the Council for the Judiciary. Trainees are not included in the number provided of the non-judicial staff.

**Q052 (2019):** Other non - judge staff: Staff of the Division of case-law and research, Division of provision of regime of secrecy and Secretariat of the Council for the Judiciary, as well consultants (desk officers) of the Supreme Court of Latvia.

The overall discrepancies starts from 2018 due to court reform (Land Registry offices integrated in general jurisdiction courts and historically high turnover rate). The data between 2018 and 2019 are very similar.

**Q052 (2018):** Discrepancy due to court reform (Land Registry offices integrated in general jurisdiction courts and historically high turnover rate).

**Q052 (2017):** Other non-judge staff- this staff is for Supreme Court - Staff of Division of case-law and research staff, Division of provision of regime of secrecy staff, the Supreme Court of Latvia consultants and Secretariat of the Council for the Judiciary

Starting from 2015 till March, 2018 there were introduced court reform where the judicial map was revised. In the course of the court reform, several courts were merged, legally creating one larger court. On the other hand, in this new territory, the existing courts continue operating as the new body of the joint court, providing the opportunity for citizens to submit the documents at any place of the court. The court reform affected also the changes in the number of court staff, some positions were combined, some positions changed.

**Q052 (2014):** The category “other” includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings. For 2014, it also subsumes consultants of the Supreme Court.

**Q052 (2013):** The category “other” includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings.

**Q052 (2012):** The category “other” includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings.

**Q052-1 (2022):** The observed variations in the different categories are due to changes in court staff.

**Q052-1 (2021):** In general, at the end of 2021, there were many vacancies for court staff for the first and second instance courts, therefore also there are differences in the number of court staff. In the previous cycles, the numbers for court staff for the first and second instance courts were calculated a little bit different, there were included also vacancies.

**Q052-1 (2018):** Discrepancy due to court reform (Land Registry offices integrated in general jurisdiction courts and historically high turnover rate)

**Q055 (2020):** The increase in the number of prosecutors in court district level prosecutor's offices is related to the imposition of an obligation on the prosecutor of the court district level prosecutor's office, and not on the chief prosecutor of the district (city) prosecutor's office to perform the duties of a higher prosecutor.

Regarding the decrease in the number of women working in the Prosecutor General's Office, it must be concluded that in total the number of women working has decreased by 8 persons. One of the reasons could be reaching the maximum age for performing the duties prescribed by law or the death of a person.

**Q055 (2012):** During 2011 and 2012, prosecutors' offices increased the number of posts which resulted in the appointment of new prosecutors. In order to decide on the promotion of prosecutors, their professional qualification has been evaluated and their quality of work performance analysed, as well as their participation in trainings, work statistical indicators, etc. Pursuant to the collected data, more male prosecutors have been promoted to higher posts.

**Q056 (2022):** At the end of 2020, a reorganization was launched in the prosecutor's office with the aim of ensuring rational use of state budget funds, as well as creating a more even distribution of prosecutors' workload. During the reform, which also continued in 2021, the work of individual district-level prosecutor's office units was optimized (reduced number of prosecutors offices and number of heads of offices), at the same time prosecutors were also specialized in criminal offenses committed in the service of state institutions, including those related to corruption.

**Q056 (2020):** The data provides information only about persons performing the duties of head of prosecution office.

**Q056 (2018):** Data includes the position of the deputy Head Prosecutor, who is also the position of a higher prosecutor in the Prosecutor's Office.

**Q056 (2016):** Data includes the position of the deputy Head Prosecutor, who is also the position of a higher prosecutor in the Prosecutor's Office.

**Q056 (2014):** The provided data includes the number of deputy heads of prosecution offices, who are also occupying the higher prosecutor position within the structure of the public prosecution services. The total number of heads of prosecution offices for 2014 is 61 (8 deputy heads), 36 males (3 deputy heads), 25 females (5 deputy heads). The total number of heads of prosecution offices at first instance level is 41 (4 deputy heads), 24 males (2 deputy heads), 17 females (2 deputy heads). The total number of heads of prosecution offices at second instance level is 10 (4 deputy heads), 6 males (1 deputy head), 4 females (3 deputy heads).

**Q056 (2012):** The provided data includes the number of deputy heads of prosecution offices, who are also occupying the higher prosecutor position within the structure of the public prosecution services. The total number of heads of prosecution offices for 2012 is 56 (5 deputy heads), 33 males (1 deputy head), 23 females (4 deputy heads). The total number of heads of prosecution offices at first instance level is 37 (1 deputy head), 16 females (1 deputy head). The total number of heads of prosecution offices at second instance level is 10 (4 deputy heads), 6 males (1 deputy head), 4 females (3 deputy heads).

**Q060 (2022):** Total number of staff working at the Prosecution Office is 377 (268 male employees, 109 female employees). Of this number, qualified (judicial) support for prosecutors in the performance of their functions, such as assistance during the hearing, helping to draft the decisions (category 2 of the question 52) is provided only by 14 employees. Prosecution Office has 105 prosecutor assistants who provide only technical assistance, they do not provide qualified (judicial) assistance (the functions of prosecutor assistants correspond to those described under category 3 of the question 52). There are also 159 employees that perform different administrative and management tasks. Therefore, the total number of employees in charge of administrative and management tasks is 264. And finally, we have 99 employees that perform technical duties. Changes on proportion of gender of employees are connected with the changes in the number of employees.

**Q060 (2021):** Total number of staff working at the Prosecution Office is 357 (103 male employees, 254 female employees): 187 employees (35 male and 152 female) are staff in charge of administrative functions and management of Prosecution Office. 75 employees (40 male and 35 female) perform technical duties. 95 employees are prosecutor assistants (28 male and 67 female). We would like to emphasize that in Latvia assistant prosecutors do not perform the functions of drafting procedural documents. Main duties of assistant prosecutors are preparation of criminal case material copies; drawing up of the case list documents, sewing and numbering of the case materials; preparation of materials to be issued to the process participants; certification of the correctness of document derivatives; delivery of the prepared materials to the addressees and reception of the documents.

**Q060 (2014):** The 2014 data encompasses the administrative director, deputies of the administrative director and other staff of the administrative director office – staff of the Chancellery, interpreters, IT specialists, personal specialists, car drivers, auditors (in total 318 employees, among which 232 women), as well as prosecutors' assistants (in total 74 assistants, among which 55 women). Assistants to prosecutors have no prosecutorial procedural powers. Their competence and jurisdiction are strictly limited. For example, an assistant is entitled to receive visitors, to take action in connection with the preparation of the case (prepare copies of criminal case materials, to produce the list of documents) etc.

**Q060 (2012):** The 2012 data encompassed the administrative director, deputies of the administrative director and other staff of the administrative director office - staff of the Chancellery, interpreters, IT specialists, personal specialists, car drivers, auditors (in total 321 employees, among which 234 woman), as well as prosecutors' assistants (in total 72 assistants, among which 53 women). Prosecutors' assistants have no prosecutorial procedural powers. Their competence and jurisdiction are strictly limited. For example, an assistant is entitled to receive visitors, to take action in connection with the preparation of the case (prepare copies of criminal case materials, to produce the list of documents) etc.

**Q132 (General Comment):** The salary of Supreme Court judges or prosecutors does not depend on the judge's / prosecutor's seniority in the Supreme Court or Prosecutor Office. All judges of the Supreme Court, with the exception of the chairman of the court and the Chairperson of a department of the Supreme Court, receive the remuneration as stipulated in the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

**Q132 (2022):** Data on net annual salary, in EUR for first instance professional judges differs from previous period due the raise of gross annual salary.

**Q132 (2020):** Prosecutors shall be entitled to a supplement for the ranking of the public prosecutor, depending on the degree of office assigned. The ranking of a public prosecutor shall be assigned according to the position, professional knowledge, qualifications and experience of work.

Question 132 indicates the minimum gross and net public remuneration.

Discrepancies with data from the previous cycle are connected with changes in the Law On Remuneration of Officials and Employees of State and Local Government Authorities. Between 2019 and 2020 a gradual increase in salary has been introduced, the gross salary has been increased per EUR 1764 and the net annual salary increase per EUR 1203. The salaries for judges are reviewed annually according to the law.

**Q132 (2019):** Discrepancies with data from the previous cycle are connected with changes in the Law On Remuneration of Officials and Employees of State and Local Government Authorities.

Comments on salaries of prosecutors: The increase in salaries is related to changes in the regulatory framework for prosecutors remuneration, which entered into force on 01.01.2019. The discrepancies in the section of salary for public prosecutor at the beginning of his or her career is connected to that in previous cycle the maximum salary was indicated which first instance prosecutor could get, but now it is indicated the salary at the beginning of the career.

**Q132 (2018):** The changes are related to the Law On Remuneration of Officials and Employees of State and Local Government Authorities, which increased the judge's monthly salary to EUR 1966, and the salaries of judges increased significantly in 2018 compared to 2016. Same for prosecutors.

Comment for prosecutors: Prosecutors shall be entitled to a supplement for the ranking of the public prosecutor, depending on the degree of office assigned. The ranking of a public prosecutor shall be assigned according to the position, professional knowledge, qualifications and experience of work. Question 132 shows the maximum gross and net public remuneration.

**Q132 (2016):** Prosecutors, depending on the grade assigned, are provided with an allowance for a post of prosecutor from 7 to 35 percent of the monthly salary. The position of a prosecutor is assigned according to the occupation, professional knowledge, qualification and work experience.

In above stated amount special additional payment to judges depending of their time of service (starting from 7% after 3 years of service, until 35% - after 20 years of service) is already included.

**Q132 (2012):** During the economic crisis, starting from 01.07.2009, the salaries of judges were reduced by 15% and starting from 01.01.2010, they were reduced by 27 %. Starting from 01.01.2011, the determination of the salaries of judges and prosecutors is a part of the unified remuneration system for the officials and employees of the State and local government institutions. Besides, as the consequences of the crisis diminished, the salaries of judges increased.

**Q146 (2017):** This number includes sworn advocates and assistants to sworn advocates.

**Q146 (2013):** There were 1 336 sworn lawyers in Latvia on December 31, 2013, of which 70 - assistants to lawyers and 13 - lawyers from other countries. 116 State legal aid providers have been concluded contracts with the Legal Aid Administration about State-guaranteed legal assistance in civil cases, administrative cases, cross-border disputes and provision of out of court legal assistance. State provided legal assistance in criminal matters in Latvia is provided by sworn lawyers, not by legal aid providers.

**Q147 (2017):** According to Advocacy Law of the Republic of Latvia in accordance with the procedures specified by this Law, the following persons may work as advocates in Latvia:

1) sworn advocates;

2) assistants to sworn advocates;

3) citizens of European Union Member States who have obtained the qualification of an advocate in one of the European Union Member States (hereinafter - advocates of European Union Member States).

Foreign advocates, except for advocates of European Union Member States, may practice in Latvia in accordance with the international agreements on legal assistance binding to the Republic of Latvia. Solicitors, in-house counsellors and others is an unregulated profession in Latvia and consequently is not counted, controlled or otherwise supervised.

**Q148 (2017):** Solicitors, in-house counsellors and others is an unregulated profession in Latvia and consequently is not counted, controlled or otherwise supervised. Also, for example, Civil Procedure Law provides that in some case categories/the Supreme Court persons can conduct cases by themselves or with the intermediation of an advocate. Due to this it is not possible to count persons who cannot represent their clients in court.

**Q148 (2016):** There was a mistake in last cycle. Not all legal advisors can represent their clients in court, for instance, in criminal cases only sworn advocate can represent their clients in court.

## Lithuania

**Q004 (2022):** Changes in wages were affected from 2022 January 1 as the minimum monthly salary was increased, the basic salary of state politicians, judges, state officials, civil servants and employees of budgetary institutions was increased, the procedure for calculating the amount of tax-free income was changed.

It should be noted that from 2019 January 1 the rates of state social insurance contributions paid by the employer and the employee have been changed. gross wages indexed 1.289 times.

**Q004 (2021):** From the 1st January, 2021 the minimum monthly salary was increased, the base salary of state politicians, judges, state officials, civil servants and employees of budgetary institutions was increased, the procedure for calculating the amount of tax-free income was changed and other reasons.

<https://osp.stat.gov.lt/informaciniiai-pranesimai?articleId=9732032>

**Q004 (2020):** Annual salary growth has been affected by the increase in the minimum monthly salary since the beginning of the reference year, the base salary of state politicians, judges, state politicians, judges, civil servants, civil servants and employees of budgetary institutions, changes in the procedure for calculating tax-free income and other reasons.

**Q004 (2019):** The increase in wages in 2019 was caused by changes in the tax system: an increase in the basic salary of politicians, judges, civil servants, civil servants and employees of budgetary institutions, an increase in the minimum monthly salary, a revision of the new salary system for civil servants, a change in the procedure for calculating exemptions and other reasons.

**Q004 (2018):** The state budget and salary increased due to the growth of the economy.

**Q004 (2016):** The state budget and salary increased due to the growth of the economy (after recovering from crisis before).

**Q046 (General Comment):** The methodology of presentation of data reflects the peculiarities of the Lithuanian court system. Namely, as the regional courts function not only as courts of appeal, but also as courts of first instance (Article 19 of the Law on Courts of the Republic of Lithuania), the number of judges of these courts is included in the 1st section. Accordingly, the latter indicates the number of judges of district courts, regional courts and regional administrative courts. Likewise, given that the Supreme Administrative Court is the court of appeal (although the rulings of the Supreme Administrative Court of Lithuania are final and not subject to appeal) the number of judges of this court is encompassed in the 2nd section. The latter indicates the number of judges of the Court of Appeal of Lithuania and the Supreme Administrative Court of Lithuania. The 3rd section indicates the number of judges of the Supreme Court of Lithuania.

**Q046 (2022):** In 2022 the corps of judges was supplemented by 30 judges, which is significantly more than in 2021 and slightly more than in 2020 (12 in 2021, 26 in 2020).

In 2022 27 persons were appointed as district court judges.

**Q046 (2017):** Please see general comments.

**Q046-2 (2020):** the first instance indicates the number of judges of district courts, regional courts and regional administrative courts. Likewise, given that the Supreme Administrative Court is the court of appeal (although the rulings of the Supreme Administrative Court of Lithuania are final and not subject to appeal) the number of judges of this court is encompassed in the 2nd instance. The latter indicates the number of judges of the Court of Appeal of Lithuania and the Supreme Administrative Court of Lithuania.

**Q052 (General Comment):** The category "other" includes translators, court psychologists, it encompasses also other helping staff (civil servants and working under the labour agreement).

**Q052 (2022):** Other staff – translators and psychologists.

**Q052 (2021):** Psychologists and translators.

**Q052 (2020):** Other staff – translators and psychologists.

There is no such a position as trainee judges in the Lithuanian court system.

**Q052 (2019):** Other staff - translators and psychologists.

**Q052 (2018):** Other non-judge staff – translators and psychologists.

**Q052 (2017):** Other staff – translators and psychologists.

**Q052 (2016):** In 2015 the number of technical staff has decreased while at the same time the number of staff assisting judges has increased.

**Q052 (2014):** The National Courts Administration has never collected data on statistics of court personnel according to the gender. The data, which was provided in earlier evaluation cycles, was preliminary data, manually gathered.

**Q055 (2020):** After the reorganization of the prosecution service in 2011, 5 second instance prosecutors' offices were merged with 51 separate first instance prosecutor's office in their area of operation, and thus 5 regional first-second instance prosecutor's offices were established.

**Q055 (2014):** In 2012, the 56 territorial prosecutor's offices have been reorganised into 5 regional prosecutor's offices with 10 district prosecutor's offices functioning inside them (first instance and second instance levels have been combined). Currently, only two instances exist.

**Q055 (2012):** In 2012, after reorganization of the prosecution service, the first and the second instances have merged. Currently, two instances exist instead of three. Besides, the total number of prosecutors has decreased because some prosecutors have left the service, but no new prosecutors have been recruited.

**Q056 (2022):** In 2022, structural changes were implemented (merging of some departments), resulting in a reduction of 10 managerial positions (Chief Prosecutors, Deputy Chief Prosecutors). The number of men and women changes for natural reasons and depends on the gender of the applicants for the position of the Chief / Deputy Chief Prosecutor.

**Q056 (2014):** In 2012, the 56 territorial prosecutor's offices have been reorganised into 5 regional prosecutor's offices with 10 district prosecutor's offices functioning inside them (first instance and second instance levels have been combined). Currently, only two instances exist. The total number of heads of prosecution offices evolved in the following manner: 2010 – 190; 2011 – 187; January 2012 – 145; May 2012 – 126; September 2012 – 93, December 2013 – 90, December 2014 – 89.

**Q056 (2012):** After reorganization of the prosecution service in 2011, the 1st and the 2d instances merged. Currently, two instances exist instead of three. This reorganization allowed reducing number of heads of prosecution services. Namely, 54 district prosecutor's offices lost their independent status and became departments of 5 regional prosecutor's offices. Therefore, neither heads of district prosecutor's offices nor heads of their units were considered "heads of prosecution services" and were not included in the 2012 data.

**Q060 (2022):** The number of women in staff (non-public prosecutors) attached to the public prosecution services tends to be higher. Total number of staff changed due to natural changes in human resources and as a result of the optimisation processes within the Public Prosecutor's Office.

**Q060 (2021):** The decrease in staff numbers is due to:

- natural rotation of human resources (various reasons: career, dissatisfaction with salary or duties, etc.);
- implementation of changes in work organisation;
- a higher number of persons left the institution than were recruited.

**Q060 (2020):** Number of staff does not include trainee prosecutors, only assistants, specialists and other employees. A person, who has been admitted to the service as prosecutor, must complete an assigned traineeship of up to two years. During the traineeship, the trainee prosecutor performs all duties of a prosecutor, but is obliged to coordinate draft procedural decisions and resolutions with the internship supervisor.

**Q060 (2016):** The provided data on the number of prosecution staff includes assistants and lawyers who work directly with prosecutors (total 363: 81 males and 282 females).

**Q132 (2022):** The Law on Judges' Remuneration of the Republic of Lithuania establishes, that the salary of judges of general competence and specialized courts consists of:

- 1) official salary;
- 2) supplement for length of service to the State of Lithuania (one percent of the official salary of a judge for each year of service to the State of Lithuania, but not more than 30 percent);
- 3) payment for work and duty on rest days and holidays, substitution;
- 4) premium for increased workload (the amount of the premium for the increased workload, but not more than 30 percent of his official salary, is determined by the president of the court in accordance with the procedure established by the Judicial Council.



**Q046 (2018):** The staff of the judicial and administrative courts has grown steadily in the recent years, as established by the amended law of 7 March 1980 on judicial organization. This explains the significant variations observed between 2016 and 2018 in the judiciary and non-judge staff. According to the judicial organisation of Luxembourg, there is a Superior Court of Justice, composed of the Court of Cassation and the Court of Appeal. The judges of the Superior Court of Justice belong to both the Court of Cassation and the Court of Appeal. If, legally speaking, these are separate positions, in practice the five judges of the Superior Court of Justice occupy two positions and they are therefore counted among the judges of the Court of Appeal as well as at the level of the Superior Court of Justice .

The figures differ from those indicated in the last data collection campaigns on two points. 1) concerning the number of judges at the highest level: starting with 2016, we have distinguished between the judges sitting at the court of appeal and those of the Cour de cassation, which is the highest court in Luxembourg. Until 2016, and as the two courts taken together form the Cour supérieure de Justice (which as such has some very specific competences), we indicated only the total of the judges affected to the Cour supérieure. It might be useful for statistical purposes to distinguish between the two levels. 2) concerning the number of judges at the first level: the figures indicated until 2016 were superior to the real figures, as, erroneously, the prosecutors (which by law are also magistrates affected to these courts) had been included. We corrected this error in 2016. There has been a major modification in June 2017, by the law of 27th of June 2017 adopting a multiannual program of recruitment into the judiciary and amending the amended law of 7th of March 1980 on judicial organisation, programming the future changes in the staff at the different entities. This law provides for a multiannual program of recruitment of judges and prosecutors during the years 2017-2020. It entered into force in July 2017.

**Q046 (2017):** The Act of 27 June 2017 introducing a multiannual programme for recruitment to the judiciary and amending the amended Act of 7 March 1980 on the organisation of the judiciary, defines the number of posts in the various instances. The indicated data correspond to the number of permanent positions actually held in 2017.

**Q046 (2016):** The figures differ from those indicated in the last data collection campaigns on two points.

1) concerning the number of judges at the highest level: starting with 2016, we have distinguished between the judges sitting at the court of appeal and those of the Cour de cassation, which is the highest court in Luxembourg. Until 2016, and as the two courts taken together form the Cour supérieure de Justice (which as such has some very specific competences), we indicated only the total of the judges affected to the Cour supérieure. It might be useful for statistical purposes to distinguish between the two levels.

2) concerning the number of judges at the first level: the figures indicated until 2016 were superior to the real figures, as, erroneously, the prosecutors (which by law are also magistrates affected to these courts) had been included. This error has now been corrected.

**Q046 (2015):** In 2014, the judges of the Administrative Court were included in the number of judges in the Supreme Court but in 2015 these judges were accounted as second instance judges.

**Q046 (2014):** In 2014, the judges of the Administrative Court were included in the number of judges in the Supreme Court but in 2015 these judges were accounted as second instance judges.

**Q046 (2013):** To the total number of judges, should be added 4 trainees ("attachés de justice"). The increase in the number of female judges at all instances between 2010 and 2013 is explained by the special attraction for a profession that allows to combine work and family life. Judges of second instance and those of the Court of Cassation are all part of the Superior Court of Justice.

**Q046 (2012):** The total number of professional judges does not correspond to the sum of the number of judges before each instance because some judges have jurisdiction in two courts (e.g. the Constitutional Court is composed of judges of the Court of Cassation and the Administrative Court).

**Q046-2 (2022):** The 5 justices of the Supreme Court, namely the Court of Appeal, adjudicate on criminal, civil and commercial matters.

**Q052 (2022):** In the realm of non-judicial personnel, there are referendaries and a data protection compliance officer within the administrative jurisdictions.

The increase in "other non-judge personnel" was elucidated during the 2021 Scoreboard and remains applicable: Relative to previous figures, the number of other non-judge personnel has risen by 175% between 2020 and 2022. In absolute terms, this equates to an increase of seven individuals since 2020, encompassing seven positions for referendaries. Both judicial and administrative jurisdictions are increasingly turning to referendaries to relieve magistrates of certain tasks.

**Q052 (2021):** The category "other non-judge staff" refers to the "référéndaires" and the data protection compliance officer of the administrative courts.

The number of "other non-judge staff" has increased by 125% in absolute terms, which corresponds in fact to an increase of 5 persons, representing 5 posts of "référéndaires". Judicial and administrative courts are making greater use of "référéndaires" to relieve judges of certain tasks.

**Q052 (2020):** The other non-judicial staff consists of three legal secretaries and a data protection compliance officer from the administrative courts.

**Q052 (2018):** Regarding the category "other non-judge staff", it includes non-judge staff working for administrative courts. The increase of the non-judge staff is due to the fact that we no longer distinguish between the staff in charge of administrative tasks and the staff assisting the judges as court clerks, since all the non-judge staff is in charge of assisting the judges. We interpreted this differently in the previous years. Previously some of the staff was considered as not assisting the judges, because of their statute, this appeared as not correct since none of them is limited to administrative tasks, except at the administrative courts, where six persons are in charge of purely administrative tasks. The revised 2017 data shows an increase of the total non-judge staff assisting the judges of 9.95%.

**Q052 (2017):** With regard to question 52, all the non-judge staff is in charge to assist the judges (except at the administrative courts). Therefore for the year 2017, we did no longer distinguish between staff of administrative tasks and the staff assisting the judges. Only at the administrative courts are 6 persons not assisting the judges.

**Q052 (2016):** Last year the separation of the sections 1, 2 and 3 was not done correctly. This year this task was made by the parquet general RH office.

**Q052 (2014):** The overall administrative tasks concerning ordinary courts are centralized at the level of the Prosecutor General Office. The same applies to technical staff. Among the 192 non-judge staff assisting judges, 117 are women. The category "staff in charge of different administrative tasks" (3 women, 2 men) and the category "technical staff" (1) refer exclusively to the Administrative Court (which was not the case for 2012). The 2014 data reflects the administrative reality, the staff that cannot be categorized to one specific task being attached to the State Prosecutor General. The total remains stable; slight variations are due to temporary replacements. The category "other" does not subsume external staff hired on contractual basis, e.g. in IT matters (as in 2012).

**Q052 (2013):** The overall administrative tasks concerning ordinary courts are centralized at the level of the Prosecutor General Office. The same applies to technical staff. Among the 192 non-judge staff assisting judges, 117 are women. The category "staff in charge of different administrative tasks" (3 women and 2 men) and the category "technical staff" (1) refer exclusively to the Administrative Court staff. The 2013 data reflects the administrative reality, the staff that cannot be categorized to one specific task being attached to the State Prosecutor General. The total remains stable; slight variations are due to temporary replacements. The category "other" does not subsume any more external staff intervening on contractual basis, for example in IT matters.

**Q052 (2012):** Except for categories 1 ('Rechtspfleger') and 2 (non-judge staff whose task is to assist the judges), all others carry on their work in the interest of the whole judicial system, that is to say, both for judges and prosecutors.

**Q052-1 (2021):** The 27% increase in the number of second instance non-judge staff is explained in particular by the hiring of additional "référéndaires". At the Supreme Court, the number of non-judge female staff decreased by 50% in relative terms; in absolute terms, this corresponds to one woman being replaced by a male member of staff.

**Q055 (General Comment):** The figure in point 3 includes both second instance and Supreme Court prosecutors, as they are grouped together in the Superior Court of Justice, which is subdivided into the Court of Appeal and the Court of Cassation.

**Q055 (2022):** Since the 2020-2022 assessment, the General Prosecutor's Office has seen an increase of two female Advocate Generals and a male magistrate has been replaced by a female magistrate following retirement. The decrease of -28.57% in male prosecutors at the Supreme Court and the 50% increase in female prosecutors at the Supreme Court can be attributed to this.

**Q055 (2018):** Le personnel des juridictions judiciaires et administratives a connu une croissance soutenue ces dernières années, tel que prévu par la loi modifiée du 7 mars 1980 sur l'organisation judiciaire. Ceci explique les variations importantes observées entre 2016 et 2018 au niveau du personnel de la magistrature et du personnel non-juge. Les magistrats appartenant à la cellule de renseignement financier (CRF) sont dorénavant exclus de la question 55.1 (suite au détachement de la CRF du Parquet de Luxembourg) puisqu'ils n'exercent plus de fonction juridictionnelle proprement dite. Au total, la CRF compte 4 magistrats et un attaché de justice en 2018. L'effectif du Parquet d'arrondissement reste toutefois inchangé suite à la création des nouveaux postes affectés à la CRF  
Les magistrats du pool de complément sont inclus dans les chiffres de la question 55.3.

**Q055 (2016):** The number of prosecutors indicated here as working at the Supreme Court corresponds to the number of prosecutors working at the Superior Court of Justice (which includes prosecutors intervening at the Court of Appeal and Court of Cassation level).

**Q055 (2014):** The number of male public prosecutors decreased between 2012 and 2014, while the number of female public prosecutors increased for the same period. These variations have for sole explanation the normal progress of career of magistrates of the public prosecution office at first instance.

**Q056 (General Comment):** The General Prosecution Office at the level of the Superior Court is headed by one General State Prosecutor. There are also two district prosecution offices (Luxembourg and Diekirch), so there are two district prosecutors.

**Q056 (2016):** 56.1 to 56.3: the heads referred to therein are also taken into account for items 55.1 to 55.3  
The number of prosecutors indicated here as working at the Supreme Court corresponds to the number of prosecutors working at the Superior Court of Justice (which includes prosecutors intervening at the Court of Appeal and Court of Cassation level).

**Q060 (2022):** The staff of the judicial and administrative authorities has experienced sustained growth in recent years, as provided for by the amended law of 7 March 1980 on judicial organization, as we had previously explained during the evaluation period of 2020-2022. The variation in total non-judicial staff numbers between 2020 and 2022 is 25.33%. An increase of 9% was observed between 2021 and 2022.

**Q060 (2020):**

"The staff of the judicial and administrative jurisdictions has grown steadily in recent years, as provided for by the amended law of March 7, 1980 on judicial organization. This explains the significant variations observed between 2018 and 2020 at the judicial and non-judicial personnel.

In 2018, the FIU was administratively attached to the Parquet Général du Luxembourg. Due to the FIU's functional independence, analysts (13 positions) and administrative staff (6 positions) are no longer counted among the staff of the public prosecutor's office."

**Q060 (2018):** Le personnel des juridictions judiciaires et administratives a connu une croissance soutenue ces dernières années, tel que prévu par la loi modifiée du 7 mars 1980 sur l'organisation judiciaire. Ceci explique les variations importantes observées entre 2016 et 2018 au niveau du personnel de la magistrature et du personnel non-juge. En 2018, la CRF a été rattachée administrativement au Parquet général du Luxembourg. En raison de l'indépendance fonctionnelle de la CRF, les analystes (8 postes) et le personnel administratif (5 postes) ne sont dorénavant plus comptés parmi le personnel du ministère public. L'effectif du Parquet d'arrondissement reste toutefois inchangé, par rapport à 2017, suite à la création des nouveaux postes remplaçant les postes auparavant affectés à la CRF auprès du Parquet.

**Q060 (2012):** The methodology of presentation of data changed between 2010 and 2012 which partly explained the considerable increase observed for this period. Besides, in 2012, there was a general increase of the number of public servants at all levels.

**Q132 (2022):** As a starting treatment for early career (professional judge or prosecutor), we consider the salary of justice attachés after their initial appointment. The magistrate's salary scale provides for a base of 380 index points, with potential professional experience that may be added but is not taken into account in our calculations.

For the theoretical maximum treatment of a judge or prosecutor at the Court of Appeal, we consider grade M6, step 7, which corresponds to 647 points; an additional 25 points are added for managerial functions. To calculate the annual treatment, these points must be multiplied by the value of each index point. Between January and March 2022, the value was set at £20.6831871 per index point; after April 1st, 2022 it increased to £21.2002547 per index point. Taking these indices into consideration yields an annual gross payment equivalent to £96,084 for a professional judge at first instance and up to a maximum payment of £169,916 for a judge or prosecutor at Supreme Court level.

These figures do not include any potential bonuses or allowances that may supplement the basic payment according to each individual magistrate's circumstances."

For further details on calculating civil servant payments applicable also to magistrates' Grade M careers can be found on Public Service website: <https://fonction-publique.public.lu/fr/carriere/parcours-remuneration/fonctionnaire/traitement.html>

**Q132 (2021):** As a starting salary (professional judge of first instance or prosecutor) we consider the salary of the “attachés de justice” after their first appointment. The salary scale of the magistrates provides for 380 index points as a basis, a possible professional experience can be added to it but is not taken into account by our calculations.

As a theoretical basic salary for a judge or prosecutor at the Court of Appeal we consider the grade M4, level 4, which corresponds to 455 points and to the average seniority of a magistrate appointed to the Court (Court and General Prosecutor's Office). However, it should be taken into account that this salary is strongly influenced by the family situation of the person concerned.

To calculate the annual salary, these points must be multiplied by the value of the index point. Between January and September 2021, the value of the index point for a civil servant was 20.17893; after 1 October, the value of the index point was 20.6831871. Taking into consideration these elements, a 12-month salary corresponds to 92 591€ for a first instance professional judge, respectively a salary of 110 865€ for a judge or prosecutor at the Supreme Court. These figures do not include any bonuses, allowances or benefits that may be added to the basic salary depending on the magistrate concerned. More explanations on the calculation of civil servants' salaries, which also apply to the M career of magistrates, can be found on the civil service website (<https://fonction-publique.public.lu/fr/carriere/parcours-remuneration/fonctionnaire/traitement.html>).

**Q132 (2020):** "As a starting salary (professional judge of first instance or prosecutor) we consider the salary of the judicial attachés after their first appointment. The salary scale of the magistrates provides for 380 index points as a basis, a possible professional experience can be added to it but is not taken into account by our calculations.

As a theoretical basic salary for a judge or prosecutor at the Court of Appeal we consider the grade M4, step 4, which corresponds to 455 points and to the average seniority of a magistrate appointed to the Court (seat and General Prosecutor's Office). However, it should be taken into account that this salary is strongly influenced by the family situation of the person concerned.

To calculate the annual salary, these points must be multiplied by the value of the index point. In December 2020, the value of the index point for a civil servant was 20.17893, which corresponds to a 12-month salary of 92.016€ for a professional judge of first instance, respectively a salary of 110.177€ for a judge or prosecutor at the Supreme Court. These figures do not include any bonuses, allowances or benefits that may be added to the basic salary depending on the magistrate concerned. More explanations on the calculation of civil servants' salaries, which also apply to the M career of magistrates, can be found on the civil service website (<https://fonction-publique.public.lu/fr/carriere/parcours-remuneration/fonctionnaire/traitement.html>)."

**Q132 (2019):** As a salary at the beginning of the career (first instance professional judge or prosecutor) we consider the salary of the “attachés de justice” after their first appointment. The salary scale for judges and prosecutors is based on 380 points, any professional experience can be added but is not taken into account in our calculations. To calculate the annual salary, these points must be multiplied by the value of the index point. In December 2019, the value of the index point of a civil servant was 20,17893, which corresponds to a salary of €92,016 over 12 months. In 2016, this figure corresponded to €84,185 and in 2018 to €89,771. More explanations on the calculation of civil servants' salaries, which also apply to the M career of magistrates (judges and prosecutors), can be found on the civil service website: <https://fonction-publique.public.lu/fr/carriere/parcours-remuneration/fonctionnaire/traitement.html>.

**Q132 (2016):** The salary are those of the Court President and the Prosecutor General as no average salary can be calculated.

**Q146 (2022):** The number of individual lawyers, amounting to 3202, includes those individual lawyers who represent legal entities. The count of corporate lawyers, totalling 207, encompasses the registered law firms listed in the Bar Association's registry. Presently, the Diekirch Bar has 53 individual lawyers and 4 law firms (4 from list V and 1 from list VI) represented by individuals. Therefore, in total there were 3255 individual lawyers in 2022 including those representing the aforementioned legal entities.

An individual (lawyer listed on lists I or IV as an individual) may practice law through a legal entity (listed on lists V or VI) since the entry into force of the Law of December 16th, 2011 concerning the exercise of lawyer profession in form of a legal entity (article 8(10) and (11) of the Law on the Lawyer Profession of August 10th 1991).

**Q146 (2021):** The Diekirch Bar did not provide details on the breakdown of the number of lawyers by gender. Among lawyers registered at the Luxembourg Bar, who represent 98% of the lawyers registered at the two Luxembourg Bars, 52% were male and 48% were female.

**Q146 (2015):** The number indicated includes the number of lawyers, trainee lawyer, lawyers practising under their home-country professional titles and independent lawyers at September 1st, 2016.

## Malta

**Q004 (2022):** This is the data provided and verified with the National Statistics Office

**Q004 (2021):** The figure quoted above relates specifically to the Average Annual BASIC salary as provided by the National Statistics Office of Malta. The NSO do not collect the Average Annual Gross salary.

**Q004 (2018):** This data has been provided by NSO based on as yet provisional estimates.

**Q046 (General Comment):** In Malta there is no Supreme Court, the Court of Appeal being the Court of second instance. The Constitutional Court, then, is presided over by the 3 judges who compose the Court of second instance also known as the Court of Appeal in its Superior Jurisdiction. The number of 1st Instance 'judges' also includes magistrates that preside over 1st Instance Courts.

**Q046 (2021):** During 2021, 4 new magistrates and 2 new judges were appointed to the bench, thereby increasing the judicial complement by the same number. 2 judges were also appointed to the bench, but given that they were previously magistrates, their appointment did not increase the judicial complement.

**Q046 (2019):** For Number of first instance professional judges, the difference in nominal figures is of 4 male magistrates compared to previous cycle. This is mainly due to retirement and the appointment of 2 male magistrates to judges. 3 new magistrates have been appointed in 2019, only 1 of which is male.

For the Number of second instance professional judges, Madame Justice Lorraine Schembri Orland has been appointed Judge elect in respect of Malta on the European Court of Human Rights. Given that she did not serve in Malta at the end of 2019, she does not feature in the above data.

**Q046 (2017):** Despite the categorical manner in which the Maltese judiciary have been classified for the purpose of this exercise, it is important to note that the roles of some of the judges are very fluid. Hence, some of the 1st Instance judges preside, when the need arises, over 2nd Instance courts, whilst 2nd Instance judges hear cases at 1st Instance such as at the Civil Court, First Hall or the Civil Court, Family Section.

Throughout 2017, 1 male 1st Instance Judge passed away at the beginning of the year, whilst another 2nd Instance Judge retired towards the end of the year. 1 female Magistrate has been appointed. Care is being taken in order to ensure an equal gender representation in the appointments of the judiciary.

**Q046 (2016):** Despite the categorical manner in which the Maltese judiciary have been classified for the purpose of this exercise, it is important to note that the roles of some of the judges are very fluid. Hence, some of the 1st Instance judges sit, when the need arises, in 2nd Instance courts, whilst 2nd Instance judges hear cases at 1st Instance such as at the Civil Court, First Hall or the Civil Court, Family Section.

There has been an increase of 3 female judges at 1st instance since 2014. There was an increase from 15 to 17 female judges at 1st instance in 2015 and a further increase of 1 female judge at 1st instance in 2016. Care is being taken in order to ensure an equal gender representation in the appointments of the judiciary.

**Q046 (2015):** Regarding the number of judges, the high percentage variations that might be observed results from the small absolute number of judges that Malta has. Malta has been trying, and there are still on-going efforts, at increasing the number of judges. If between 2010 and 2015 the number of male judges decreased (by 1), this was complemented by an increase in the number of female judges (also by 1).

**Q046-2 (2022):** Some judges in the Maltese judicial system preside over both civil and criminal courts. In this instance, such judges have been distributed evenly between the 2 courts.

Administrative cases at first instance are heard by the Administrative Review Tribunal, presided over by 3 magistrates. If appealed, such cases are heard by the Court of Appeal Inferior Jurisdiction presided over by a judge who hears and decides cases appealed from a number of first instance courts (not only the Administrative Review Tribunal). Given that these cases constitute only a fraction of the caseload of this judge, it would be misleading to indicate him as a 2nd Instance judge over appeals from administrative cases.

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Administrative cases at first instance are heard by the Administrative Review Tribunal, presided over by 3 magistrates. If appealed, such cases are heard by the Court of Appeal Inferior Jurisdiction presided over by a judge who hears and decides cases appealed from a number of first instance courts (not only the Administrative Review Tribunal).

**Q052 (2022):** The increase in the number of non-judge staff when compared to the previous evaluation results from an increase in the staff making up the judicial teams of new judges. In addition, there has also been an increase in the number of technical staff with a new grade entitled 'Other industrial grades' being inserted for the first time in this evaluation.

**Q052 (2019):** For Technical Staff: This is an issue of recruitment and given the change from a Department to an Agency, the Court Services will be issuing new calls in line with the requirements of the Agency.

**Q052 (2018):** Other non-judge staff include:

- Director Civil Courts and staff
- Director Criminal Court and staff
- Registry Criminal Court
- Chief Marshal
- Senior Marshal
- Marshals
- Judiciary Drivers
- Subasti Personnel

**Q052 (2017):** Other non-judge staff includes:

- Director Civil Courts and staff
- Director Criminal Court and staff
- Registry Criminal Court
- Chief Marshal
- Senior Marshal
- Marshals
- Judiciary Drivers
- Subasti staff

**Q052 (2016):** Other non-judge staff includes:

- Director Civil Courts and staff
- Director Criminal Court and staff
- Registry Criminal Court
- Chief Marshal
- Senior Marshal
- Marshals
- Judiciary Drivers
- Subasti staff

Concerning "Technical Staff", 2 technical staff were employed. Between 2014 and 2015, there was a decrease in the number of tradesman employed with the court administration.

**Q052 (2015):** In the 2015 data, the category 'Non-judge staff whose task is to assist the judges' includes 13 Court Attorneys that have been introduced for the first time in October 2015. This staff is meant to assist the judges in the drafting of the sentences and other related matters. However the Court Attorneys are not autonomous and the responsibility for the sentences that they draft ultimately lies with the presiding judge.

The differences noted between 2014 and the previous regarding the categories "staff in charge of administrative tasks" and "other non-judge staff" is due to a change in the distribution. After 2014, some non-judge staff who were included in the category "staff in charge of administrative tasks" were integrated in "other non-judge staff".

The decrease between 2014 and 2015 in the number of "technical staff" is due to a decreases in the number of tradesman.

**Q052 (2014):** The differences noted between 2014 and the previous regarding the categories "staff in charge of administrative tasks" and "other non-judge staff" is due to a change in the distribution.

**Q052 (2013):** In 2013, the number of non-judge staff was detailed as follows: staff assisting judges – deputy registrars (67), court messengers (19), judicial assistants (30), clerical staff (141), ushers (25), senior court recorders (12), court recorder in charge (1), and Children's advocate (2); staff in charge of administrative tasks – Directorate Support Services (86), Directors and staff (12), Asset Management unit (3), Archives (3), one stop shop (7), Subasti (3), Library (1), Publications (3) technical staff – tradesmen (7), Bookbinder (1);

"other" – cleaners (8), Chief Marshal (1), Marshals (20). An exercise at beefing up the Court administration staff was undertaken by the Government in 2013, as a result of which, the figures for different sub-categories have increased considerably.

**Q052 (2012):** In 2012, the number of non-judge staff was detailed as follows: staff assisting judges – deputy registrars (65), court messengers (19), judicial assistants (30), clerical staff (59), ushers (25), senior court recorders (12), court recorder in charge (1), and Children's advocate (2); staff in charge of administrative tasks – Directorate Support Services (83), Directors and staff (13), Asset Management unit (3), Archives (3), one stop shop (4), Subasti (2), Library (1), Publications (2); technical staff – tradesmen (7), Bookbinder (1); "other" – cleaners (7), Chief Marshal (1), Marshals (20).

**Q052-1 (2020):** It is not possible to differentiate the non-judge staff according to these criteria.

**Q052-1 (2018):** It is not possible, at the moment, to differentiate the staff working at first instance from that working at second instance.

**Q055 (General Comment):** All the lawyers working in the Office of the AG prosecute cases in the criminal courts, but it is not possible, as yet to distinguish between 1st and 2nd Instance Courts. All full-time lawyers have been included in the above figure except the AG herself.

**Q055 (2022):** The increase in the number of prosecutors is the result of a recruitment drive that was carried out in 2022.

**Q055 (2020):** The increase in the number of lawyers working at the Office of the AG follows the reform in 2020 whereby the AG has taken up exclusively the role of prosecutor general (the advisory role to government has been vested in the State Advocate). Given this special focus, the Office of the AG has been recruiting more lawyers in order to meet the case demands of the courts.

**Q055 (2016):** All the lawyers at the Office of the Attorney General work both in Court as well as advisers to the various Ministries and Departments. All prosecuting officers at the Office of the Attorney General act at all court levels. Thus, prosecutors are not classified according to the case instance.

**Q055 (2014):** These past few years there has been an increase in the number of female law graduates, which will definitely reflect in the employment trends within this sector.

**Q056 (General Comment):** The Attorney General is the head of the Office of the Attorney General and her role as Head of Prosecution is defined in the Constitution of Malta.

**Q056 (2018):** The Attorney General is the head of the Office of the Attorney General. He enjoys the support of 2 Deputy Attorney Generals, one dedicated to civil law and the other dedicated to criminal law.

**Q056 (2016):** The Attorney General is the head of the Office of the Attorney General. His role is that of head of the prosecution as well as principal legal advisor to the government (and its various Ministries and Departments).

**Q057 (General Comment):** Police have the authority to investigate and initiate prosecutions before the Court of Magistrates. The Office of the AG prosecutes trials by jury and appeals therefrom and also files and prosecutes appeals from the decisions of the Court of Magistrates. Following the reform in 2020 in which the Office of the AG became Chief Prosecutor, a number of cases previously prosecuted by the police are being gradually handed over to the lawyers working at the Office of the AG.

**Q057 (2018):** Police have the authority to initiate prosecutions and to prosecute cases before the Court of Magistrates. If cases are serious enough to go to trial by jury (theoretically any case liable by imprisonment for more than 2 years can go to trial by jury, but cases in which trial by jury is mandatory are those in which the charge is liable to imprisonment for 12 years or more. In practice, most trials by jury deal with these kind of serious offences). The prosecution from the Office of the Attorney General prosecute trials by jury and appeals therefrom and also files and prosecutes appeals from the decisions of the Court of Magistrates.

**Q057 (2016):** In Malta, the police have the authority to prosecute a case in court, unless the nature of the offence is serious enough to merit prosecution in the higher courts by the lawyers working at the Office of the AG. The figure presented above reflects the number of Police Inspectors and Police Superintendents whose duties include prosecution in court.

**Q060 (2022):** Like in previous evaluations, the number of non-judge staff includes legal procurators working at the Office of the Attorney General.

**Q060 (2016):** This data relates specifically to the staff working in the Office of the AG.

**Q060 (2014):** The number of non-public prosecutors staff declared for 2014, is categorised as follows: supporting paralegal clerical staff – 17 (6 Male/11 Female); civil lawyers acting as attorneys – 13 (11Female/2 Male), legal prosecutors – 3 Female.

**Q132 (2022):** Following the newly signed collective agreement the Office of the Attorney General, the new salary package commensurate to the different positions within the Office have changed since those provided in previous submissions. The salary package provided above within the field 'Public prosecutor at the beginning of his/ her career' refers to the salary package of Lawyer III.

**Q132 (2020):** Wages for the lawyers of the AG were improved following a revision of salaries.

**Q132 (2019):** Public prosecutor at the beginning of his/her career: Actually there was an increase in the gross annual salary which is also reflected in the net annual salary. The difference in the net annual salary is then due to the different tax brackets that apply.

**Q132 (2018):** In 2018, following discussions with the Judiciary Association, the Ministry substantially increased the wage package of the members of the judiciary across all grades (Magistrates, Judges and Chief Justice). The agreement saw an increase in the basic salary and allowances received by the judiciary, with further increases planned over the coming 3 years. This improvement in the wage package reflects the commitment of the current administration to improve the working conditions of the judiciary, and continues to build on the reforms already brought into effect by the Constitutional Reforms (Justice Sector) Act of 2016.

**Q132 (2014):** The 2014 figures include the allowances over and above the 'basic' wage. A Magistrate has competence to hear all civil cases up to a value of €11,650 and criminal cases up till an imprisonment of 10 years whilst Judges hear all the other cases. The data provided relates to the salary of a Magistrate (in respect of first instance professional judge) and a Judge (in respect of Judge of the Supreme Court). The Net Annual Salary varies according to the Income Tax Bands announced, from time to time, and therefore it is not possible to indicate the amounts. The figures provided for as net income were calculated on the salary above-indicated for a married person.

**Q132 (2012):** In terms of the Judges and Magistrates Salaries Act, the gross annual salary of the Chief Justice for 2012 was €46 456, this of a judge was €40 221, whilst this of Magistrates was €34 188. A Magistrate has competence to hear all civil cases up till a value of €11,650 and criminal cases up till an imprisonment of 10 years whilst Judges hear all the other cases. The figure mentioned relates to the initial salary of Judge, though the beginning of one's career in the judicial field is as a Magistrate. The Net Annual Salary varies according to the income tax bands announced, from time to time, and therefore it is not possible to indicate the amounts. The figures provided for as net income were calculated on the salary above-indicated for a married person.

**Q133 (General Comment):** Act 44 Constitutional Reforms (Justice Sector) Act of 2016 also enhanced the independence of the judiciary through the introduction of an adequate pension scheme that respects the service that has been offered by the retired judiciary, as well as their widows/ widowers.

The special pension was introduced in 2016 for the judiciary, so it was not present in the previous cycles and it is not applicable to the lawyers working in the Office of the Attorney General.

**Q133 (2022):** In respect of 'Special Pension' for Public Prosecutors, The Pensions Ordinance, Chp 93 of the Laws of Malta, stipulates a special pension for the Attorney General only.

**Q133 (2020):** In respect of 'Special Pension' for Public Prosecutors, The Pensions Ordinance, Chp 93 of the Laws of Malta, stipulates a special pension for the Attorney General only.

**Q133 (2018):** Act 44 Constitutional Reforms (Justice Sector) Act of 2016 also enhanced the independence of the judiciary through the introduction of an adequate pension scheme that respects the service that has been offered by the retired judiciary, as well as their widows/ widowers.

The special pension was introduced in 2016 for the judiciary, so it was not present in the previous cycles and it is not applicable to the lawyers working in the Office of the Attorney General.

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The special pension was introduced in 2016 for the judiciary, so it was not present in the previous cycles and it is not applicable to the lawyers working in the Office of the Attorney General.

**Q146 (2021):** The answer to Q146 represents the warranted lawyers who have registered themselves in the Register of Legal Professionals and Law Firms as per Act XIX of 2021. As from this evaluation onwards, the number of lawyers quoted will always be sourced from this official register.

**Q146 (2017):** The number of lawyers quoted in this answer refers to the number of warranted lawyers at the end of 2017. This data is based on a list of warranted lawyers practicing in Malta, compiled by the Department of Justice. Work on this list is ongoing but it is important to note that the figure quoted above, reflects a more faithful representation of the number of warranted lawyers in Malta.

**Q146 (2016):** The number of lawyers quoted in this answer refers to the number of warranted lawyers who are also members of the Chamber of Advocates, at the end of 2016. Throughout 2016, the Chamber of Advocates has been updating their list of members in order to clear the names of the lawyers who have either retired or have passed away. Furthermore, it is important to note that at present membership with the Chamber of Advocates, which is the sole Bar Association in Malta, is not mandatory. Hence over the past few months, the Department of Justice is drawing up the first complete list of warranted and non-warranted lawyers in Malta. Work is still underway so it is important to note that the figure quoted above, which is less than that submitted in the previous evaluation, reflects a more faithful representation of the number of warranted lawyers in Malta.

**Q146 (2015):** The number of lawyers quoted in this answer refers to the number of warranted lawyers on the list of advocates at the end of 2015. It is possible that some of these lawyers have retired so whilst the warrant remains valid, it does not necessarily mean that all 1569 lawyers are practising the profession. At present there does not exist any mechanism wherein lawyers register once they are given the Warrant to practice, and membership with the Chamber of Advocates, which is the sole Bar Association in Malta, is not mandatory to practice as a lawyer.

**Q148 (General Comment):** This data was not available prior to 2014. It started being collected by the Department of Justice in 2015.

**Q148 (2021):** Throughout 2021, 4 new applications have been submitted out of which 3 were accepted.

**Q148 (2019):** Throughout 2019, only 5 EU legal professionals were granted the respective certificate of registration with the limitation that they cannot represent their clients in court. Many more applications are pending evaluation.

**Q148 (2018):** The figure of 135 legal advisors is derived from the composite of 101 legal advisors at the end of 2017 and 34 new applications throughout 2018. Hence at the end of 2018, there were 135 legal advisors who could practice with an established lawyer in Malta but cannot represent clients in court.

**Q148 (2017):** In 2017, there have been 25 newly registered legal advisors.

## Netherlands

**Q004 (General Comment):** These are provisional numbers; definitive numbers (available next year) may differ slightly from those provided here. The data specifies 'reward per working year' as salary. This reward consists of salary (gross salary, including taxes and social contributions/premiums), rewards like holiday stipends, payment in kind, expense allowances tied in with work (e.g. travel allowances), and social premiums for the employer (payments for lawful and contractual social security, like pension contributions)

**Q004 (2020):** These are provisional numbers and the definitive numbers (available in 2022) may differ slightly from these provided here. The data specifies 'reward per working year' as salary. The reward consists of salary (gross salary, as it includes taxes and social contributions/premiums), rewards like holiday stipends, payment in kind, expense allowances that tie in with work (like travel allowances that cover costs to and from work), and social premiums that are for the employer (payments for lawful and contractual social security, like pension contributions).

**Q004 (2019):** The Statistics Bureau only had numbers for 2018. 2019 data was not available at the moment of data collection.

**Q004 (2018):** This is average salary of all employees; the number includes money that employers pay for pension plans, social security (money that is paid directly to employees). The statistic does not include the income of people who are not employees (people without work, employers).

**Q004 (2016):** Compared to previous questionnaires (before 2014) these figures have been adjusted according to new rules of the European system of national accounts (illegal activities are now included)

**Q046 (General Comment):** Since 2020, new methodology of presentation of data is used, allowing distinguishing between first and second instance for the specific group of judges who were previously all counted as first instance judges ('overig RA'). For all cycles, court presidents are taken into consideration in the figures.

**Q046 (2022):** Numbers for first and second instance are on posts filled, not fte. Total fte for first and second instance together is 2 451. We cannot provide more detailed information. For the Supreme Court, fte and posts filled are the same.

**Q046 (2021):** Numbers are on posts filled, not fte. Total fte is 2416.

Total fte for first and second instance was given in 2021, but information on fte was NA for the rest of the categories and the detail required cannot be provided.

For the Supreme court, fte and posts filled are the same.

**Q046 (2020):** These numbers are on posts filled, not fte. The total fte for first and second instance together is 2372, but information on fte is NA for the rest of the categories and detail required for this question. These numbers include court presidents.

In the previous cycles, due to an inability to differentiate between first or second instance for a certain group of judges, they were counted as first instance judges. This inflated the first instance numbers and underreported the second instance numbers. This problem was present in the data up until the 2019 survey. For the 2020 data, this problem has been solved, and the data is now correct.

**Q046 (2018):** We did not receive information on the number of judges (in fte) working at the High Court. There are 33 judges at the High Court (people, not fte), 20 male / 13 female. Since this concerns only 1% of all judges, we'd suggest to work with these numbers (and accept the small deviation in the calculated total number)

**Q046 (2017):** these are number of people (posts); the total number of fte is 2315, this can not be separated for 1st and 2nd instances

NB: data on the number of Supreme Court judges is provided in fte. More precisely, according to the annual report of the Council of State <https://jaarverslag.raadvanstate.nl/2017/> the number was 37.9 fte in 2017.

**Q046 (2016):** All data in number of persons. FTE data are only available for the total: 2148.

Supreme Court NA

**Q046 (2015):** Number of deputy judges courts in 2015 = 1.100

The numbers provided in the table are posts. The FTE is available only for the total and it is 2.169. Other categories are NA.

**Q046 (2014):** In 2014, the number of first instance judges does not include judges of the Trade and Industry Tribunal, the Supreme Court and the Council of State. The number of second instance judges includes magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

**Q046 (2013):** In 2013, the total in fte is 2 181. This was excluding the Supreme Court. The number of first instance judges excludes judges of the Trade and Industry Appeals Tribunal, the Supreme Court and the Council of State. The number of second instance judges includes magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

**Q046 (2012):** In 2012, the total in fte is 2 194, excluding the Supreme Court. The number of first instance judges excludes judges of the Trade and Industry Appeals Tribunal, the Supreme Court and the Council of State. The number of second instance judges includes magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

**Q046-2 (General Comment):** For SC fte and posts filled are the same. Note that the judges under the category 'Administrative' (Supreme Court) refer to the judges in the tax chamber of the Dutch Supreme Court. With regard to administrative law, the Dutch Supreme Court only handles tax cases and some social security cases. There is no third instance court for other administrative cases in the Netherlands.

Judges often work more than one case type. There is a large overlap, but in the administrative system, only one sector can be registered. Therefore, making a distinction would not be a fair reflection of the true situation and the information is not easily available. This comment does not generally apply to the High Court.

**Q046-2 (2022):** Numbers are on posts filled, not fte. Fte for first and second instance is 2 451.

**Q046-2 (2021):** Numbers are on posts filled, not fte. FTE for first and second instance is 2416.

For SC fte and posts filled are the same. Note that the 11 judges under the category 'Administrative' (Supreme Court) refer to the judges in the tax chamber of the Dutch Supreme Court. With regard to administrative law, the Dutch Supreme Court only handles tax cases and some social security cases. There is no third instance court for other administrative cases in The Netherlands.

**Q046-2 (2020):** Judges often work with more than one case type. There is a large overlap, but in the administrative system, only one sector can be registered. Therefore, while this information is not easily available, making this distinction would also not be a fair reflection of the true situation.

These are positions filled, not fte (like Q46).

**Q052 (General Comment):** Only the total of non-judge staff working in courts is available.

**Q052 (2022):** The Council of the Judiciary is not able to make a distinction between different types of non-judge staff working in courts, and thus, the entry is NA (total fte = 7 477). The Supreme Court can make the distinction between the number of non-judge staff whose task it is to assist judges (fte= 101) and staff in charge of different administrative tasks (fte= 158).

**Q052 (2021):** The Council of the Judiciary is not able to make a distinction between different types of non-judge staff working in courts, and thus, the entry is NA. The Supreme Court can make a distinction for the number of non-judge staff whose task it is to assist the judges (fte = 110), and staff in charge of different administrative tasks (fte = 148). The first and second instance court cannot (total fte = 7395).

**Q052 (2017):** the number given is the number of people (posts), the fte is 6719; these can not be separated by gender or line in the table

**Q052 (2016):** Number of FTE = 6530.

**Q052 (2015):** FTE in 2015 is 6.497

**Q052 (2014):** The figure 7 287 pertains to persons; data in FTE is 6 495.

**Q052 (2013):** According to 2013 data, the figure 7.287 pertains to persons, data in fte is 6.495.

**Q052-1 (General Comment):** Comments from the SC:

1.Note that the above also includes the judicial and other staff working for the office of the Procurator General and Advocates General at the Dutch Supreme Court (who are not part of the Dutch public prosecution office).

2.Note that the Dutch Supreme Court has outsourced various tasks such as building maintenance, technical services, facility management, reception, security, cleaning and catering. The individuals performing these services are therefore not included in the numbers above.

**Q052-1 (2021):** Comments from the SC:

1.Note that the above also includes the judicial and other staff working for the office of the Procurator General and Advocates General at the Dutch Supreme Court (who are not part of the Dutch public prosecution office).

2.Note that the Dutch Supreme Court has outsourced various tasks such as building maintenance, technical services, facility management, reception, security, cleaning and catering. The individuals performing these services are therefore not included in the numbers above.

**Q052-1 (2018):** The total of non-judge staff does not include staff of the High Court.

**Q055 (General Comment):** The Dutch Supreme Court does not have public prosecutors. The office of the Procurator General and Advocates-General at the Dutch Supreme Court is separate from Dutch public prosecution and the Ministry of Justice. They have a different function.

**Q055 (2020):** The Supreme Court does not have (public) prosecutors. The office of the procurator general and attorneys general that the Supreme Court houses, is separate from the public prosecution and does not function as prosecution. They have a different function.

**Q055 (2016):** total 927,5 358,12 569,38

1 842,25 312,72 529,53

2 85,25 45,40 39,85

**Q055 (2014):** For 2014, the number of prosecutors at first instance level includes 8 prosecutors who are still in education (7 females; 1 male). Prosecutors at Supreme Court level are not employees of the National Prosecution Service and therefore not included in the total.

**Q056 (2016):** total 61,44 44,1 17,34  
1 59,32 41,98, 17,34  
2 2,12 2,12 0

**Q056 (2014):** The number of heads of prosecution offices at first instance level in 2014 includes 19,77 substitutes (14,54 male/5,23 female). Prosecutors at Supreme Court level are not employees of the National Prosecution Service and therefore they are not included in the total.

**Q057 (General Comment):** Assistant -Public prosecutor, since 2018, the function of assistant-public prosecutor has been introduced.

**Q057 (2020):** Assistant-Public prosecutor

Since the previous cycle, the function of assistant - public prosecutor has been introduced.

**Q132 (General Comment):** Numbers include a vacation stipend (8%) and 13th month (8.3%). Please refer to legislation (<https://wetten.overheid.nl/BWBR0008365/2021-07-01>) on this subject.

Salary of a judge / prosecutor 'at the beginning of their career': the salary used is the one for a starting judge/prosecutor, after finishing a training period of several years. During the training there is a fixed salary, which is lower than the salary of a fully functional judge/prosecutor.

**Q132 (2022):** Discrepancy comment: In 2021 we needed to look for a different methodology to calculate the net annual salary for a public prosecutor. This year, we believe we have found a reliable simulation method, and using this, we came to this answer. Using this methodology, answers for previous years would be:

2020: 84.058 (B) en 49.185 (N)

2021: 85.195 (B) en 50.175 (N)

2022: 87.637 (B) en 51.555 (N)

**Q132 (2021):** Public prosecution: Numbers are including a vacation stipend and 13th month. There is no new collective labour agreement as of yet, so these numbers are the same as last year. As soon as a new agreement is reached, the salary may change retroactively.

Concer

Courts: Salary of a judge / prosecutor 'at the beginning of career': the salary used is one for a starting judge / prosecutor, after finalizing a training period of several years. During the training, there is a fixed salary, lower than the salary of a fully functional judge/prosecutor. Salary includes a holiday stipend, as well as a 13th month.

Supreme Court: the above amount is the average gross salary (11.163,63 euro per month) for a regular Supreme Court judge and includes a holiday allowance (8% of annual salary) and a so-called 13th month (8.3% of annual salary). Please refer to legislation (<https://wetten.overheid.nl/BWBR0008365/2021-07-01>) on this subject as well as the salary scheme (<https://nvvr.org/uploads/documenten/Salaristabellen-RM-juli-2021.pdf>).

**Q132 (2020):** Public prosecutor at the beginning of his / her career: The recent salary table RM of the end of 2020 is used (Scale 9, first step). On top of this the holiday stipend and end of year stipend is calculated. The 42.900 is a rough estimate of the net annual salary, after taxes, pensions etc.

**Q132 (2016):** The discrepancy of the answers for gross salary is not clarified.

**Q133 (2021):** SC: Other financial benefits for a regular Supreme Court judge would be a tax free monthly allowance for expenses of 1.502 euro. Please refer to the legislation (<https://wetten.overheid.nl/BWBR0008365/2021-07-01>) and regulation (<https://wetten.overheid.nl/BWBR0031765/2021-01-23>) on this subject.

**Q146 (2021):** On 1-1-2021: 17 964 (9 837 male, 8 127 female)

**Q146 (2020):** This is the number of lawyers on 1-1-2021

Number of lawyers on 1-1-2020: 17.829 (total), 9867 (males), 7962 (females)

**Q146 (2019):** Numbers on 1/1/2020

**Q146 (2017):** Annual report NOVA 2017

**Q147 (2017):** NA

**Q147 (2016):** NA.

## Poland

**Q004 (2021):** data source - Central Statistical Office

The wage increases linked to economic changes.

**Q004 (2016):** NA

**Q046 (General Comment):** The Polish court structure is characterized by four levels of courts but only three instances. Basically, there are district courts which are first instance courts, regional courts which are first and second instance courts, and appellate courts which are second instance courts. The highest instance courts are the Supreme Court, the Supreme Administrative Court and the Constitutional Tribunal. Owing to this peculiarity, some judges sit as first and second instance magistrates. According to the methodology of presentation of data that has been chosen, judges of regional courts are counted as first instance judges together with judges of district courts and judges of first instance administrative courts. Only judges of appellate courts are considered as second instance magistrates. The Supreme Court operates under the Constitution of the Republic of Poland and the Supreme Court Act. It is established to:

- exercise supervision over the activities of common and military courts in the area of adjudication - this is the so-called judicial supervision (Article 183(1) of the Constitution). The means used to exercise such supervision include:
- recognition of extraordinary complaints, cassations and other appeals (instance supervision),

passing resolutions resolving legal issues (extra-institutional supervision) Resolutions of the entire chamber or a larger body of judges have the force of law and are binding on all Supreme Court formations. A panel of 7 judges may decide to give the resolution the force of legal principle.

Competence of the Constitutional Tribunal

The Constitution of 2 April 1997 includes four areas within the jurisdiction of the Constitutional Tribunal:

- 1) control of norms (abstract and concrete; a posteriori and a priori - Art. 188 items 1-3, Art. 122 items 3 and 4, Art. 133 item 2 of the Constitution); a special procedure for the control of norms is the consideration of constitutional complaints (Art. 79 and Art. 188 item 5 of the Constitution)
- 2) adjudication of competence disputes between central constitutional organs of the state (Article 189 of the Constitution);
- 3) adjudicating on the compatibility with the Constitution of the objectives or activities of political parties (Article 188, item 4 of the Constitution)
- 4) recognising the temporary inability of the President of the Republic to discharge his office (Article 131, paragraph 1 of the Constitution).

Of the four areas of the jurisdiction of the Tribunal indicated above, the control of norms is undoubtedly a fundamental task.

Court assessors:

A person may be appointed to the position of assessor if he or she fulfils the conditions laid down in Article 61 § 1 points 1-4 of the Act on the Common Courts System and, moreover, has completed training at the National School of the Judiciary and Public Prosecution and passed a judge's or prosecutor's exam. Court assessors are appointed by the President of the Republic of Poland for an indefinite period of time, at the request of the National Council of the Judiciary. In the exercise of his or her office, a judicial assessor is independent and subject only to the Constitution and the laws. Assessors who are entrusted with the duties of a judge perform adjudicatory functions in district courts alongside judges. However, they may not: apply pre-trial detention to a detainee handed over to the court's disposal with a request for pre-trial detention, hear complaints against decisions on refusal to initiate an investigation or enquiry, against decisions on discontinuance of an investigation or enquiry, or against decisions on discontinuance of an enquiry and entry of a case in the register of offences, and adjudicate family and matrimonial law cases. After 20 months, an assessor may be appointed as a judge by the President of the Republic.

**Q046 (2022):** Common courts:

1. The number of judges of district, regional courts + court assessors: 9403 (5904 women, 3499 men)

2. The number of judges of the appeal courts: 469 ( 238 women, 231 men)

The numbers are higher because the president appointed a lot of court assessors as judges in 2022. In addition, there were more appointments to the regional and appeal courts than retirements of judges from these courts.

Administrative courts:

1. The number of judges of district + court assessors: 491 ( 275 women, 216 men)

2. The number of judges of the Supreme Administrative Court : 107 ( 37 women, 70 men)

**Q046 (2021):** Common courts:

The number of judges of district courts: 6046 ( 3938 women, 2108 men)

The number of judges of regional courts : 2684 ( 1550 women, 1134 men)

The number of judges of the appeal courts: 459 ( 239 women, 220 men)

The numbers are higher because the president appointed a lot of court assessors as judges in 2021. In addition, there were more appointments to the regional and appeal courts than retirements of judges from these courts.

The Supreme Court : 93 (73 men, 20 women)

The Administrative Supreme Court: 102 (62 men, 40 women);

Administrative courts first instance: 431 ( 192 men, 239 women);

**Q046 (2020):** The number of judges of district courts: 6036 ( 3922 women, 2114 men)

The number of judges of regional courts : 2544 ( 1462 women, 1082 men)

The number of judges of the appeal courts: 417 ( 220 women, 197 men)

The number of judges of the first instance administrative courts : 454 ( 260 women, 194 men)

Supreme courts:

The number of judges of the Supreme Administrative court: 102 (62 men, 40 woman).

The number of judges of the supreme court: 97 (75 men, 22 woman).

Military courts:

The number of judges of district military courts: 18 (1 woman, 17 men)

The number of garrison judges: 27 (5 women, 22 men).

\*Starting from 2020 the number of Supreme court judges include also judges of the Supreme Administrative Court

**Q046 (2019):** Compared to the previous edition, the number of judges of the supreme court was also given.

The number of Supreme court is 99: 25 (civil chamber), 27 (criminal chamber) 14 (labour law and social security chamber), 20 (extraordinary control and public affairs chamber), 13 (disciplinary chamber).

Females: 21 (total)

11(civil chamber)

3 (criminal chamber)

3 (labour law and social security chamber)

3 (extraordinary control and public affairs chamber)

1 (disciplinary chamber)

Males: 78 (total)

14 (civil chamber)

24 (criminal chamber)

11 (labour law and social security chamber)

17 (extraordinary control and public affairs chamber)

12 (disciplinary chamber)

**Q046-2 (2022):** In case of the Supreme Court "Other" refers to"

-17 judges sitting in the Labour and Social Security Law Chamber dealing with the labour law and social security law cases;

-17 judges sitting in the Extraordinary Review and Public Affairs Chamber dealing, inter alia, with the extraordinary appeals in the civil and criminal law cases, the safeguard of the fundamental rights and freedoms, competition and consumer protection cases, some registration cases as well as election protests and protests concerning the validity of a national referendum, cases concerning the regulation of energy, telecommunications and postal services, rail transport, as well as the regulation of the water and sewage market or complaints concerning the excessive length of proceedings. From the whole number of 90 Supreme Court Judges, 11 Supreme Court Judges are randomly chosen to adjudicate in the Professional Liability Chamber.

**Q046-2 (2020):** 1. Supreme Court - the 13 judges of the Supreme Court Chamber of Labour Law and Social Insurance appear in the column "other" together with the 18 judges of the Extraordinary Review and Public Affairs Chamber and the 13 judges of the Disciplinary Chamber.

**Q052 (2022):** The presented data does not include court assessors (trainee judges). The question should only indicate the number of court employees

who are not judges. According to Article 2 § 1a of the Act of 27 July 2001. Law on the Common Court System (Journal of Laws of 2023, item 217), in district courts, tasks related to the administration of justice are also performed by court assessors/trainee judges, with the exception of:

1) applying temporary detention in pre-trial proceedings in relation to a detainee handed over to the court's disposal together with a request to apply temporary detention;

2) examining complaints against decisions on refusal to initiate an investigation or enquiry, decisions to discontinue an investigation or enquiry and decisions to discontinue an enquiry and on decisions to discontinue an investigation and enter the case in the register of crimes

3) deciding family and juvenile cases.

**Q052 (2021):** •Members of the Research and Analyses Office of the Supreme Court (Biuro Studiów i Analiz SN);

Data also includes staff from The Supreme Administrative court and The Supreme court of justice

**Q052 (2020):** probation officers, Specialists of Opinion Teams of Forensic Specialists

\*the presented data does not include court assessors (trainee judges). The question should only indicate the number of court employees who are not judges. According to Article 2 § 1a of the Act of 27 July 2001. Law on the Common Court System (Journal of Laws of 2020, item 2072), in district courts, tasks related to the administration of justice are also performed by court assessors/trainee judges, with the exception of:

- 1) applying temporary detention in pre-trial proceedings in relation to a detainee handed over to the court's disposal together with a request to apply temporary detention;
- 2) examining complaints against decisions on refusal to initiate an investigation or enquiry, decisions to discontinue an investigation or enquiry and decisions to discontinue an enquiry and on decisions to discontinue an investigation and enter the case in the register of crimes
- 3) deciding family and juvenile cases.

Since in the remaining scope court assessors perform tasks related to the administration of justice - just like judges - they should be deemed to belong to the professional group of judges. At the same time I would like to inform you that as at 31 December 2020 there were 486 trainee judges employed in district courts, including 317 women and 169 men. 1. number of rechtspflegers of 16 voivodeship administrative courts included (males 23, females 34);  
2-4. - In 2020 data include also employees of the Supreme Administrative Court;

**Q052 (2019):** - professional probation officers;  
- employed in Consultative Team of Judicial Specialist

**Q052 (2018):** Other non-judge staff:  
- professional probation officers  
- employed in Consultative Team of Judicial Specialists

**Q052 (2017):** Other non-judge staff -5790  
of which:  
Professional probation officers - 5188  
Employed in Consultative Team of Judicial Specialists - 602.

**Q052 (2016):** Other non-judge staff - 5859  
of which:  
Professional probation officers - 5212  
Employed in Consultative Team of Judicial Specialists - 647.

**Q052-1 (2020):** Data from the supreme court's human resources Department.  
In 2020 data include also employees of the Supreme Administrative Court

**Q055 (General Comment):** The general organisational units of the public prosecutor's office are: National Prosecutor's Office , regional prosecutor's offices, circuit prosecutor's offices and district prosecutor's offices.

**Q055 (2022):** The table under item 1 contains the number of district prosecutors and under item 2 the number of circuit prosecutors. In contrast, under item 3 is the number of prosecutors in the position of prosecutor of the National Prosecuting Authority. The total is higher than the sum of the subcategories because it includes the number of prosecutors employed in regional prosecutor's offices - a total of 399 prosecutors (156 women and 243 men), as, pursuant to Article 16 of the Act of 28 January 2016 - Law on the Public Prosecutor's Office (Journal of Laws of 2023, item 1360), the common organisational units of the public prosecutor's office are: National Prosecutor's Office, regional prosecutor's offices, circuit prosecutor's offices and district prosecutor's offices.

The table in question does not, therefore, provide an opportunity to illustrate the full structure of the public prosecutor's office in Poland, which, in accordance with the above-mentioned provision of the Law on the Public Prosecutor's Office, consists of four levels. All items (1 - 3) include military prosecutors, of whom 86 are employed at the district prosecutor's office level, including 61 men and 25 women; 48 at the circuit prosecutor's office level, including 38 men and 10 women; and 16 military prosecutors (12 men and 4 women) at the National Prosecutor's Office. In regional prosecutors' offices, prosecutors for military affairs do not perform official duties.

**Q055 (2021):** The table under item 1 contains the number of district prosecutors and under item 2 the number of circuit prosecutors. In contrast, under item 3 is the number of prosecutors in the position of prosecutor of the National Prosecuting Authority. The total is higher than the sum of the sub-categories, as it takes into account the number of prosecutors employed in regional prosecutor's offices - a total of 402 prosecutors (154 women and 248 men), as, pursuant to Article 16 of the Act of 28 January 2016 - Law on the Public Prosecutor's Office (Journal of Laws of 2022, item 1247), the common organisational units of the public prosecutor's office are: National Prosecutor's Office, regional prosecutor's offices, circuit prosecutor's offices and district prosecutor's offices.

All items (1 - 3) include military prosecutors, of whom 77 are employed at the district prosecutor's office level, including 19 women and 58 men; at the regional prosecutor's office level, 45 military prosecutors, including 9 women and 36 men; and at the National Prosecutor's Office, 17 military prosecutors (4 women and 13 men).

**Q055 (2020):** The table under item 1 contains the number of district prosecutors and under item 2 the number of circuit prosecutors. Whereas under item 3 is the number of prosecutors in the position of a prosecutor of the National Prosecutor's Office. The total is higher than the sum of the subcategories because it takes into account the number of prosecutors employed in regional prosecutor's offices - a total of 391 prosecutors (151 women and 240 men), since according to Article 16 of the Law of 28 January 2016 - Law on Prosecutor's Office (Journal of Laws of 2021, item 66) the common organizational units of the prosecutor's office are: National Prosecutor's Office, regional prosecutor's offices, circuit prosecutor's offices and district prosecutor's offices. For 2020, all items (1-3) include prosecutors for military matters, who at the level of the district prosecutor's office are employed by 85, including 22 women and 63 men; at the level of the regional prosecutor's office - 38 prosecutors for military matters, including 8 women and 30 men, and at the National Prosecutor's Office - 13 prosecutors for military matters (2 women and 11 men).

**Q055 (2018):** Within the organizational structure of general organizational units of the prosecution office, there are Appellate Public Prosecutor's Offices, which function as a third rank and employ altogether 367 prosecutors (149 women and 224 men). Additionally, 65 prosecutors of military affairs (including 16 women and 49 men) are employed at the level related to the Regional Public Prosecutor's Office; 30 prosecutors of military affairs (including 6 women and 24 men) - at the level related to the District Public Prosecutor's Office, and 5 prosecutors of military affairs (5 men) - in the National Public Prosecutor's Office.

**Q056 (2022):** Due to the impossibility of filtering the data as at 31.12.2022, the status as at 21.07.2023 r. The table takes into account the heads of regional prosecutors' offices, whose number is 11, including nine men and two women. The figures indicated in the table do not take into account the number of persons serving as deputy heads of prosecution offices at the above levels.

**Q056 (2020):** The sum is higher than the sum of the subcategories because it takes into account the number of heads of regional prosecutor's offices, (whose number is 11, including 9 men and 2 women), since according to Article 16 of the Law of January 28, 2016 - Law on Prosecutor's Office (Journal of Laws of 2021, item 66) the common organizational units of the prosecutor's office are: National Prosecutor's Office, regional prosecutors' offices, circuit prosecutors' offices and district prosecutors' offices. The figures indicated in the table do not take into account the number of persons serving as deputy heads of prosecution offices at the above levels.

**Q056 (2018):** Universal prosecutorial bodies are: the National Public Prosecutor's Office, appellate public prosecutor's offices, regional public prosecutor's offices and district public prosecutor's offices. Numerical data determined in the table does not include the number of deputy chief prosecutors related to the prosecution offices at the aforementioned levels.

**Q056 (2016):** There are several differences between data which were sent in previous campaigns (2014) and above table. Differences could be caused by indicating in previous cycles also vice heads of prosecution offices.

**Q056 (2014):** Figures provided for 2014 encompass deputy-heads of prosecution offices.

**Q056 (2012):** Figures provided for 2012 encompass deputy-heads of prosecution offices.

**Q057 (2022):** The above figures show the status as at 31.12.2022 and also include assessors in the Military Affairs Departments, of which there are 14 in total.

The provisions concerning prosecution assessors are set out in Section V of the Act - Law on the Public Prosecutor's Office. Pursuant to Article 173 of the Act - Law on the Public Prosecutor's Office, the Public Prosecutor General may entrust an assessor of the public prosecutor's office, for a specified period of time, not exceeding 3 years, with the performance of prosecutorial activities without the right to:

1) participation in the proceedings before the court of appeal and in the proceedings before the district court, with the exception of proceedings at first instance in cases in which he has conducted pre-trial proceedings;

2) to appear before the Supreme Court, to draw up appeals and motions to the Supreme Court.

An assessor of the public prosecutor's office who is not authorised to perform prosecutorial activities may act as a public prosecutor in cases in which an investigation has been conducted.

In addition, the provisions relating to public prosecutors (pursuant to Article 174 § 1 of the Act - Law on Public Prosecution) apply accordingly to prosecution assessors.

**Q057 (2020):** Pursuant to Article 173 § 1 of the Act on the Public Prosecutor's Office of 28 January 2016 (Journal of Laws of 2021, item 66), the Public Prosecutor General may entrust an assistant prosecutor (assessor) for a fixed period, not exceeding 3 years, with the performance of prosecutorial activities without the right:

1) to participate in proceedings before the Court of Appeal and in proceedings before the Circuit Court, with the exception of proceedings at first instance in cases where he or she has conducted the pre-trial proceedings;

appearing before the Supreme Court, preparing appeals and applications to the Supreme Court.

**Q057 (2018):** Pursuant to art. 173 § 1 of the Law on Prosecution Act of 28th January 2016 (published in the Journal of Laws 2017, item 1767 and later amendments), Public Prosecutor General can entrust prosecution's assessor (for a specified period of time, not exceeding 3 years) with performance of prosecutor's activities, without the right to:

- 1) participation in the appeal proceedings, as well as participation in proceedings before the District Court - except for proceedings of a first instance, in cases related to preparatory proceedings conducted by this court;
- 2) act before the Supreme Court, as well as prepare appeals and motions to the Supreme Court.

**Q060 (2022):** The table provides data on the actual employment of clerks, assistant prosecutors and other employees in the common organisational units of the public prosecutor's office.

**Q060 (2020):** The table presents information available at the National Public Prosecutor's Office Human Resources Office [Biuro Kadr] and contains the numbers of persons actually employed in universal prosecutorial bodies of the public prosecution services, without conversion into full-time equivalents.

The Human Resources Office does not have detailed data on the number of employees in the universal prosecutorial bodies of the public prosecution service who are employed on an indefinite or fixed-term basis. Organisational units of the public prosecution service provide the Human Resources Office with data on employees of the public prosecution service (military part is provided separately) in the following groups:

- 1) FTE [full time employment] limits,
- 2) use of the FTE limits (not counted in full-time equivalents and not broken down between men and women) rounded to two decimal places, the actual number of employees (broken down into male and female employees).

The data provided doesn't include trainee prosecutors.

**Q060 (2018):** In the table, were presented total numbers of employees. Personnel's Office does not have detailed data connected with differentiation the number of workers per part time or full-time basis. The Personnel's Office also does not have detailed data connected with the number of workers employed in general organizational units of the prosecution office, for an unspecified or specified period of time.

**Q132 (General Comment):** Judges: The basic salary of a judge is determined in rates, the amount of which is determined using multipliers of the basis for determining basic salary. The rates of basic salary in particular judge's positions and multipliers, used for determination of basic salary of judges in particular rates, are specified in the appendix to the Act. A judge is entitled to a function-related allowance in connection with the performance of his duties.

Judges' remuneration is also differentiated by a long service bonus, amounting, beginning with the sixth year of service, to 5% of basic salary and increasing after each year by 1% until it reaches 20% of basic salary. No social security contributions are payable on judges' salaries. Prosecutors:

The base salary for public prosecutors of universal prosecutorial bodies of the public prosecution services shall be determined based on the table of base salary scale for public prosecutors of universal prosecutorial bodies of the public prosecution services Pursuant to Article 123 of the Act on the Public Prosecutor's Office of 28 January 2016, the basis for determining the base salary of a public prosecutor in a given year is the so-called base amount, i.e. the average salary in the second quarter of the previous year, announced in the Official Journal of the Republic of Poland "Monitor Polski" by the President of the Main Statistical Office "Statistics Poland" [GUS]. At the same time, according to Article 124 § 11 of the quoted Act on Public Prosecutor's Office, a public prosecutor is entitled to an supplement for long-time service amounting to 5% of the base salary currently received by the public prosecutor, beginning from the 6th year of his/her employment, and increasing after each successive year of his/her employment by 1% of this salary, until reaching 20% of the base salary. After 20 years of service the long-service supplement shall be paid, irrespective of the length of service beyond that period, at the rate of 20% of the public prosecutor's current base salary.

Supreme court and Main Public Prosecutor Office: Pursuant to Article 124 § 1 of the above-mentioned Act, the base salary of public prosecutors of the National Public Prosecutor's Office is equal to the base salary of judges of the Supreme Court. Pursuant to Article 48 of the Act on the Supreme Court [Ustawa o Sądzie Najwyższym] of 8 December 2017 (Journal of Laws of 2021, item 154, as amended), the remuneration of a judge of the Supreme Court is determined at either the basic rate or the promotion rate. The promotion rate is 115% of the base rate. Upon taking up his/her post, a judge of the Supreme Court receives base pay at the basic rate. After 7 years of service in the Supreme Court, the base salary of a judge of the Supreme Court shall be increased to the promotion rate.

**Q132 (2022):** The salary increase for judges and prosecutors at the beginning of their careers was 4.4% by 2021.

**Q132 (2021):** Judges: The basic salary of a judge is determined in rates, the amount of which is determined using multipliers of the basis for determining basic salary. The rates of basic salary in particular judge's positions and multipliers, used for determination of basic salary of judges in particular rates, are specified in the appendix to the Act.

A judge is entitled to a function-related allowance in connection with the performance of his duties.

Judges' remuneration is also differentiated by a long service bonus, amounting, beginning with the sixth year of service, to 5% of basic salary and increasing after each year by 1% until it reaches 20% of basic salary. No social security contributions are payable on judges' salaries. Prosecutors:

The base salary for public prosecutors of universal prosecutorial bodies of the public prosecution services shall be determined based on the table of base salary scale for public prosecutors of universal prosecutorial bodies of the public prosecution services Pursuant to Article 123 of the Act on the Public Prosecutor's Office of 28 January 2016, the basis for determining the base salary of a public prosecutor in a given year is the so-called base amount, i.e. the average salary in the second quarter of the previous year, announced in the Official Journal of the Republic of Poland "Monitor Polski" by the President of the Main Statistical Office "Statistics Poland" [GUS]. At the same time, according to Article 124 § 11 of the quoted Act on Public Prosecutor's Office, a public prosecutor is entitled to an supplement for long-time service amounting to 5% of the base salary currently received by the public prosecutor, beginning from the 6th year of his/her employment, and increasing after each successive year of his/her employment by 1% of this salary, until reaching 20% of the base salary. After 20 years of service the long-service supplement shall be paid, irrespective of the length of service beyond that period, at the rate of 20% of the public prosecutor's current base salary.

Supreme court and Main Public Prosecutor Office: Pursuant to Article 124 § 1 of the above-mentioned Act, the base salary of public prosecutors of the National Public Prosecutor's Office is equal to the base salary of judges of the Supreme Court. Pursuant to Article 48 of the Act on the Supreme Court [Ustawa o Sądzie Najwyższym] of 8 December 2017 (Journal of Laws of 2021, item 154, as amended), the remuneration of a judge of the Supreme Court is determined at either the basic rate or the promotion rate. The promotion rate is 115% of the base rate. Upon taking up his/her post, a judge of the Supreme Court receives base pay at the basic rate. After 7 years of service in the Supreme Court, the base salary of a judge of the Supreme Court shall be increased to the promotion rate.

**Q132 (2020):** Judges: The basic salary of a judge is determined in rates, the amount of which is determined using multipliers of the basis for determining basic salary. The rates of basic salary in particular judge's positions and multipliers, used for determination of basic salary of judges in particular rates, are specified in the appendix to the Act.

A judge is entitled to a function-related allowance in connection with the performance of his duties.

Judges' remuneration is also differentiated by a long service bonus, amounting, beginning with the sixth year of service, to 5% of basic salary and increasing after each year by 1% until it reaches 20% of basic salary. No social security contributions are payable on judges' salaries. Prosecutors:

The base salary for public prosecutors of universal prosecutorial bodies of the public prosecution services shall be determined based on the table of base salary scale for public prosecutors of universal prosecutorial bodies of the public prosecution services Pursuant to Article 123 of the Act on the Public Prosecutor's Office of 28 January 2016, the basis for determining the base salary of a public prosecutor in a given year is the so-called base amount, i.e. the average salary in the second quarter of the previous year, announced in the Official Journal of the Republic of Poland "Monitor Polski" by the President of the Main Statistical Office "Statistics Poland" [GUS]. At the same time, according to Article 124 § 11 of the quoted Act on Public Prosecutor's Office, a public prosecutor is entitled to an supplement for long-time service amounting to 5% of the base salary currently received by the public prosecutor, beginning from the 6th year of his/her employment, and increasing after each successive year of his/her employment by 1% of this salary, until reaching 20% of the base salary. After 20 years of service the long-service supplement shall be paid, irrespective of the length of service beyond that period, at the rate of 20% of the public prosecutor's current base salary.

Supreme court and Main Public Prosecutor Office: Pursuant to Article 124 § 1 of the above-mentioned Act, the base salary of public prosecutors of the National Public Prosecutor's Office is equal to the base salary of judges of the Supreme Court. Pursuant to Article 48 of the Act on the Supreme Court [Ustawa o Sądzie Najwyższym] of 8 December 2017 (Journal of Laws of 2021, item 154, as amended), the remuneration of a judge of the Supreme Court is determined at either the basic rate or the promotion rate. The promotion rate is 115% of the base rate. Upon taking up his/her post, a judge of the Supreme Court receives base pay at the basic rate. After 7 years of service in the Supreme Court, the base salary of a judge of the Supreme Court shall be increased to the promotion rate.

**Q132 (2019):** The base salary for public prosecutors of common organisational units of the prosecutor's office is determined on the basis of the table of base salary for prosecutors of common organisational units of the prosecutor's office and the Institute of National Remembrance - Commission for the Prosecution of Crimes against the Polish Nation, and the multipliers used to determine this salary, which constitutes appendix no. 1 to the Regulation of the Council of Ministers of 29 February 2016 on the base salary of the prosecutors and the amount of functional allowances to which the prosecutors are entitled. The above table sets out the rates of base salary for different prosecutorial positions and the corresponding multiplier, which is used to determine the base salary for this position.

Pursuant to Article 123 of the Act of 28 January 2016 – The Prosecutor's Office Law, the basis for determining the base salary of a prosecutor in a given year is the so-called base amount, i.e. the average salary in the second quarter of the previous year, published in the Official Journal of the Republic of Poland "Monitor Polski" by the President of the Central Statistical Office. Pursuant to Article 124 § 1 of the abovementioned Act, the base salary of prosecutors of the National Prosecutor's Office is equal to the base salary of the Supreme Court judges. Pursuant to Article 48 of the Act of 8 December 2017 on the Supreme Court (Journal of Laws of 2018, item 5, as amended), the salary of a judge of the Supreme Court is determined at the base rate or the promotion rate. The promotion rate is 115% of the base rate. A judge of the Supreme Court, taking up a position, receives the base salary at the base rate. After 7 years of service in the Supreme Court, the base salary of a Supreme Court judge is increased to the promotion rate.

At the same time, pursuant to Article 124 § 11 of the quoted Act – The Prosecutor's Office Law, a prosecutor is entitled to an allowance for long-term work amounting to, starting from the 6th year of work, 5% of the base salary currently earned by the prosecutor and increasing after each consecutive year of work by 1% of this salary, until 20% of the base salary is reached. After 20 years of work, the allowance is paid, irrespective of the length of service beyond that period, in the amount of 20% of the base salary currently earned by the prosecutor.

Moreover, pursuant to Article 124 § 10 of the quoted Act – The Prosecutor's Office Law, in connection with the function of a prosecutor, the prosecutor is entitled to a functional allowance, which results from appendix no. 2 Table of functions and multipliers used to determine the amount of functional allowances to the Ordinance of the Council of Ministers of 29 February 2016 on the base salary of the prosecutors and the amount of functional allowances to which the prosecutors are entitled.. Additionally, pursuant to Article 111 § 2 and 4 of the abovementioned Act, due to the nature of work and the scope of tasks performed, a special bonus may also be granted to the prosecutor of the National Prosecutor's Office, in the amount not exceeding 40% of the total base salary and the functional allowance. The allowance shall be granted for a fixed period, and in justified cases - also for an indefinite period.

**Q132 (2018):** Base salary for prosecutors related to general organizational units of the prosecution office is determined by virtue of the Table regarding rates, connected with the base salary for prosecutors related to general organizational units of the prosecution office and for prosecutors related to the Nation's Memory Institute - Commission for the Prosecution of Crimes against Polish Nation. The aforementioned table also includes multipliers used for determining the aforementioned salary and it constitutes Schedule No 1 enclosed to the Regulation of the Council of Ministers of 29th February 2016 on the base salary for prosecutors and the amount of extra duty allowance for prosecutors. The aforementioned table determines rates of the base salary related to particular prosecutor's position and appropriate multiplier used for determining the amount of base salary connected with this position. Pursuant to art. 123 of the Law on Prosecution Act of 28th January 2016 (published in the Journal of Laws 2017, item 1767 and later amendments), the basis of the prosecutor's base salary in a given year shall be - so called - base amount, that is average salary related to second quarter of the previous year, published in the Official Journal of the Republic of Poland by the Chairman of the Central Statistics Office.

Pursuant to art. 124 § 1 of the aforementioned Act, base salary for prosecutors related to the National Public Prosecutor's Office is equal to base salary for the Supreme Court judges.

Pursuant to art. 48 of the Supreme Court Act of 8th December 2017 (published in the Journal of Laws 2018, item 5 and later amendments) salary for the Supreme Court judge is determined at the basic rate or promotion rate. The amount of a promotion rate constitutes 115% of a basic rate. The Supreme Court judge, while taking over the post, acquires base salary related to the basic rate. After seven years of duty connected with the Supreme Court, base salary for the Supreme Court judge is raised up to the promotion rate. At the same time, pursuant to art. 124 § 11 of the aforementioned Law on Prosecution Act, prosecutor is entitled to allowance connected with a long-term service. This allowance constitutes, starting with the 6th year of service, 5% of the base salary currently received by the prosecutor and it rises - after each following year of service - by 1% of the base salary, until it reaches the level of 20% of the base salary. After twenty years of service, the allowance constitutes, independently on the period of service exceeding this time, 20% of the base salary currently received by the prosecutor.

What is more, pursuant to art. 124 § 10 of the aforementioned Law on Prosecution Act, in connection with certain position, prosecutor is entitled to extra duty allowance, which stems from Schedule No 2 of the Table regarding positions and multipliers used for determining the amount of extra duty allowance, enclosed to the Regulation of the Council of Ministers of 29th February 2016 on the base salary for prosecutors and the amount of extra duty allowance for prosecutors.

Additionally, pursuant to art. 111 § 2 and 4 of the aforementioned Act, the National Public Prosecutor - due to the character of service and the scope of duties - can be entitled to the special allowance as well. The amount of the special allowance shall not exceed 40% of base salary and extra duty allowance altogether. The special allowance is granted for a specified period of time or - under particularly justified circumstances - for an unspecified period of time. Salaries of judges and public prosecutors of the Supreme Court or the Highest Appellate Instance - we indicated average salary which contains base salary, allowance connected with a long-term service and allowance connected with occupying post.

**Q133 (General Comment):** 1. A judge/prosecutor who retires or is retired due to age, illness or physical incapacity is entitled to an emolument equal to 75 percent of the basic salary and seniority allowance received at the most recent post.

2) Financial support. A judge/prosecutor may be granted financial support, in the form of a loan, to satisfy their residential needs.

3) Paid health leave. A judge/prosecutor may be granted paid health leave to undergo the prescribed treatment if the treatment requires to refrain from carrying out service. The health leave cannot exceed six months ..

3) Annual additional leave. A judge/prosecutor is entitled to annual additional leave of:

–six business days – after ten years of work,

–twelve business days - after fifteen years of work.

4) Jubilee award. A judge/prosecutor is entitled to a jubilee award . 5) If a judge/prosecutor is posted to a locality other than the locality in which the judge's place of work is located, which is not the judge's place of permanent residence, the judge posted during the period of posting, as an employee on a business trip, is entitled to the following dues, compensating for the inconveniences resulting from the posting outside the permanent place of service: 1) the right to accommodation, free of charge; ; - a monthly lump sum - in an amount not exceeding 78% of the judge's basic salary; - reimbursement of costs of the first journey from the place of permanent residence to the place of secondment, reimbursement of costs of the last journey from the place of secondment to the place of permanent residence and reimbursement of the costs of journeys made not more often than once a week to the place of permanent residence and back under conditions' - a lump sum to cover the costs of travel by means of local transport, - reimbursement of costs incurred for the use of vehicles owned by the employee for business purposes, - reimbursement of costs of daily commuting to the place of delegation;

**Q133 (2021):** 1. A judge/prosecutor who retires or is retired due to age, illness or physical incapacity is entitled to an emolument equal to 75 percent of the basic salary and seniority allowance received at the most recent post.

2) Financial support. A judge/prosecutor may be granted financial support, in the form of a loan, to satisfy their residential needs.

3) Paid health leave. A judge/prosecutor may be granted paid health leave to undergo the prescribed treatment if the treatment requires to refrain from carrying out service. The health leave cannot exceed six months ..

3) Annual additional leave. A judge/prosecutor is entitled to annual additional leave of:  
 –six business days – after ten years of work,  
 –twelve business days - after fifteen years of work.

4) Jubilee award. A judge/prosecutor is entitled to a jubilee award . 5) If a judge/prosecutor is posted to a locality other than the locality in which the judge's place of work is located, which is not the judge's place of permanent residence, the judge posted during the period of posting, as an employee on a business trip, is entitled to the following dues, compensating for the inconveniences resulting from the posting outside the permanent place of service: 1) the right to accommodation, free of charge; ; - a monthly lump sum - in an amount not exceeding 78% of the judge's basic salary; - reimbursement of costs of the first journey from the place of permanent residence to the place of secondment, reimbursement of costs of the last journey from the place of secondment to the place of permanent residence and reimbursement of the costs of journeys made not more often than once a week to the place of permanent residence and back under conditions' - a lump sum to cover the costs of travel by means of local transport, - reimbursement of costs incurred for the use of vehicles owned by the employee for business purposes, - reimbursement of costs of daily commuting to the place of delegation;

**Q133 (2020):** 1. A judge/prosecutor who retires or is retired due to age, illness or physical incapacity is entitled to an emolument equal to 75 percent of the basic salary and seniority allowance received at the most recent post.

2) Financial support. A judge/prosecutor may be granted financial support, in the form of a loan, to satisfy their residential needs.

3) Paid health leave. A judge/prosecutor may be granted paid health leave to undergo the prescribed treatment if the treatment requires to refrain from carrying out service. The health leave cannot exceed six months ..

3) Annual additional leave. A judge/prosecutor is entitled to annual additional leave of:  
 –six business days – after ten years of work,  
 –twelve business days - after fifteen years of work.

4) Jubilee award. A judge/prosecutor is entitled to a jubilee award . 5) If a judge/prosecutor is posted to a locality other than the locality in which the judge's place of work is located, which is not the judge's place of permanent residence, the judge posted during the period of posting, as an employee on a business trip, is entitled to the following dues, compensating for the inconveniences resulting from the posting outside the permanent place of service: 1) the right to accommodation, free of charge; ; - a monthly lump sum - in an amount not exceeding 78% of the judge's basic salary; - reimbursement of costs of the first journey from the place of permanent residence to the place of secondment, reimbursement of costs of the last journey from the place of secondment to the place of permanent residence and reimbursement of the costs of journeys made not more often than once a week to the place of permanent residence and back under conditions' - a lump sum to cover the costs of travel by means of local transport, - reimbursement of costs incurred for the use of vehicles owned by the employee for business purposes, - reimbursement of costs of daily commuting to the place of delegation;

**Q133 (2019): retirement**

Pursuant to Article 127 § 1 of the Act of 28 January 2016 – The Prosecutor's Office Law in connection with Article 69 -71 and Article 100 of the Act of 27 July 2001 - Law on the system of common courts (Journal of Laws of 2020, item 365, as amended), the prosecutor shall retire when they reach the age of 65, unless, not later than six months and not earlier than twelve months before reaching this age, they declare to the General Prosecutor their willingness to continue holding the position and present a certificate stating that they are able, due to their health condition, to perform their prosecutorial duties, issued on the terms specified for a candidate for the prosecutor's position. A prosecutor shall, at their request, retire, with the right to the emolument referred to in Article 100 § 2 - in the amount of 75% of the base salary and the length of service allowance earned on their last position - after the age of 55 for a woman, if she has worked for not less than 25 years in the position of a judge or a prosecutor, and the age of 60 for a man, if he has worked for not less than 30 years in the position of a judge or a prosecutor. A prosecutor who is a woman shall, at her request, retire after reaching the age of 60, regardless of the period of service as a prosecutor or judge. A prosecutor who retires or is retired due to age, illness or loss of ability shall be entitled to an emolument of 75% of the base salary and the length of service allowance earned on their last position. The emolument shall be increased in accordance with changes in the base salary of active prosecutors. In addition, a retired prosecutor shall be entitled to a one-time severance payment of six months' salary.

Judges and prosecutors are not given housing, but have, for example, the possibility to apply for financial support - in the form of a loan - to meet possible housing needs.

**Q133 (2016):** A judge who retires or is retired due to age, illness or physical incapacity is entitled to an emolument equal to 75 percent of the basic salary and seniority allowance received at the most recent post.

The emolument is increased in line with changes of the basic salaries of active judges. A judge who retires is entitled to a one-off severance payment in the amount of six months' remuneration.

**Q146 (2022):** Number of advocates: total: 21 447, male- 11 343, female - 10 104

Number of legal counsels: total: 40 107, male - 18 725 , female - 21 382

It is noteworthy that legal advisers have the same powers as advocates.

**Q146 (2020):** Number of advocates: total: 19954, male- 10513, female - 8845

Incomplete data: No information on sex of 596 advocates;

Number of legal counsels: total: 37411, male - 17746, female - 19665

It is noteworthy that legal advisers have the same powers as advocates.

**Q146 (2019):** It is the total number of legal advisers and advocates.

It is noteworthy that legal advisers have the same powers as advocates.

**Q146 (2012):** Since 2010, the part-deregulation (carried out in 2007/2008) of the lawyer's profession has been implemented and resulted in a major change in the number of lawyers.

**Q148 (2019):** "0" in principle, however: 4078 advocates and 10449 legal advisers - because of their non-practition.

Non-practitioners who have not lost their qualifications but who are registered on the list of non-practitioners, cannot provide services to clients, including representation in courts.

## Portugal

**Q004 (2022):** This value is for year 2021.

Data for 2022 is still not available.

**Q004 (2016):** In the present questionnaire we used another "concept" of gross annual salary that we believe is closer to the objectives of this question.

We opted for the category of "payments and salaries" instead of "remunerations" of the national budget because "remunerations" also includes social contributions by the employer which constitute wage costs and not salary.

**Q046 (General Comment):** The total includes judges from courts of 1st, 2nd and 3rd instances, except the Constitutional Court.

**Q046 (2020):** 3. We are dealing with small numbers, therefore the discrepancy ratio is big. In addition, with time female judges, that are the majority of judges, are getting to the top of their professional career.

**Q046 (2019):** In absolute terms the increase is only 5 persons. The numbers are small, therefore in relative terms it appears to be relevant.

**Q046 (2018):** The number of Supreme Court Judges has been decreasing since 2015. In absolute terms the decrease from 2016 to 2018 is from 82 to 71 judges, which is not significant in absolute terms, but acquires a more relevant expression in relative terms.

**Q046 (2017):** As concerns the increase in the number of female Supreme Court judges: the numbers are small, therefore the variation seems important.

**Q046 (2014):** The increase in the number of Supreme Court female professional judges is due to the general tendency of increase of female judges in the last decade at first instance courts.

**Q046-2 (2022):** As there are judges who have civil and criminal competences at the same time, it is not possible to discriminate judges by civil and commercial matters. Therefore, the judges of the judicial courts were all included in the column "other".

**Q046-2 (2021):** As there are judges who have civil and criminal competences at the same time, it is not possible to distinguish judges by civil and commercial matters. Therefore, the judges of the judicial courts were all included in the column "other".

**Q046-2 (2020):** As there are judges who have civil and criminal competences at the same time, it is not possible to distinguish judges by civil and commercial matters. Therefore, the judges of the judicial courts were all included in the column "other".

**Q052 (General Comment):** The variations in the number of non-judge staff over the different evaluation cycles seem high due to the small numbers.

**Q052 (2022):** The variations in the number of non-judge staff over the different evaluation cycles seem high due to the small numbers. Included in the "Other non-judge staff" category are professionals not included in the other specific categories, such as senior technical staff who mainly provide support to the higher courts.

**Q052 (2020):** 52-3- In absolute terms, the increase between 2018 and 2020 in the category "Staff in charge of different administrative tasks and of the management of the courts" for women is from 94 to 104. Since we are dealing with small absolute values, the identified variation, despite not representing a significant difference in absolute terms, acquires a more relevant expression in terms of relative variation.

52-4- We confirm the increase in the number of "technical staff" in the courts between 2018 and 2020. No specific explanation.

**Q052 (2019):** In 2019, as in previous years there was no other non-judge staff.

**Q052 (2018):** In 2018, as in 2017 there were no other non-judge staff.

**Q052 (2017):** "other non judge staff" - this category includes all staff with a non-specified category or non-specific functions. As this is a residual category, the numbers tend to be small.

**Q052 (2014):** The decrease in the number of staff in charge of administrative tasks is due to retirements that have not been replaced and to the continuous IT modernization.

**Q052 (2013):** The number of judicial staff is decreasing on account of retirements that have been occurring since 2010. In addition, due to the reform of the Public Administration that is taking place since 2009 and the financial constraints of the past few years, the number of public servants has decreased.

**Q052-1 (2022):** the data in question 52-1 has also been updated, due to a small error in the accounting of the different categories included in it." Compared to the figures we sent initially, the correction was very small in percentage terms (36 more employees were added, out of a total of 5412).

The amended figures in table 52.1 referred to a specific category of STJ/STA officials who have now been added, as they were not accounted for previously by mistake (neither in the version initially sent with 2022 data, nor in the previous edition with 2021 data).

**Q052-1 (2020):** We confirm the increase in 2020 in the category of non-judge staff working in courts at Supreme Court level in the Supreme Court of Justice and the Supreme Administrative Court, with a special focus on the administrative and tax courts.

**Q052-1 (2018):** Since 2016 there has been an increase of non-judge staff to meet the needs of additional staff. There were no legislative or other changes that could directly justify the increase.

**Q055 (General Comment):** The communicated data encompasses the number of magistrates of the Public Prosecution Service in courts of first instance, second instance and high superior courts, except the Constitutional Court.

**Q055 (2022):** The discrepancy rate is due to small numbers

**Q055 (2020):** No specific explanation for the numbers above.

**Q055 (2018):** In absolute terms the decrease from 2016 to 2018 is from 7 to 5 female prosecutors, which is not significant in absolute terms, but acquires a more relevant expression in relative terms.

**Q055 (2012):** The increase in the number of female prosecutors is due to the general tendency of increase of female prosecutors in the last decade at first instance courts. It is natural that gradually the proportion of female prosecutors in the higher courts tends to grow as a result of their career progress. The number of prosecutors in the High Judicial Court and in the High Administrative Court, increased. In particular, in the High Administrative Court there was a strong reinforcement of these professionals in 2011 in order to respond to a pressing need of prosecutors in this court.

**Q056 (2016):** Portuguese Official Justice Statistics do not collect these data.

**Q057 (General Comment):** Article 74, n.2, from the Prosecutors Statute was repealed by Law n.º 68/2019, of 27/08. According to the new Statute of Public Prosecutors (Article 81), prosecutors shall be replaced in their absences and impediments by magistrates of the same judicial district or administrative and tax jurisdiction area, preferably by magistrate exercising functions in the same area of specialization, in the order established by the regulations of the district public prosecutor's office or by determination of the magistrate coordinator of the judicial district.

**Q132 (General Comment):** The net annual salary depends on various factors: personal tax situation; other personal revenues. It would not be accurate to provide a number under this category.

**Q132 (2020):** Source of data: Directorate-General for the Administration of Justice and the High Council for the Judiciary. The increase of salaries resulted from the revision of the statute of judges and prosecutors.

**Q132 (2019):** The increase of the Public Prosecutors' salary in the Supreme Court was due to the revision of the Statute of Judicial Magistrates

**Q148 (2021):** We do not have this figure in Portugal.

**Q148 (2020):** We do not have this figure in Portugal.

## Romania

**Q004 (General Comment):** At national level, the average gross annual salary is not calculated and included in the official statistical reports made annually by the National Institute of Statistics. Thus, the SMBA was calculated on the basis of the monthly average gross salary at an average monthly value of the euro calculated by the National Bank of Romania for the reference year concluding in the average gross annual salary (as the sum of monthly average salary).

**Q004 (2022):** The difference can be explained based on salary increases and an upward trend can be observed continuing from 2018.

**Q004 (2020):** The difference can be explained based on salary increases, and an upward trend can be observed continuing from 2018.

**Q004 (2018):** At national level, the average gross annual salary is not calculated and included in the official statistical reports made annually by the National Institute of Statistics. Thus, the SMBA was calculated by request by the National Institute of Statistics on the basis of the monthly average gross salary at an average annual value of the euro calculated by the National Bank of Romania for the reference year 2018

According to the provisions of the national legislation in force (GEO no. 79/2017 with subsequent amendments and completions), the social insurance contributions, respectively those of social health insurance that fell to the employer, were transferred to the employee's responsibility and, starting with 2018, are fully supported by the employee, being reflected in the gross amount of the earning.

Consequently, the indicator "monthly gross average wage" produced and disseminated from 2018 is no longer comparable with the previous data series.

These legal provisions do not influence the data comparability for the series of "average monthly net earnings."

**Q046 (General Comment):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). Only judges of the „judecatorii” are counted as first instance judges. In line with our previous reports in this matters, in the table above judges from tribunals and courts of appeal shall be included in the category "second instance professional judges", even if according to the procedural provisions in terms of competences tribunals may judge both as first and instance court and for certain procedural circumstances (material and personal) even the courts of appeal may judge in first instance. Moreover even the High Court can judge in first instance for example in criminal cases according to the personal competence rules of procedure.

**Q046 (2022):** Only judges of the „judecatorii” are counted as first instance judges.

**Q046 (2020):** Only judges of the „judecatorii” are counted as first instance judges.

**Q046 (2019):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above judges from tribunals and courts of appeal shall be included in the category "second instance professional judges", even if according to the procedural provisions in terms of competences tribunals may judge both as first and instance court and for certain procedural circumstances (material and personal) even the courts of appeal may judge in first instance. Moreover even the High Court can judge in first instance for example in criminal cases according to the personal competence rules of procedure.

**Q046 (2018):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above judges from tribunals and courts of appeal shall be included in the category "second instance professional judges", even if according to the procedural provisions in terms of competences tribunals may judge both as first and instance court and for certain procedural circumstances (material and personal) even the courts of appeal may judge in first instance. Moreover even the High Court can judge in first instance for example in criminal cases according to the personal competence rules of procedure.

**Q046 (2017):** The number of professional judges sitting in second instance courts (point 2) includes both the number of judges within the courts of appeal and the number of judges within the tribunals.

**Q046 (2016):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In the table above the judges from tribunals are included in the category "second instance professional judges".

**Q046 (2014):** For 2014, judges mentioned at 46.1 are judges within first instance courts, while judges mentioned at 46.2 are judges within tribunals and courts of appeal.

**Q046 (2013):** Judges mentioned at 46.1 are judges within first instance courts and tribunals, while judges mentioned at 46.2 are judges within courts of appeal. In 2012 and 2013, the Superior Council of Magistracy brought important changes to the Regulation for the promotion of judges to the High Court of Cassation and Justice and 19 judges were promoted.

**Q046 (2012):** At 46.1 are mentioned judges within courts of first instance, while at 46.2 are mentioned judges within tribunals and courts of appeal.

**Q046-2 (General Comment):** The statistical system does not collect information regarding a breakdown in the number of judges based on the different legal matters.

**Q046-2 (2022):** The statistical system does not collect information regarding a breakdown in the number of judges based on the different legal matters.

**Q046-2 (2020):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above judges from tribunals and courts of appeal shall be included in the category "second instance professional judges", even if according to the procedural provisions in terms of competences tribunals may judge both as first and instance court and for certain procedural circumstances (material and personal) even the courts of appeal may judge in first instance. Moreover even the High Court can judge in first instance for example in criminal cases according to the personal competence rules of procedure.

**Q052 (General Comment):** The number indicated for the category “non-judge staff assisting judges” encompasses clerks with judicial tasks; the number indicated for “staff in charge of administrative tasks” concerns registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; the number indicated for “technical staff” includes IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents etc.). The category “other” subsumes assistance magistrates, judicial assistants and probation counselors. o Assistance magistrates work only within the High Court of Cassation and Justice. They participate in the trial sessions, have a consultative vote in deliberations and write the minutes of the sessions, as well as the decisions. o Judicial assistants work only within tribunals and are part, together with the judges, of the panels which judge, in first instance, cases regarding labor and social insurances litigations (the panel is composed of 1 judge and 2 judicial assistants; the latter participate in the deliberations with a consultative vote and sign the decisions). o The probation counselors have, in principle, the following attributions: support the activity of judges by elaborating certain evaluation documents in criminal cases with juvenile offenders; support the activity of the judge delegated with enforcing decisions in criminal matters; cooperate with public institutions in order to execute the measure to force a minor to carry out an unpaid activity in an institution of public interest; initiate and carry on special programs of social reinsertion for persons convicted to prison and for minors who committed offences provided by the criminal law; carry out, at request, activities of individual counseling of offenders, with regard to the social, group and individual behavior; initiate and carry out special programmes of protection, social and judicial assistance of minors and youngsters who committed offences.

**Q052 (2022):** Other: assistance magistrates, judicial assistants and probation counselors.

**Q052 (2021):** 6.665 represents the number of clerks with judicial tasks ( - 170 work only within the High Court of Cassation and Justice); 1.701 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 38 work only within the High Court of Cassation and Justice); 1.723 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (-100 work only within the High Court of Cassation and Justice). Other categories of personnel which function within the Romanian courts (1055): a higher percentage of occupation of vacant positions.

Assistance magistrates: 130 Judicial assistants: 176 Probation counselors: 749

**Q052 (2019):** 6437 represents the number of clerks with judicial tasks ( - 169 work only within the High Court of Cassation and Justice); 1646 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 16 work only within the High Court of Cassation and Justice); 1750 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents..... ( - 6 IT staff works only within the High Court of Cassation and Justice).

Other categories of personnel which function within the Romanian courts (867):

Assistance magistrates: 116 Judicial assistants: 177 Probation counselors: 574

**Q052 (2018):** 6402 represents the number of clerks with judicial tasks ( - 163 work only within the High Court of Cassation and Justice); 1645 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 17 work only within the High Court of Cassation and Justice); 1772 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents ( -101 work only within the High Court of Cassation and Justice).

Other categories of personnel which function within the Romanian courts (843):

Assistance magistrates: 110 Judicial assistants: 176 Probation counselors: 557

**Q052 (2017):** Other categories of personnel which function within the Romanian courts (852): Assistance magistrates: 112

Judicial assistants: 176 Probation counselors: 564

The increase observed in the category "other" between 2016 and 2017 is explained by the employment of the respective number of probation counselors.

**Q052 (2016):** 6191 represents the number of clerks with judicial tasks ( - 165 work only within the High Court of Cassation and Justice); 1621 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 9 work only within the High Court of Cassation and Justice); 1822 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents ( - 109 work only within the High Court of Cassation and Justice).

Other categories of personnel which function within the Romanian courts (663):

Assistance magistrates: 113 Judicial assistants: 173 Probation counselors: 377

**Q052 (2015):** 6149 represents the number of clerks with judicial tasks ( - 149 work only within the High Court of Cassation and Justice); 1615 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 9 work only within the High Court of Cassation and Justice); 1844 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents ( - 109 work only within the High Court of Cassation and Justice).

Other categories of personnel which function within the Romanian courts: Assistance magistrates: 115 ; Judicial assistants: 176 ; Probation counselors: 352

**Q052 (2014):** In 2014, there were 6072 clerks with judicial tasks (153 within the High Court of Cassation and Justice); 1585 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants (9 within the HCCJ); 1854 IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (96 within the HCCJ). The category "other" subsumes 101 Assistance magistrates, 175 Judicial assistants and 360 Probation counselors.

**Q052 (2013):** In 2013, there were 5743 clerks with judicial tasks; 1563 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1784 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category "other" subsumes 92 Assistance magistrates, 176 Judicial assistants and 281 Probation counselors.

**Q052 (2012):** In 2012, there were 5489 clerks with judicial tasks; 1486 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1762 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category "other" subsumes 90 Assistance magistrates; 175 Judicial assistants; 281 Probation counselors.

**Q052-1 (2021):** A higher percentage of occupation of vacant positions for total non-judge staff working in courts at Supreme Court level.

**Q052-1 (2020):** 3. Total non-judge staff working in courts at Supreme Court level-

The difference between 2018 (communicated data) and 2020 is pointedly given by the difference in the methodology for reporting data within the human resources sector. Thus, for 2018, in the total number of auxiliary staff (non-judge staff working at Supreme Court level) was not included the number of staff represented by ushers, procedural agents, drivers. Also, rechecking the communicated data for 2018 on this point (point. 3), it is confirmed that the total number of auxiliary staff (occupied positions) at the High Court of Cassation and Justice is 230 (2018 data, including the staff represented by the professional categories mentioned above).

**Q055 (General Comment):** In Romania there are four level of courts/prosecution offices attached to these courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

**Q055 (2018):** In Romania there are four level of courts/prosecution offices attached to these courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

**Q055 (2014):** The prosecutor's offices are established in the following hierarchy: the prosecutor's offices attached to the courts of law (point 1 of the table), the prosecutor's offices attached to tribunals and prosecutor's offices attached to the courts of appeal (point 2), and the Prosecutor's Office attached to the High Court of Cassation and Justice (point 3).

**Q055 (2012):** The prosecutor's offices are established in the following hierarchy: the prosecutor's offices attached to the courts of law (point 1 of the table), the prosecutor's offices attached to tribunals and prosecutor's offices attached to the courts of appeal (point 2), the Prosecutor's Office attached to the High Court of Cassation and Justice (point 3).

**Q056 (2022):** In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

**Q056 (2020):** In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors". The discrepancies in terms of number of heads within the prosecution offices compared to the previous campaign are due to the fact that the leading position mandates have expired within the current period and because of the pandemic situation competitions for filling in these positions could not be organised.

**Q056 (2018):** In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

**Q056 (2016):** As regards the total number of heads of prosecution offices that went from 277 in 2014 to 426 for 2016 data, this may be generated by the fact that the specialised prosecution units (such as the anticorruption and anti organised crime structures) might have not been taken into account. Data may therefore not be comparable.

Without taking into calculation the specialised structures as mentioned above, the number of heads prosecution offices of the Supreme court is 13; if adding the number of heads of prosecution offices of the specialised structures, the number will be as follows: DNA (anticorruption unit) 15 out of which 10 male and 5 female; DIICOT (anti organised crime structure) 51 out of which 28 male and 23 female.

**Q056 (2012):** In 2012, akin to the previous exercise, the figures include also deputy heads of prosecution offices of the Tribunals and Courts of Appeal.

**Q060 (2022):** Out of the total of 2089 filled in positions in the prosecution offices country wide, 1761 are occupied by clerks and the rest of 328 are procedural agents (who accomplish activities such as delivering summons, other courier activities etc.) and other staff such as drivers.

**Q060 (2020):** Out of the total of 2408 filled in positions in the prosecution offices country wide, 1997 are occupied by clerks and the rest of 411 are procedural agents (who accomplish activities such as delivering summons, other courier activities etc.) and other staff such as drivers.

**Q060 (2018):** Out of the total of 2468 filled in positions in the prosecution offices country wide, 2044 are occupied by clerks and the rest of 424 are procedural agents (who accomplish activities such as delivering summons, other courier activities etc.) and other staff such as drivers.

**Q060 (2016):** The numbers include the clerks, forensics, auxiliary staff, public servants and contract staff

**Q132 (2016):** The increase between 2014 and 2016 is resulting from legislative changes, including the way in which specific legislation is applied in the light of the jurisprudence of the Constitutional Court. The calculation method did not change, but the base of the monthly salaries has grown during the last two years, according to the legislation concerning the public remuneration, as it was interpreted by the Constitutional Court and the ordinary courts of law. Currently, the differences between salaries in the judicial system are eliminated. Since 2000 to the present, the magistrates' salaries have risen steadily, including the latest law on salaries in the public domain (Law no. 153/2017) has set a salary level for magistrates well above the average of the budgetary staff. This law will have its full effect until 2022.

**Q132 (2012):** The 2012 data was based on the Law regarding the unitary remuneration of personnel paid from public funds, no.284/2010, with subsequent amendments and additions.

**Q133 (2021):** Other financial benefits are essentially related to medical expenses and travel expenses (limited).

**Q133 (2020):** Other financial benefits are essentially related to medical expenses and travel expenses (limited).

**Q133 (2019):** Other financial benefits are essentially related to medical expenses and travel expenses (limited).

**Q133 (2018):** Other financial benefits are essentially related to medical expenses and travel expenses (limited).

**Q146 (2020):** There is no official explanation due to legal norms, in principle such fluctuations can be registered within the profession, as long as the total number has not registered significant fluctuations.

## **Slovak Republic**

**Q004 (2021):** [http://datacube.statistics.sk/#!/view/en/VBD\\_INTERN/pr0204qs/v\\_pr0204qs\\_00\\_00\\_00\\_en](http://datacube.statistics.sk/#!/view/en/VBD_INTERN/pr0204qs/v_pr0204qs_00_00_00_en)

**Q004 (2020):** Ministry of Finance did not offer closer explanation. Source: <https://www.statista.com/statistics/419502/average-annual-wages-slovak-republic-slovakia-y-on-y-in-euros/>

**Q046 (General Comment):** Supreme Administrative Court is calculated together with Supreme Court.

**Q046 (2021):** Number of Supreme Administrative Court professional judges are included in the Q. 46 line 3. (8 males, 13 females; total 21).

**Q046 (2019):** The Number of Supreme Court professional judges is 77 for the full time judges. There are 7 temporarily assigned judges as well (2 women and 5 men).

**Q046 (2018):** The provided total corresponds to the number of judges actually performing their functions. Put differently, judges who are temporary assigned to other institutions (Ministry of Justice, Judicial Academy, other judicial institutions including international courts), judges granted maternity leave etc. are not considered in the provided figures. Total number including judges temporary not performing their functions is 1427 (521 men, 906 women).

**Q046 (2017):** The increase in the total number of judges is caused by filling the previously designed vacant posts of judges.

**Q046 (2015):** The decrease in the number of judges in comparison with the previous cycle has been caused by the retirement of the judges whose posts have not been filled yet. The selection procedures for the vacant posts are under way.

**Q046 (2014):** In 2014, the total number of judges in the records of the Ministry of justice was 1366 (503 males, 863 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

**Q046 (2013):** In 2013, the total number of judges in the records of the Ministry of justice was 1385 (511 males, 874 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

**Q046 (2012):** In 2012, the total number of judges in the records of the Ministry of justice was 1344 (497 males, 847 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

**Q046-2 (2022):** For example hosting judges - can not be involved in one case type, presidents of the courts.

The distribution of administrative judges per instance is made based on the instance level of the court where they work and not based on the instance of the cases for which they are responsible.

When comparing the data presented in the table right above with the question Q046, a discrepancy of 11 judges in the overall count comes to light. It is imperative to clarify that Slovak Republic used a different methodology for these two questions. Here in the question Q046-2, it involved calculating an annual average for the number of judges per matter, instead of the critical moment of 31st of December as for Q046-2.

**Q046-2 (2021):** The Supreme Administrative Court had 21 administrative judges in 2021, included in Second instance.

**Q052 (2022):** The judiciary, especially the non-judges' positions, are probably not attractive for the males because of the salary. Another possible explanation is that the position of Rechtspfleger is a starting position before judicial exams and subsequent application for the position of judge, which could have caused an outflow of male employees.

**Q052 (2021):** The number of technical staff is included in category 3 (staff in charge of administrative tasks).

The position in line 2. is not attractive for males.

**Q052 (2020):** The number of technical staff and other non-judge staff are included in category 3 (staff in charge of administrative tasks)

**Q052 (2018):** See general comment.

There are no special explanation related to discrepancies in gender composition of court staff

**Q052 (2017):** The slight increase in the number of male non-judge staff originates at the Supreme court of the Slovak republic. The position of the "Judicial assistant" has been established and filled. The assistant helps the judge with legal research, drafting of decisions etc. Out of 86 assistants there are 29 male.

**Q052 (2014):** In 2014, the category "Rechtspfleger" subsumes 967 higher judicial officers and 63 mediation and probation officers. The category "staff assisting judges" includes assistants of judges and court secretaries. The category "staff in charge of different administrative tasks" encompasses court staff responsible for court administration, contact with the public (information centre, filing office), archives and technical staff. It was not possible to extract the accurate number of "technical staff" and "other non-judge staff" from the overall data on "staff in charge of different administrative tasks".

**Q052 (2013):** In 2013, the category "Rechtspfleger" includes 975 judicial officers, 45 legal assistants at the Supreme Court and 63 mediation and probation officers. The category "non-judge staff assisting judges" includes 1348 assistants and 752 judicial secretaries. The rest of the non-judge staff is subsumed in the category "other". In 2011 and 2012, the Ministry of Justice decided to increase the total number of the judicial officers with the intention to improve the disposition of certain court agendas.

**Q052 (2012):** In 2012, the category "Rechtspfleger" includes 982 judicial officers and 64 mediation and probation officers. It was not possible to extract the accurate number of "technical staff" and "other non-judge staff" from the overall data on "staff in charge of different administrative tasks".

**Q052-1 (2021):** Total non-judge staff working in courts at Supreme Administrative Court level - 59 total; 18 males and 41 females, included in line 3.. Some of the staff moved to the Supreme Administrative Court and some left the judicial system.

**Q052-1 (2018):** All data were provided by the central institution for the court management, The Department of Human Resources Development of the Ministry of Justice

**Q055 (General Comment):** The number of prosecutors at the Supreme Court level also includes prosecutors of the Special Prosecution Bureau. The latter deals with crimes of corruption and the most severe offences including organized crime. It intervenes in first instance, but acts as an organizational part of the General Prosecutor's Office.

**Q056 (2014):** For 2012 and 2014, only the number of heads of prosecution offices was indicated. There is one head prosecutor for every District prosecution office (54), every Regional prosecution office (8) and the General Prosecutor Office (1). However, on 1 January 2015, there were two vacant positions of heads of district prosecution offices. Besides the head of the prosecution office, the post of chief prosecutor implies also the deputies of every prosecution office, the specialised prosecutor and his/her deputies, the directors and the deputies of sections and departments of the General prosecution Office. For example, in 2014, the total number of prosecutors in chief position was 200 (119 men, 81 women).

**Q056 (2012):** For 2012 and 2014, only the number of heads of prosecution offices was indicated. There is one head prosecutor for every District prosecution office (54), every Regional prosecution office (8) and the General Prosecutor Office (1). However, on 1 January 2015, there were two vacant positions of heads of district prosecution offices. Besides the head of the prosecution office, the post of chief prosecutor implies also the deputies of every prosecution office, the specialised prosecutor and his/her deputies, the directors and the deputies of sections and departments of the General prosecution Office. For example, in 2014, the total number of prosecutors in chief position was 200 (119 men, 81 women).

**Q057 (2022):** Judicial assistants of the prosecutor's office and assistant prosecutors.

**Q057 (2020):** Other persons with similar duties as prosecutors are the legal attendants of the prosecutor's office and the assistant prosecutors. As for the different answer in the previous cycle, in that time the institute of assistant prosecutors did not yet exist yet.

**Q060 (2022):** The discrepancy ratio was caused mainly by the resolution of the Government of the Slovak republic, which ordered the state authorities to reduce the number of state employees by 10 %.

**Q060 (2020):** Staff increased for natural recruitment procedure

**Q060 (2012):** In 2012, the increase of the number of non-prosecutor staff resulted from the organisational changes in the prosecution services in the year 2011. In that year, the military prosecution services (which were administrated by the Ministry of Defence) were abolished and all the staff was assigned to the prosecution services.

**Q132 (General Comment):** The stated sums represent the basic gross salary of judges/prosecutors without bonuses and supplements. According to the Act on Judges (No. 385/2000 Coll.) the average monthly salary of the judge equals the monthly salary of the Member of Parliament. The monthly salary of the judge at the beginning of the career is 90% of this salary. The monthly salary of the judge of the Supreme Court is 130 % of the monthly salary of the Member of Parliament. The judge is entitled to have 2 additional monthly salaries (in May and in November) unless he/she do not meet the conditions stipulated in law. The sum of annual average salary stated in this questionnaire counts 14 months salaries.

All bonuses and supplements are stipulated by law. Specific supplement belongs to the judges of the Specialized Criminal court and to the judges of the Supreme court deciding on the remedies against the decisions of that court. The value of the net salary depends on several individual criteria, e. g. the number of children, the voluntary pension security scheme etc. Similar rules govern the salaries of prosecutors (Act on Prosecutors and Trainee Prosecutors No.154/2001 Coll.). The average salary of the prosecutor equals the average salary of the judge. The salary of the beginning prosecutor is 85% of this salary, the salary of the prosecutor at the General Prosecutors office is equal to the salary of the Supreme Court judge. Prosecutors are also entitled to 2 additional monthly salaries. Supplements for the heads of the prosecutor offices are similar to supplements of the court presidents at the same level. The prosecutors of the Special Prosecutor's Office are entitled to same supplement as the judges of the Specialized Criminal Court.

**Q132 (2019):** The stated sums represent the basic gross salary of judges/prosecutors stipulated by law without supplements (methodology comparable to previous years data in the questionnaire). See general comment for details.

**Q132 (2018):** The stated sums represent the basic gross salary of judges/prosecutors stipulated by law without supplements. See general comment for details.

**Q132 (2014):** The salaries of judges and prosecutors in 2014 were at the same level as in 2012. The adjustments of salaries for all State officials (Members of Parliament, Government, judges) were stopped in the years 2013 and 2014 due to State expenditures restrictions.

**Q133 (2020):** The regulation about housing was included in the Decree of the Ministry of Justice of the Slovak Republic no. 293/2019

Coll., which lays down the conditions and scope of reimbursement of increased expenses for traveling of the hosting judge, or the hosting court can offer accommodation for the judge.

**Q133 (2019):** The regulation about housing is newly included in the Decree of the Ministry of Justice of the Slovak Republic no. 293/2019 Coll., which lays down the conditions and scope of reimbursement of increased expenses for traveling of the hosting judge, or the hosting court can offer accommodation for the judge.

**Q146 (2016):** The number represents all lawyers registered in the list of the Slovak Bar Association. Out of this number 848 lawyers have their practise suspended.

**Q146 (2012):** The number of practising lawyers is increasing constantly.

**Q148 (2018):** Slovak legal order does not regulate this type of legal advisors.

**Q148 (2017):** The Slovak legal system does not recognize this kind of legal advisors.

## Slovenia

**Q004 (2020):** Annual average gross salary is increasing (increase by 4% from 2018 to 2019 and by 6% from 2019 to 2020).

**Q004 (2016):** Average monthly gross earnings for 2016.

**Q046 (General Comment):** The provided total number of judges corresponds to the number of de facto occupied judicial posts performing their functions. Some judges are assigned to other duties (eg. to the Judicial council, Ministry of Justice, Supreme court) and are not included in the reported numbers. The information on actual presence (excluding the maternity or sick leave, but including the annual leave) is also available.

**Q046 (2022):** At the end of 2022, 878 judicial posts were formally occupied, although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 862 professional judges (FTE) sit in courts (perform judicial function), since the rest of the judges (16 judges - difference to the total of 878 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts. The data on actual presence of judges in courts is also collected; the number of judges in the Slovenian judicial system in 2022 was 767,15 according to actual presence calculations.

Discrepancies (compared to 2020 data): Until 2021, approx. 30 judges at the Administrative Court (first instance court, see Q44) and approx. 50 higher judges at local and district courts (first instance courts) were reported as second-instance judges (according to their rank: higher judge); from 2021 they are reported according to their court (first-instance judges).

**Q046 (2021):** At the end of 2021, 880 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 860 professional judges sit in courts (perform judicial function), since the rest of the judges (20 judges - difference to the total of 880 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts. The data on actual presence of judges in courts is also collected; the number of judges in the Slovenian judicial system in 2021 was 802,84 according to actual presence calculations.

Until 2021, approx. 30 judges at the Administrative Court (first instance court, see Q44) and approx. 50 higher judges at local and district courts (first instance courts) were reported as second-instance judges (according to their rank: higher judge); from 2022 they are reported according to their court (first-instance judges).

**Q046 (2020):** At the end of 2020, 890 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 875 professional judges sit in courts (perform judicial function), since the rest of the judges (15 judges - difference to the total of 890 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts. The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave).

The number of judges in the Slovenian judicial system in 2020 was 805,5 according to actual presence calculations.

**Q046 (2019):** At the end of 2019, 890 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave).

Nevertheless, we report that 873 professional judges sit in courts (perform judicial function), since the rest of the judges (17 judges - difference to the total of 890 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts.

The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave). The number of judges in the Slovenian judicial system in 2019 was 797 according to actual presence calculations.

**Q046 (2018):** At the end of 2018, 890 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 867 professional judges sit in courts (perform judicial function), since the rest of the judges (23 judges - difference to the total of 890 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts. The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave).

The number of judges in the Slovenian judicial system in 2018 was 796 according to actual presence calculations.

**Q046 (2017):** At the end of 2017, 889 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 869 professional judges sit in courts (perform judicial function), since the rest of the judges (20 judges - difference to the total of 889 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts.

The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave)

The number of judges in the Slovenian judicial system in 2016 was 795,54 according to actual presence calculations.

**Q046 (2016):** At the end of 2016, 897 judicial posts were formally occupied (full-time equivalent method), although some post were de facto vacant (e.g. judge absent due to maternity leave). The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave). The number of judges in Slovenian judicial system in 2016 was 811,52 according to actual presence calculations.

Nevertheless, we report that 880 professional judges sit in courts (perform judicial function), since the rest of the judges (17 judges - difference to the total of 897 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts.

**Q046 (2015):** At the end of 2015, 912 judicial posts were formally occupied (FTE), although some post were de facto vacant (e.g. judge absent due to maternity leave).

Nevertheless, 897 professional judges sit in courts (perform judicial function), since some judges were assigned to other duties (at the Supreme Court; different projects ;appointed to the Judicial Council and appointed to the Ministry of Justice.

We reported the Administrative court as the first instance court (Q42 and Q91). However, the law requires for the Administrative court judge to be a higher judge (2nd instance judge), therefore the Administrative court judges are included as the 2nd instance professional judges

**Q046 (2012):** Starting with 2012, judges of administrative courts are included in the number of first instance judges.

**Q046-2 (General Comment):** Since 2021, data on judges classified by legal fields is collected by approximating the time an individual judge is working on a certain type of cases. The category "Other" does not include judges involved in the court management. Judges involved in court management are partially or entirely relieved from adjudicating cases.

The data is reported as actual presence (not FTE).

The category "Other" corresponds to "Other cases" at Q91: free legal aid at district courts, labour courts and at the Administrative court, enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction), international attestations at district courts, attestations according to the Hague convention at district courts.

**Q046-2 (2022):** The data is only approximate - please see general comment. The data is reported as actual presence (not FTE) and therefore not compatible with Q46. As already mentioned in the frame of Q46, the number of judges in the Slovenian judicial system in 2022 was 767,15 according to actual presence calculations.

The category "Other" does not include judges involved in the court management (additional 39 judges).

**Q046-2 (2021):** The data is only approximate - please see general comment. The data is reported as actual presence (not FTE) and therefore not compatible with Q46.

**Q046-2 (2020):** There is no data for 2020. In 2021, the data on judges by legal fields was collected for the first time (by approximating the time and workload an individual judge is working on a certain type of cases). Since the methodology of reporting is yet to be revised and elaborated, we can only report approximate numbers. For distinction on Civil and/or Commercial/Criminal/Administrative/Other please see comments to Q91, 93 and 94.

First instance judges: Civil and/or commercial: 62% (approx. 396 judges); Criminal: 33% (approx. 214 judges); Administrative: 4% (approx. 28 judges), Other: 1% (approx. 5 judges)

Please note: the judges at the Administrative Court that resolve administrative cases at first instance have the rank of a higher judge.

Second instance judges: Civil and/or commercial: 66% (approx. 77 judges); Criminal: 34% (approx. 39 judges); Administrative: /, Other: /

Supreme court judges: Civil and/or commercial: 57% (approx. 16 judges); Criminal: 18% (approx. 5 judges); Administrative: 25% (approx. 9 judges), Other: /

**Q052 (General Comment):** The definitions of categories are as follows:

1. "Rechtspfleger" category includes only the staff (judicial assistants and judicial advisers) with autonomous competence to adopt final decisions (decisions on the merits of the case), set explicitly in procedural laws - currently the Claim Enforcement and Security Act, the Financial Operations, Insolvency Proceedings and Compulsory Windingup Act, the Court Register of Legal Entities Act and the Land Register Act.
2. "Non-judge staff" category includes staff, whose tasks are generally set by the Courts Act. These are judicial assistants (filing applications and statements by parties for the record and, by order of a judge, perform less demanding tasks related to preparation for trial proceedings or other procedural acts, making calculations of costs, preparing drafts of decisions and performing other tasks in judicial proceedings under the orders of a judge), judicial advisers (performing work connected with the examination of parties, witnesses and experts (outside the main hearings), performing more complex preparatory work for hearings, reporting at panel meetings, drafting decisions, conducting hearings under the guidance of a judge and performing other work by order of a judge) and judicial trainees (typically do not perform significant amount of work as their role is to learn; however they can participate in hearings and drafting of court decisions in some cases).
3. All the other staff, not mentioned above and not corresponding to 4. "Technical staff" is included in 3. "Administrative staff". The latter includes, along with the court management staff, the office support staff, whose tasks are not specifically set by the law and include case registering, administrative case preparation, court fees, typing and/or recording of court sessions etc.

**Q052 (2022):** Approx. 3,5% of all court staff (120 persons) are judicial trainees (counted under "2. Non-judge (judicial staff)").

**Q052 (2021):** Approx. 3% of all court staff (115 persons) are judicial trainees (reported under "2. Non-judge (judicial staff)").

**Q052 (2020):** Approx. 3% of all court staff (109 persons) are judicial trainees (counted under "2. Non-judge (judicial staff)"). No particular explanation can be given regarding the increase in the number of "3. Staff in charge of different administrative tasks and of the management of the courts" / Males.

**Q052 (2017):** Differences with previous evaluation cycles within categories (including male/female ratio):

The number of court staff is reported according to the actual work tasks of the staff. Between years, court staff can be assigned to different departments and tasks and therefore the variation of Rechtspfleger/Non-judge/Administrative staff categories and male/female ratio within categories can change, even though no major hiring or letting go for different categories of court staff had occurred. The relative differences in the Technical staff category are due to the small (absolute) number of staff.

**Q052 (2016):** Differences with previous evaluation cycles within categories (including male/female ratio):

The number of court staff is reported according to the actual work tasks of the staff. Between years, court staff can be assigned to different departments and tasks and therefore the variation of Rechtspfleger/Non-judge/Administrative staff categories and male/female ratio within categories can change, even though no major hiring or letting go for different categories of court staff had occurred. The relative differences in the Technical staff category are due to the small (absolute) number of staff.

**Q052 (2015):** The difference between 2014 and 2015 data is due to the methodology of gathering the data. In this cycle, all the courts were asked to provide the additional data to assure the accuracy of the answer. The reporting method was further improved and some adjustments were made according to the definition of "Rechtspfleger", "Non-judge staff" and "Administrative staff" categories.

**Q052 (2014):** In courts, there were 14,55 % of males and 85,45 % of females (judges included) on 31. 12. 2014. In this cycle the reporting method was further improved. The Supreme Court's strategic orientation according to this matter is to decrease the number of judges, while increasing the number of non-judge staff. The Supreme Court can, in order to ensure timeliness of proceedings, distribute additional finances for temporary employment of additional staff to individual courts.

**Q052 (2013):** The category 1 - "Rechtspfleger" includes court clerks, independent and higher judicial advisors in the field of commercial (court) register, land register and civil enforcement procedure, as they have the competence to decide on certain cases, judicial advisers in the field of civil enforcement, who have even slightly broader competences than judicial assistants. The category 2 includes judicial advisers and the remaining judicial assistants. The category 3 includes administrative support to the judge and court management – court director, human resources office, financing-accounting office. The category 4 refers to cleaning, security, system administration, drivers, etc.

**Q052 (2012):** In 2012, the category 1 - "Rechtspfleger" includes court clerks; the category 2 includes judicial advisers. The other court staff was not further categorised.

**Q052-1 (General Comment):** Besides profiles typically working in courts, the non-judge staff at the Supreme court includes also staff at the Centre for Informatics (see Q62-1) – approx. 20 employees, mostly system administrators/engineers (counted at Q52 under "4. Technical staff") and project managers (counted at Q52 as "3. Administrative staff").

**Q052-1 (2020):** No particular explanation can be given regarding the increase in the number of "3. Total non-judge staff working in courts at Supreme Court level" / Males.

**Q055 (General Comment):** The number is reported in FTE.

Selection process in the procedure for appointing state prosecutors with the formation of a final opinion is in the competence of the State Prosecutor's Council (an independent state body). State prosecutors are appointed by the government.

In Slovenian criminal justice system state prosecutors are exclusively authorized to conduct public prosecution in criminal matters on behalf of society and in the public interest. The Constitution and law guarantee autonomy in status and functioning of state prosecutors. Decisions made by the state prosecutor shall not be interfered with, except by way of general instructions and assigning of a case in the manner determined by the law. Slovenian state prosecutors perform their function in 13 organizational units – prosecution offices. There are 11 District State Prosecutor's Offices and one Specialized State Prosecutor's Office of The Republic of Slovenia, where local, district and senior state prosecutors are positioned. At The Office of the Prosecutor General of the Republic of Slovenia supreme state prosecutors and State Prosecutor General perform their functions. Here are also some state prosecutors of lower ranks assigned to perform demanding professional tasks.

There are no higher state prosecutor's offices as the proceedings before the courts of appeal are governed by the district prosecutor's offices. According to the State Prosecution Service Act prosecutors with the rank of at least local state prosecutor may represent a case before local courts, prosecutors with the rank of at least district state prosecutor may represent a case before district courts, prosecutors with the rank of at least senior state prosecutor may represent a case before higher courts and only supreme state prosecutors may represent a case before the supreme court. Local state prosecutors may also appear before district courts if authorized by the head of state prosecutor's office for certain categories of matters, for a particular matter, for certain categories of procedural acts or for a particular procedural act. Local and district prosecutors may in their cases appear along with a senior prosecutor before the courts of appeal if authorized by the head of an appellate division of the state prosecutor's office for a particular case. Senior and supreme state prosecutors are competent to represent a case also before first instance courts.

In the context of question 55 we counted local and district prosecutors as prosecutors at first instance level, senior prosecutors as prosecutors at second instance level and supreme prosecutors as prosecutors at Supreme Court level without regard of the rang of court before they perform their function in fact or if they are assigned to other institution for a limited period of time (e.g for the administration of State Prosecutorial Council).

**Q055 (2022):** The number is reported in FTE format. The total gross number of state prosecutors is 210.

An increase in number of higher and supreme state prosecutors is due to the slow/stalled procedures for appointment of candidates at the government in 2020 and 2021 (in 2022, some candidates that applied in 2018, 2019 and 2020 were appointed.)

**Q055 (2021):** Before 2021, data was reported in gross numbers. For 2021 data, the FTE format is observed.

The above data does not include six State prosecutors who perform other duties (assigned to The Council of State Prosecutors, appointed to Eurojust, the European Public Prosecutor and the European Delegate Prosecutor).

**Q055 (2020):** The information is in form of gross data. According to the methodology used for reporting judges and court staff (FTE) – by which part-time employees are converted to full-time time by the calculation of working hours, the number amounts to 193, as a number of prosecutors are not working full time.

**Q055 (2016):** Slovenian state prosecutors perform their function in 13 organizational units. There are 11 district prosecutor's offices and one Specialised State Prosecutor's Office of The Republic of Slovenia, where local, district and higher state prosecutors are positioned. At The Office of the Prosecutor General of the Republic of Slovenia supreme state prosecutors and State Prosecutor General perform their functions. Here are also some state prosecutors of lower ranks assigned to perform demanding professional tasks.

There are no higher state prosecutor's offices as the proceedings before the courts of appeal are governed by the district prosecutor's offices. According to the State Prosecutor Act prosecutors with the rank of at least local state prosecutor may represent a case before local courts, prosecutors with the rank of at least district state prosecutor may represent a case before district courts, prosecutors with the rank of at least higher state prosecutor may represent a case before higher courts and only supreme state prosecutors may represent a case before the supreme court. Local state prosecutors may also appear before district courts if authorized by the head of a state prosecutor's office for certain categories of matters, for a particular matter, for certain categories of procedural acts or for a particular procedural act. According to amendment of legislation in 2015 local and district prosecutors may in their cases appear along with a higher prosecutor before the courts of appeal if authorized by the head of an appellate division of the state prosecutor's office for a particular case. Higher and supreme state prosecutors are competent to represent a case also before first instance courts.

In the context of question 55 we counted local and district prosecutors as prosecutors at first instance level (164), higher prosecutors as prosecutors at second instance level (42) and supreme prosecutors as prosecutors at Supreme Court level (11) without regard of the rang of court before they perform their function in fact or if they are assigned to other institution for a limited period of time (e.g for the administration of State Prosecutorial Council). The information is in form of full-time equivalent.

**Q055 (2014):** In November 2011, the new State Prosecutor Act came into force. It dissolved the special department of the Office of the State Prosecutor General, responsible for the 2d instance level. Proceedings before courts of appeal are now governed by the 4 State circuit prosecutor offices in towns where the higher courts are located. Prosecutors are organised in 12 offices (11 circuit offices and one Specialised State Prosecutor's Office, where circuit and higher prosecutors work) and the Supreme State Prosecutor Office (where supreme State prosecutors and the general State prosecutor work). The function "assistant State prosecutor" changed in "local State prosecutor". The Specialised State Prosecutor's Office for dealing with the most severe criminal offences was established.

**Q055 (2012):** In November 2011, the new State Prosecutor Act came into force. It dissolved the special department of the Office of the State Prosecutor General, responsible for the 2d instance level. Proceedings before courts of appeal are now governed by the 4 State circuit prosecutor offices in towns where the higher courts are located. Prosecutors are organised in 12 offices (11 circuit offices and one Specialised State Prosecutor's Office, where circuit and higher prosecutors work) and the Supreme State Prosecutor Office (where supreme State prosecutors and the general State prosecutor work). The function "assistant State prosecutor" changed in "local State prosecutor". The Specialised State Prosecutor's Office for dealing with the most severe criminal offences was established.

**Q056 (General Comment):** We considered heads of District State Prosecutor's Offices and Specialized State Prosecutor's Office of The Republic of Slovenia as heads of prosecution office at first instance level. There is no organizational counterpart in the structure of prosecution office to courts of second instance, so the answer is NAP. We considered prosecutor general as the head of prosecution office at supreme court level.

**Q056 (2020):** The difference is due to small absolute number.

**Q056 (2016):** The position of the Supreme Court president was not filled on 31. 12. 2016 . The term of the previous president ended during 2016 and new president was not elected until 2017. The new president for the next 6-years-term is male.

**Q060 (General Comment):** The information is in FTE. Staff attached to the public prosecution service are civil servants at state prosecutor's offices (state prosecutorial personnel). Staff includes the director general, directors, judicial advisors, trainees, administrators, registrars and other civil servants from state prosecutor's offices. Trainees typically do not perform a significant amount of work as their role is to learn; however they participate in hearings and drafting of court decisions in some cases.

**Q060 (2022):** The number is reported in FTE format. The total gross number of staff is 309.

**Q060 (2021):** Before 2021, data was reported in gross numbers. For 2021 data, the FTE format is observed.

**Q060 (2020):** The information is in form of gross data. According to the methodology used for reporting judges and court staff (FTE) – by which part-time employees are converted to full-time time by the calculation of working hours, the number amounts to 298, as a number of staff are not working full time.

**Q060 (2016):** The information is in form of full-time equivalent.

**Q060 (2014):** The substantial increase of employments in state prosecutor's offices in 2014 is a result of Government's decision to strengthen the fight against corruption and other fields of criminality defined in the Prosecution Policy. In the year 2014, 40 Senior Judicial Advisers took up their post, as well as 7 other types of civil servants. In the year 2015 the employment procedures were concluded for admitting 15 trainees.

**Q132 (General Comment):** The basic salary for judges and prosecutors is regulated by law, as well as promotion. The salary of the prosecutor is determined on the same basis, with the same supplements and in the same way as the salary of the judge. All employees in the country (including judges and public prosecutors) are also entitled to the supplement for the period of employment. As the calculation of the average pay would be too complicated, we report figures calculated from above criteria. Please note all figures reported include the supplement for the period of employment.

Judge/prosecutor at the beginning of the career: starting salary for local court judge and for local state prosecutor (without promotion), including the supplement for the period of employment (5 years) - approx. 1-2% of the reported amount.

Judge/Prosecutor at the highest instance: salary of a supreme court judge and supreme state prosecutor – counselor (not president of the Supreme Court or State Prosecutor General) including the supplement for the period of employment (44 years) - approx 15% of the reported amount.

**Q133 (General Comment):** There is a possibility for judges, public prosecutors and state attorneys (as well as other public servants in judiciary) to apply for a non-profit tenancy in an apartment, owned by the Ministry of Justice. However, the number of available apartments is very low (less than 0,5% of all functionaries and public servants in judiciary).

**Q133 (2018):** There is a possibility for judges, public prosecutors and state attorneys (as well as other public servants in judiciary) to apply for a non-profit tenancy in an apartment, owned by the Ministry of Justice. However, the number of available apartments is very low (less than 0,5% of all functionaries and public servants in judiciary).

**Q146 (2017):** (Male: 939, 798: female).

**Q147 (General Comment):** Persons entered in the directory of the Bar Association of Slovenia are only lawyers (and not other legal experts, in-house counsellors etc.)

## Spain

**Q004 (2022):** The increase can be explained by increase of minimum legal salary.

**Q052 (General Comment):** The Spanish judicial system distinguishes between three categories of non-judicial staff: Gestor Procesal, Tramitador Procesal and Auxilio Judicial. The sum of these bodies, destined to Courts, is the response to Q.52.5 'Other non judge staff'.

**Q052 (2022):** The sum of the bodies [Gestor Procesal, Tramitador Procesal and Auxilio Judicial] destined to Courts:45332  
In addition to that, there are 1155 Forensic Doctors.

Regarding the distribution males / females: This distribution can only be given from the Autonomous Regions of the direct competence of the Ministry of Justice (5 out of 17). In these Autonomous Regions the proportion of females within the civil servants in Courts is

71% (therefore, 29% of males). This proportion is possibly applicable to the whole national system.

**Q052 (2021):** The sum of the bodies [Gestor Procesal, Tramitador Procesal and Auxilio Judicial] destined to Courts:44651  
In addition to that, there are 1147 Forensic Doctors.

**Q052 (2020):** The sum of the bodies [Gestor Procesal, Tramitador Procesal and Auxilio Judicial] destined to Courts:44289  
In addition to that, there are 1144 Forensic Doctors.

Regarding the distribution males / females: This distribution can only be given from the Autonomous Regions of the direct competence of the Ministry of Justice (5 out of 17). In these Autonomous Regions the proportion of females within the civil servants in Courts is 71'76% (therefore, 28'23% of males). This proportion is possibly applicable to the whole national system.

**Q052 (2019):** The data indicated in the chart as 'other non judge staff' (43556) includes the three kinds of civil servants that work in Courts (Gestión procesal, Tramitación procesal, Auxilio judicial). In addition to that, there are other 1122 Forensic Doctors.

**Q052 (2018):** 1121 Forensic Doctors

**Q052 (2017):** The figure for other non judge staff includes judicial civil servants who are in charge of the processing of files, communication acts, and other tasks, and are distributed in three categories (called Auxilio Judicial, Tramitación Procesal, Gestión Procesal). Forensic Doctors are a special body (not included in the figure provided in this question). Their total number (Forensic Doctors) at 4 April 2018 is 1003.

For 2017, in contrast with previous cycles, data on number of "other non-judge staff" excludes the civil servants that work in Prosecution Offices.

**Q052 (2016):** The figure for other non judge staff includes judicial civil servants who are in charge of the processing of files, communication acts, and other tasks, and are distributed in three categories (called Auxilio Judicial, Tramitación Procesal, Gestión Procesal). Forensic Doctors are a special body (not included in the figure provided in this question). Their total number (Forensic Doctors) at 4 April 2018 is 1003.

**Q052 (2014):** In 2014, there are 44 896 other non-judge staff (judicial clerks) and 3 667 judicial counsellors (this is the new name for the secretario judiciales since October 1st).

**Q052-1 (2018):** These figures include the number of "letrados de Administración de Justicia", which are the CEPEJ equivalent of "Rechtspfleger".

**Q055 (General Comment):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories.

Article 34 of Law 50/1981, (Organic Statute of the Public Prosecutor's Office) distinguishes three categories:

1st Chamber Prosecutors of the Supreme Court, equal to Magistrates of the High Court. The Deputy Prosecutor of the Supreme Court will be considered the President of the Chamber.

2nd Prosecutors, equated to Magistrates.

3. Lawyers-Prosecutors, equated to Judges.

**Q055 (2022):** As mentioned in previous exercises, the structure of the Prosecution service does not distinguish prosecutors by 'instance level'.

However, it distinguishes three categories: First, First category ("Fiscales de Sala") Prosecutor of Chamber: Total 40, Males 26, Females 14 (this category includes the Prosecutors of chamber of Supreme Court).

Second. "Fiscal": Total 1908, Males 704, Females 1204

Third: "Abogado-Fiscal": Total 771, Males 187, Females 584

**Q055 (2021):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories: First, First category ("Fiscales de Sala") Prosecutor of Chamber: Total 32, Males 21, Females 11 (this category includes the Prosecutors of chamber of Supreme Court).  
Second. "Fiscal": Total 1825, Males 701, Females 1124  
Third: "Abogado-Fiscal": Total 774, Males 178, Females 596

**Q055 (2020):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories: First, First category ("Fiscales de Sala del Tribunal Supremo") Supreme Court Prosecutor of Chamber: Total 33, Males 26, Females 7  
Second. "Fiscal": Total 1830, Males 700, Females 1130  
Third: "Abogado-Fiscal": Total 681, Males 158, Females 523

**Q055 (2018):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories: First, Total 33, Males 26, Females 7  
Second) Total 1779, Males 696, Females 1083  
Third) Total 653, Males 161, Females 492

**Q055 (2016):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories: First) Total 25, Males 19, Females 6  
Second) Total 1826, Males 738, Females 1088  
Third) Total 622, Males 155, Females 467

**Q056 (General Comment):** The structure of the Prosecutor's body is adapted to the territorial division of Spain in Autonomous Regions and Provinces.

So it is not applicable the categories designed by the questionnaire. The Spanish structure distinguishes Heads of offices of the Autonomous Region, Heads of offices of Province, Heads of offices of area.

**Q056 (2022):** The structure of the Prosecutor's body is adapted to the territorial division of Spain in Autonomous Regions and Provinces.

Number of Heads of offices of the Autonomous Región: Total 17 (Males 9, Female 8)

Number of Heads of offices of Province: Total 44 (Males 25, Female 19)

Number of Heads of offices of Area: Total 26 (Males 11, Females 15)

**Q056 (2020):** The structure of the Prosecutor's body is adapted to the territorial division of Spain in Autonomous Regions and Provinces.

Number of Heads of offices of the Autonomous Región: Total 17 (Males 12, Female 5)

Number of Heads of offices of Province: Total 44 (Males 27, Female 17)

Number of Heads of offices of Area: Total 27 (Males 8, Females 19)

**Q056 (2018):** The structure of the Prosecutor's body is adapted to the territorial division of Spain in Autonomous Regions and Provinces.

Number of Heads of offices of the Autonomous Región: Total 17  
(Males 11, Female 6)

Number of Heads of offices of Province: Total 44 (Males 30, Female 14)

Number of Heads of offices of área: Total 26 (Males 11, Females 15)

**Q056 (2016):** Number of Heads of offices of the Autonomous Región: Total 17 (Males 13, Female 04)

Number of Heads of offices of Province: Total 44 (Males 30, Female 14)

Number of Heads of offices of área: Total 27 (Males 10, Females 17)

**Q056 (2012):** In 2010, the data provided for heads of prosecution at Supreme Court level referred to prosecutors, taking into account prosecutors as members of the Supreme Court, while the 2012 data referred exclusively to heads of prosecution within the Supreme Court, which were 7.

**Q057 (General Comment):** Police officers can present a police report directly to the Criminal Investigation Courts.

**Q132 (General Comment):** Judicial and Prosecutorial careers - The regulation of the remuneration system for members of the judicial and prosecutorial careers is contained in Law 15/2003 of 26 May regulating the remuneration system of the judicial and prosecutorial careers and is based on the principles of objectivity, fairness, transparency and stability. The remuneration system for judicial and prosecutorial careers is generally made up of a fixed component and a variable component based on objectives, the quantification elements of which are detailed in the law.

The fixed component rewards the category and seniority in the judicial career, as well as the objective characteristics of the positions held. Fixed remuneration is divided into two categories: basic remuneration and additional remuneration. The basic salary is made up of salary (it remunerates the category held within the judicial career and is fixed) and seniority (it is remunerated by a successive increase of five per cent of the initial salary corresponding to the category of entry for every three years of active service or in other administrative situations in which time is recognised for this purpose). Salaries and seniority objectively reflect the category within the judicial career and the successive proportional increase on the initial salary, fixed at five per cent every three years. Judges and magistrates are entitled to two additional payments per year, each equal to one month's salary and recognised seniority, and, if applicable, a proportional amount for the destination allowance under the conditions established by law for the entire State public sector, paid in June and December.

The additional remuneration is made up of the allowance for each post and the specific allowance. The allowance corresponding to each post of judge or magistrate is quantified according to the following criteria: The population group to which it belongs; the objective conditions of representation linked to the position held and other specific circumstances linked to the post. The amount of the special allowance for each post of judge or magistrate is set out in Annex II to the Act. The special allowance compensates for the special conditions of certain posts of particular responsibility, complexity or difficulty. The posts benefiting from the special allowance and the amount of the special allowance are listed in Annex III to the Act. The variable remuneration based on objectives is based specifically on the individual performance of each judge in the performance of his or her judicial and professional duties, as certified by the system of dedication modules. The objective for each assignment in the judicial career is set by the General Council of the Judiciary in accordance with the modules of dedication or other technical criteria it deems appropriate. The variable remuneration works by modulating the amount of the fixed remuneration in parallel with the performance of the previous six-month period. If the members of a court achieve a particularly noteworthy individual performance, i.e. if they exceed the objective assigned to the post by 20 percent, an increase of between five and 10 percent of the fixed remuneration is applied. In cases where, for reasons directly attributable to the judge, the individual performance is insufficient and does not reach 80 percent of the target, the fixed remuneration is automatically reduced by five percent of its amount. Under no circumstances can variable remuneration for targets be consolidated.

The following shall have the status of special remuneration: those corresponding to the performance of on-call duties; those derived from the performance of extraordinary duties without relief from judicial functions; those corresponding to substitutions involving the joint performance of another function, provided that they are in all cases compatible with the other remuneration concepts regulated by law and that their accrual and amount are adapted to the regulatory scheme approved by the Government.

*Final comment: Special mention should be made of the recent updating of the amounts of the representation allowances for*  
**Q132 (2022):** In addition to salary, other concepts must be taken into account: - Remuneration for objectives: Prosecution 3.462.886,71 euros, Judges 6.889.266,33 euros.

- Professional substitutions. Prosecution 1.014.132,71 euros, Judges 10.489.137,61 euros.

**Q132 (2021):** In addition to salary, other concepts must be taken into account: - Remuneration for objectives: Prosecution 3.391.688,99 euros, Judges 6.719.737,10 euros.

- Professional substitutions. Prosecution 596.210,59 euros, Judges 7.666.770,44 euros.

**Q132 (2020):** In addition to salary, other concepts must be taken into account: - Remuneration for objectives: Prosecution 3.364.701,68 euros, Judges 6.760.485,89 euros.

- Professional substitutions. Prosecution 624.438,54 euros, Judges 8.852.605,61 euros.

**Q132 (2019):** Other two concepts have to be taken into account:

- Remuneration for objectives. (For 2019, Judges 6.560.790,81, Prosecutors 3.298.733,53)

- Professional substitutions. (For 2019, Judges 6.028.864,05; Prosecutors 726.720,41)

Remuneration according to objectives can be considerable in both cases. Substitution refers to cases in which, according to the law, one judge substitutes another, thereby accruing an increase in remuneration, depending on the circumstances and duration of that substitution.

**Q132 (2018):** Other two concepts have to be taken into account:

- Remuneration for objectives. (For 2018, Judges 6.474.050,91, Prosecutors 3.220.851,03)

- Professional substitutions. (For 2018, Judges 3.220.851,03; Prosecutors 646.740,23)

**Q146 (2022):** Lawyers 'census' [Abogacía en datos] (General Bar Association website): Information on practicing and resident lawyers. Percentage of women and men (45 and 55% aprox.)

**Q146 (2021):** The data are obtained through the General Bar Association Annual Report 2021. On practicing and resident lawyers.

**Q146 (2020):** The data are obtained through the General Bar Association Annual Report 2020. On practicing and resident lawyers.

**Q146 (2017):** Resident Lawyers (Memory of the General Bar Association 2017)

**Q146 (2016):** Resident Lawyers (31 December 2016)

**Q146 (2015):** In civil cases, mainly the legal representation is for Procuradores. In criminal cases, lawyers can assume legal representation until a Procurador is appointed for the case. In administrative cases legal representation is mostly assumed by lawyers. Graduados sociales' (consultants on labour and social security matters) may represent the parties in labour law proceedings. The responses above are given is on the basis that lawyers have a monopoly on practising the defence at Court which, in Spain, is not equivalent to "legal representation".

# Indicator 7: Professionals of justice

## comments provided by the national correspondents

### organised by question no.

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

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

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

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

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

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

Question 056. Number of heads of prosecution offices.

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

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

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

Question 133. Do judges and public prosecutors have additional benefits?

Question 146. Total number of lawyers practising in your country:

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

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

### Question 004

#### Austria

**(General Comment):** Since the 2010 evaluation, the provided figure corresponds to the average gross income including taxes and social expenses borne by the employee, but not employer's contribution for social insurance. This is in line with the figures given in question 132 (gross annual salary of judges and prosecutors).

**(2022):** Source: Statistik Austria

**(2019):** 2018 data has been communicated, pending 2019 data.

#### Belgium

**(2021):** The average gross annual salary is 44022,8 euros, source National Bank of Belgium.

**(2020):**

Answer provided based on the latest data published by the National Accounts (April 2021).

**(2019):** Average gross annual salary for employees (both full-time and part-time).

**(2016):** Average gross salary for a full-time employee (without exceptional bonuses and vacation pay)

## **Bulgaria**

**(2021):** Preliminary data.

The minimum wage in the country has been risen with 6.6%. In section "Human health and social work activities" the average annual wage increased with 25.7% due to additional wage payments related with the health crisis. In section "Education" there was an increase of the teachers' wages and salaries and the increase in the section was 17.0%. High growth rate of wages and salaries in 2021 compared to 2020 (17.7%) was recorded in "Accommodation and food service activities" as the section started to recover after 2020 lockdowns.

**(2018):** NSI data

**(2016):** No explanation.

## **Croatia**

**(2022):** will be explained later

**(2021):** Average monthly gross salary for 2021 for person in paid employment in legal entities in the Republic of Croatia is available at web page of the Croatian Bureau of Statistics (<https://podaci.dzs.hr/2021/en/10583>).

This monthly gross salary (9599 Croatian Kuna) has been multiplied by 12 and then divided by Croatian Kuna / Euro average annual medium exchange rate published by the Croatian National Bank (7,52418 Croatian Kuna for 1 Euro; this information is available at <https://www.hnb.hr/temeljne-funkcije/monetarna-politika/tecajna-lista/tecajna-lista>.)

## **Czech Republic**

**(2022):** The gross salary is constantly growing + the impact of the exchange rate

**(2021):** The gross salary is constantly growing.

**(2020):** The gross salary is constantly growing.

**(2019):** Positive trends in Czech economy and the exchange rate have had an influence on the rise of average gross annual salary (in €).

**(2016):** The Czech economy is doing well + the exchange rate.

## **Estonia**

**(2022):** Inflation

**(2020):** Inflation

**(2018):** There is no specific reason.

## **Finland**

**(General Comment):** Source: Structure of earnings, Statistics Finland (Calculated data)  
<https://stat.fi/en/statistics/pra>

**(2022):** Final data for the year 2021. Calculation method for full-time employees' annual salary = Monthly salary + vacation pay + performance pay + lump sums + annual service allowance.

**(2021):** Preliminary information: salary in 2020 multiplied by the annual percentage change in the earnings level index 2021 q4

**(2020):** In 2020, the average gross annual salary was EUR 3 595 per month.

**(2019):** In 2019, the average gross annual salary was EUR 3528 per month.

**(2018):** In 2018, the average gross annual salary was EUR 3465 per month. Correspondingly, the median was EUR 3079 per month. The most common monthly earnings of all full-time wage and salary earners was EUR 2600 per month.

## France

**(2022):** Revised calculation method: payroll/headcount computed on a full-time equivalent basis.

**(2021):** The exact data are 37 742,7

**(2020):** The exact figure is 34,494.5\_x000D\_  
Source INSEE

## Germany

**(2022):** The figure represents the average gross annual salary of employees working in full time including special payments (without special payments: 50 805 EUR)

Special payments are any payments outside of the regular remuneration. Typical examples of such payments are Christmas bonuses/end-of-the year bonuses, holiday bonuses, payments for jubilees, bonuses for the fulfilment of target agreements.

**(2021):** The figure represents the average gross annual salary of employees working in full time including special payments (without special payments: 49 202 EUR)

Special payments are any payments outside of the regular remuneration. Typical examples of such payments are Christmas bonuses/end-of-the year bonuses, holiday bonuses, payments for jubilees, bonuses for the fulfilment of target agreements.

**(2020):** figure represents the average gross annual salary of employees working in full time

**(2019):** With regard to this question, no data are available for 2019. The data from 2018 have therefore been included.

**(2018):** With regard to this question, no data are available for 2018. The data from 2017 have therefore been included.

**(2016):** The circumstances have changed since the last campaign

## Greece

**(2022):** Our service has the data of the structure and distribution of Remuneration Survey in enterprises on the structure of remuneration of employees(having a dependent employment relationship) in enterprises by Sector (B-S branches), excluding X (Public Administration and Defense, compulsory Social Security) based on the NACE Rev. 2. The survey is conducted on a four-year basis. Therefore, the latest available figures are of the year 2018. The results of the survey will be published in late 2024 to early 2025.

**(2021):** Our service has the data of the structure and distribution of Remuneration Survey in enterprises on the structure of remuneration of employees(having a dependent employment relationship) in enterprises by Sector (B-S branches), excluding X (Public Administration and Defense, compulsory Social Security) based on the NACE Rev. 2. The survey is conducted on a four-year basis. Therefore, the latest available figures are of the year 2018. The results of the survey will be published in late 2024 to early 2025.

**(2020):** The data come from the Survey of the Structure and Distribution of Remuneration in Greece for the year 2018, from which the sector X is excluded (Public Administration and Defense, Compulsory Social Security) based on the classification of activities NACE Rev. 2 and relate to the average annual gross earnings in euros. Data is available by gender. The only one available at the moment.  
Men 19 234 Average Women 15 947 Average

**(2019):** The competent authority for this data (see Hellenic Statistical Authority) provides the relevant numbers. The competent authority did not provide any numbers for this section.

**(2016):** The data provided correspond to those of 2014, since the statistics on this point are carried out every four years. Therefore, they are not absolutely accurate.

## Hungary

**(2022):** In comparison to the previous year, the average gross annual salary increased due to the general development of Hungarian economy, to the increase in our GDP, as well as to the raising of the minimum wage. See the most important annual data on the labour market on the website of the Hungarian Central Statistical Office: [https://www.ksh.hu/stadat\\_files/mun/en/mun0001.html](https://www.ksh.hu/stadat_files/mun/en/mun0001.html)

**(2021):** In comparison to the previous year, the average gross annual salary increased due to the general development of Hungarian economy, to the increase in our GDP, as well as to the raising of the minimum wage. See the most important annual data on the labour market on the website of the Hungarian Central Statistical Office: [https://www.ksh.hu/stadat\\_files/mun/en/mun0001.html](https://www.ksh.hu/stadat_files/mun/en/mun0001.html)

## Ireland

**(2022):** Year 2022 is the latest year for which data are available.

**(2021):** Year 2021 is the latest data available. The figure of €44,912.24 was taken from Q4 but it should be noted that the annual gross salary fluctuated during the course of 2021. <https://www.cso.ie/en/releaseandduplications/en/elcq/earningsandlabourcostsq42021final/2022preliminaryestimates>. According to preliminary estimates of the Earnings and Labour Costs Quarterly release, the average weekly earnings were €880.3 in Q1 2022, an increase of 2.3% from €860.19 one year earlier and an increase of 10.0% from the same period in 2020. This represents average earnings of those in employment in the Irish economy in Q1 2022, including those supported by the Employment Wage Subsidy (EWSS). <https://www.cso.ie/en/releaseandduplications/en/elcq/earningsandlabourcostsq42021final/2022preliminaryestimates>.

**(2020):** Year 2019 is latest data available

**(2019):** Comments Taken from Earnings and Labour Costs Annual 2019 release of 26 June 2020  
<https://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2019/>

**(2018):** Taken from Earnings and Labour Costs Annual 2018 release of 11 June 2019  
<https://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2018/>

**(2016):** Average annual earnings increased by 1.1% to €36,919 in 2016, from €36,519 in 2015.  
Taken from CSO release of 29 June 2017 - Earnings and Labour Costs Annual 2016. See link  
<http://www.cso.ie/en/releasesandpublications/er/elca/earningsandlabourcostsannualdata2016/>

## Latvia

**(General Comment):** After 2012, the minimum monthly salary increased, which had an effect on the average gross annual salary.

**(2022):** The average wage in Latvia continues to rise for several years in a row. In 2022, the increase in average wages was influenced by several factors: the lifting of the restrictions of COVID-19, which boosted economic activity, a low unemployment rate, which created the conditions for a small increase in wages.

**(2021):** The data provided by the Central Statistical Bureau.

**(2020):** The data provided by the Central Statistical Bureau.

**(2016):** on 2016

## Lithuania

**(2022):** Changes in wages were affected from 2022 January 1 as the minimum monthly salary was increased, the basic salary of state politicians, judges, state officials, civil servants and employees of budgetary institutions was increased, the procedure for calculating the amount of tax-free income was changed.

It should be noted that from 2019 January 1 the rates of state social insurance contributions paid by the employer and the employee have been changed. gross wages indexed 1.289 times.

**(2021):** From the 1st January, 2021 the minimum monthly salary was increased, the base salary of state politicians, judges, state officials, civil servants and employees of budgetary institutions was increased, the procedure for calculating the amount of tax-free income was changed and other reasons.

<https://osp.stat.gov.lt/informaciniai-pranesimai?articleId=9732032>

**(2020):** Annual salary growth has been affected by the increase in the minimum monthly salary since the beginning of the reference year, the base salary of state politicians, judges, state politicians, judges, civil servants, civil servants and employees of budgetary institutions, changes in the procedure for calculating tax-free income and other reasons.

**(2019):** The increase in wages in 2019 was caused by changes in the tax system: an increase in the basic salary of politicians, judges, civil servants, civil servants and employees of budgetary institutions, an increase in the minimum monthly salary, a revision of the new salary system for civil servants, a change in the procedure for calculating exemptions and other reasons.

**(2018):** The state budget and salary increased due to the growth of the economy.

**(2016):** The state budget and salary increased due to the growth of the economy (after recovering from crisis before).

## Luxembourg

**(2022):** Average annual gross earnings by economic activity - Full-time workers (in EUR) NACE Rev.2: Industry and services (B-S). For further information, please refer to the following link:

[https://lustat.statec.lu/vis?fs\[0\]=Th%C3%A8mes%20C1%7CConditions%20sociales%23C%23%7CConditions%20de%20vie%23C1%23&fs\[1\]=Th%C3%A8mes%20C0%7CConditions%20sociales%23C%230%20&fs\[2\]=Thèmes,2|Conditions%20sociales#C#|Conditions%20de%20vie#CC12##|Salaires#123#](https://lustat.statec.lu/vis?fs[0]=Th%C3%A8mes%20C1%7CConditions%20sociales%23C%23%7CConditions%20de%20vie%23C1%23&fs[1]=Th%C3%A8mes%20C0%7CConditions%20sociales%23C%230%20&fs[2]=Thèmes,2|Conditions%20sociales#C#|Conditions%20de%20vie#CC12##|Salaires#123#). The data covers the period from 2016 to 2022 and is based on LU1."

**(2019):** This figure represents the average gross salary for the "Industry and Service" sector, according to the NACE Rev 2 code.

([https://statistiques.public.lu/stat/ReportFolders/ReportFolder.aspx?IF\\_Language=fra&MainTheme=3&FldrName=1&RFPPath=30](https://statistiques.public.lu/stat/ReportFolders/ReportFolder.aspx?IF_Language=fra&MainTheme=3&FldrName=1&RFPPath=30)).

**(2016):** The variation between the different cycles (44% between 2014 and 2016) comes from a difference between gross salary (which was given for this cycle) and net salary (which was given for the previous cycles).

## Malta

**(2022):** This is the data provided and verified with the National Statistics Office

**(2021):** The figure quoted above relates specifically to the Average Annual BASIC salary as provided by the National Statistics Office of Malta. The NSO do not collect the Average Annual Gross salary.

**(2018):** This data has been provided by NSO based on as yet provisional estimates.

## Netherlands

**(General Comment):** These are provisional numbers; definitive numbers (available next year) may differ slightly from those provided here. The data specifies 'reward per working year' as salary. This reward consists of salary (gross salary, including taxes and social contributions/premiums), rewards like holiday stipends, payment in kind, expense allowances tied in with work (e.g. travel allowances), and social premiums for the employer (payments for lawful and contractual social security, like pension contributions)

**(2020):** These are provisional numbers and the definitive numbers (available in 2022) may differ slightly from these provided here. The data specifies 'reward per working year' as salary. The reward consists of salary (gross salary, as it includes taxes and social contributions/premiums), rewards like holiday stipends, payment in kind, expense allowances that tie in with work (like travel allowances that cover costs to and from work), and social premiums that are for the employer (payments for lawful and contractual social security, like pension contributions).

**(2019):** The Statistics Bureau only had numbers for 2018. 2019 data was not available at the moment of data collection.

**(2018):** This is average salary of all employees; the number includes money that employers pay for pension plans, social security (money that is paid directly to employees). The statistic does not include the income of people who are not employees (people without work, employers).

**(2016):** Compared to previous questionnaires (before 2014) these figures have been adjusted according to new rules of the European system of national accounts (illegal activities are now included)

## Poland

**(2021):** data source - Central Statistical Office  
The wage increases linked to economic changes.

**(2016):** NA

## Portugal

**(2022):** This value is for year 2021.  
Data for 2022 is still not available.

**(2016):** In the present questionnaire we used another "concept" of gross anual salary that we believe is closer to the objectives of this question.  
We opted for the category of "payments and salaries" instead of "remunerations" of the national budget because "remunerations" also includes social contributions by the employer which constitute wage costs and not salary.

## Romania

**(General Comment):** At national level, the average gross annual salary is not calculated and included in the official statistical reports made annually by the National Institute of Statistics. Thus, the SMBA was calculated on the basis of the monthly average gross salary at an average monthly value of the euro calculated by the National Bank of Romania for the reference year concluding in the average gross annual salary (as the sum of monthly average salary).

**(2022):** The difference can be explained based on salary increases and an upward trend can be observed continuing from 2018.

**(2020):** The difference can be explained based on salary increases, and an upward trend can be observed continuing from 2018.

**(2018):** At national level, the average gross annual salary is not calculated and included in the official statistical reports made annually by the National Institute of Statistics. Thus, the SMBA was calculated by request by the National Institute of Statistics on the basis of the monthly average gross salary at an average annual value of the euro calculated by the National Bank of Romania for the reference year 2018

According to the provisions of the national legislation in force (GEO no. 79/2017 with subsequent amendments and completions), the social insurance contributions, respectively those of social health insurance that fell to the employer, were transferred to the employee's responsibility and, starting with 2018, are fully supported by the employee, being reflected in the gross amount of the earning.

Consequently, the indicator "monthly gross average wage" produced and disseminated from 2018 is no longer comparable with the previous data series.

These legal provisions do not influence the data comparability for the series of "average monthly net earnings."

## Slovak Republic

**(2021):** [http://datacube.statistics.sk/#!/view/en/VBD\\_INTERN/pr0204qs/v\\_pr0204qs\\_00\\_00\\_00\\_en](http://datacube.statistics.sk/#!/view/en/VBD_INTERN/pr0204qs/v_pr0204qs_00_00_00_en)

**(2020):** Ministry of Finance did not offer closer explanation. Source: <https://www.statista.com/statistics/419502/average-annual-wages-slovak-republic-slovakia-y-on-y-in-euros/>

## Slovenia

**(2020):** Annual average gross salary is increasing (increase by 4% from 2018 to 2019 and by 6% from 2019 to 2020).

**(2016):** Average monthly gross earnings for 2016.

## Spain

**(2022):** The increase can be explained by increase of minimum legal salary.

## Question 046

## Austria

**(General Comment):** For the all exercises, data have been provided in full time equivalent. The first instance judges sit in District and partly regional courts as well as in administrative courts. The second instance judges sit in partly regional courts and Courts of appeal. The last instance includes judges sitting in the Supreme Court and the Supreme Administrative Court.

**(2019):** Data in full time equivalent

1.: district courts and partly regional courts + administrative courts 2.: courts of appeal and partly regional courts

**(2018):** Data in full time equivalent

1.: district and regional Courts + administrative court  
2.: courts of appeal

**(2017):** The data also include those of administrative courts.

**(2016):** This cycle administrative courts were taken into account for the first time. The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

**(2015):** The right (not rounded) numbers are:

TotalMalesFemales

Total number of professional judges (1 + 2 + 3)1620,65 - 790,52 - 830,13

1. Number of first instance professional judges1222,95 - 559,08 - 663,87

2. Number of second instance (court of appeal) professional judges 330,35 - 187,75 - 142,60

3. Number of supreme court professional judges 67,35 - 43,69 - 23,66

Data in full time equivalent

1.: district and partly regional courts

2.: partly regional courts and courts of appeal

**(2014):** For 2014, the numerical values in the table have been rounded. The most exact replies would be: Total: 1 620,04 (789,68 Male, 830,36 Female); first instance professional judges: 1 224,36 (556,01 Male, 668,35 Female); second instance professional judges: 329,63 (190,78 Male, 138,85 Female); Supreme court professional judges: 66,05 (42,89 Male, 23,16 Female). In 2014, some judges entitled to adjudicate in different law fields have been counted twice.

**(2013):** In 2013, the different tasks had been assigned to the full time equivalent judges, distinguishing between dealing with first and second instance court proceedings on the one hand and administrative tasks on the other hand.

**(2012):** In 2012, in contrast with previous evaluations, the different tasks had been more exactly assigned to the full time equivalent judges, distinguishing between dealing with first and second instance court proceedings on the one hand and administrative tasks on the other hand.

## Belgium

**(2022):** Since 2021, the table also includes data for the Council of State and the Council of Alien Law Litigation, counted as first-instance judges. Following a recent expansion of the framework, the number of councillors at the Council of State has increased from 44 to 58 (Law of September 6, 2022). However, in 2022 there were only 30 men and 12 women serving as judges at the Council of State (totaling to 42), with some positions still vacant by late 2022. Therefore, only a total of 42 was accounted for in the table. The current established framework is set at 58 councillors. For the Council for Alien Law Litigation, you will find 54 judges (including women and 21 men).

**(2021):** Source: FPS Justice, Directorate-General for the Judiciary, HR Department Judiciary, Notaries and Enforcement agents.

Point 3 concerns judges of the Court of Cassation.

As for the previous cycles, the table contains data for the civil and criminal courts. For this cycle, the (administrative) judges of the Council of State and of the Aliens Litigation Council (41 and 55 judges respectively) have been added to the table. With regard to the administrative judges of the Council of State (as for the Aliens Litigation Council), it is decided to count them as first instance judges. It should be noted, however, that judges of the Council of State intervene both at first and last instance. The number of judges at the Council of State is 44 members and for the Aliens Litigation Council it is 55. For the Aliens Litigation Council, the total of 55 is broken down as follows: 32 female judges - 23 male judges, of whom the first president and the president are men. For the Council of State, the situation is as follows: in principle, the Council is composed of 44 members (1 first president, 1 president, 14 chamber presidents and 28 councillors of State); in practice, 41 members are currently in office (two recent retirements and one death); 20 Dutch-speaking and 21 French-speaking; 12 women and 29 men. It is worth mentioning that an extension of the framework of the Council of State is provided for by a law of 6 September 2022 (which amended article 69 of the laws on the Council of State, coordinated on 12 January 1973). The Council will now consist of 58 members. These new members have not yet been recruited.

**(2020):** "No particular reason for the increase in the number of female second instance judges; related to natural evolution (more women in the first degree means, after a while, a larger base for recruitment to the appellate degree).

As in previous cycles, the table contains data for the judicial courts. The number of judges in the Council of State is 44 members and for the Council of Foreigners' Disputes it is 54 judges. "

**(2019):** Number of judges in courts within the ambit of the Federal Public Service of Justice (ordre judiciaire)

**(2018):** As a result of the reform of the cantons of justice of the peace, the number of places for justices of the peace has decreased by 25.

**(2014):** For 2014, the number of professional judges includes presidents of courts.

**(2013):** The 2013 data on the number of professional judges reflects the situation as at 18 January 2014.

## **Bulgaria**

**(General Comment):** The number of first instance professional judges encompasses the judges of the first instance courts as follows - 113 district, 28 administrative, 3 military-district;

As well as the courts of second instance to be considered the 28 regional/provincial, 5 appellate and The Military Court of Appeal

Supreme Courts are the Supreme Court of Cassation and the Supreme Administrative Court

**(2022):** Regional courts have mixed competences as first and second instance for certain categories of cases, as for the purposes of the questionnaire, in view of the instructions for its completion and given their predominant competences, they are categorized as courts of second instance.

**(2021):** First instance courts – district, administrative, military district and Specialized Criminal Court.

Second instance courts (courts of appeal) – regional, appellate, Appellate Specialized Criminal Court and Military Appellate Court.

Supreme Courts – Supreme Court of Cassation and Supreme Administrative Court

**(2020):** Number of professional judges from district courts - 959, incl. men - 354 and women - 605. Annex: Summary information on the data as of 31.12.2020, received by all regional courts and all administrative courts, regarding the number of judges working in the first instance panels and the number of judges, who administer justice in the appellate / cassation panels, as well as data on how many of them are men and how many of them are women. It should be borne in mind that, according to the information received, in almost all courts, a large number of judges sit both at first instance and as second instance judges. Therefore, the sum of the number of first instance judges and the number of second instance judges should not give the total number of magistrates in the respective region/ administrative court. Number of professional judges from the Court of Appeal - 124, incl. men - 43 and women - 81.

**(2019):** 046/2. The indicated number of 134 judges refers only to the magistrates appointed and working in the 7 courts of appeal in Bulgaria. The calculation is made on the basis of the question itself, which draws attention only to the number of appellate judges (judges working in a court of appeal), as is evident from it - "professional judges of second instance / appellate court /". In almost all regional courts, most judges sit in both the first and second instance departments of the courts and this makes it difficult to differentiate them. This year all judges in regional courts are listed in 046/1 - Number of first instance professional judges.

**(2017):** P. 1 – The number of first instance professional judges consists of judges in 27 Regional courts within regional centres; 86 out of regional centres; 28 Administrative courts; 1 Specialized Criminal Court; 3 Military courts; and the number of the first instance judges in District courts has been added to them; P.2 – The number of the second instance judges consists of judges in 27 District courts; Sofia City Court; 5 Courts of Appeal; 1 Military court of appeal and 1 Appealate Specialized Criminal Court. This number does not include the second instance judges who have adjudicated in first instance pannels. P.3- The number of working judges in the Supreme Court of Cassation and Supreme Administrative Court at 31.12.2017

**(2016):** P. 1 – The number of first instance professional judges consists of judges in 27 Regional courts within regional centres; 86 out of regional centres; 28 Administrative courts; 1 Specialized Criminal Court; 3 Military courts; and the number of first instance judges in District courts has been added to them; P.2 – The number of second instance judges consists of judges in 27 District courts; Sofia City Court; 5 Courts of Appeal; 1 Military court of appeal and 1 Appealate Specialized Criminal Court. This number does not include the second instance judges who have served in first instance courts. P.3- The number of working judges in the Supreme Court of Cassation and Supreme Administrative Court at 31.12.2016

**(2015):** 1. The figure 1760 includes the number of judges, employed at the 1st instance courts ((113 regional courts (27 Regional courts in the district centers and 86 regional courts outside the district centers); 28 Administrative courts; 1 Specialized criminal court; 3 Military courts) including the number of the first instance judges` (524) working in the first instance court formations in the District courts as from 31.12.2015. The number of Military courts has been reduced after decision under protocol ? 44/13.12.2013 of the Supreme Judicial Council from 5 to 3.

2. The number of judges, employed at the 2nd instance courts as from 31.12.2015 and the Courts of Appeal is 277. This figure is a result from the addition of the judges in the 28 District courts; 6 Courts of appeal and 1 Specialized criminal court of appeal – 801 judges in total, where the number of the first instance judges in the District courts (524) have been deducted.

3. The number of judges, employed in the Supreme Court of Cassation and the Supreme Administrative courts as from 31.12.2015 is 188.

**(2014):** In 2014, the number 1753 shows the number of judges employed in the first instance courts (113 regional, 28 administrative and 3 military courts) and 550 first instance judges, working in the district courts. The number of military courts was reduced from 5 to 3. The number of second instance judges is 277 and does not encompass first instance judges, working in the first instance chambers of the district courts.

## Croatia

**(General Comment):** In the total number of judges, only data on actually working judges is presented ( the total does not include judges on unpaid leave; judges on maternity leave; judges suspended after disciplinary procedure; judges transferred to other State body- for example to Ministry of Justice or Judicial Academy).

**(2022):** The data refer to all judges:

court presidents, judges authorized to perform court administration and judges.

The number does not include judges:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**(2018): Source:** Ministry of Justice of the Republic of Croatia

The number of court presidents is included in the number of judges provided, but the data does not include the number of judges who are on unpaid leave, judges who are in non-active status, judges who work part-time in accordance with the Maternity and Parental Benefits Act, judges who are on maternity leave or on parental leave, judges suspended after disciplinary proceedings, judges working part time in order to time care for a child with special needs, judges transferred in another state body (Ministry of Justice, Judicial Academy, State Judicial Council) and international institutions and missions.

**(2017):** The number of court presidents is included in the number of judges provided, but the data does not include the number of judges who are on unpaid leave, judges who are in non-active status, judges who work part-time in accordance with the Maternity and Parental Benefits Act, judges who are on maternity leave or on parental leave, judges suspended after disciplinary proceedings, judges working part time in order to time care for a child with special needs, judges transferred in another state body (Ministry of Justice, Judicial Academy, State Judicial Council) and international institutions and missions.

**(2016): Source:** Ministry of Justice of the Republic of Croatia

The number of court presidents is included in the number of judges provided, but the data does not include the number of judges who are on unpaid leave, judges who are in non-active status, judges who work part-time in accordance with the Maternity and Parental Benefits Act, judges who are on maternity leave or on parental leave, judges suspended after disciplinary proceedings, judges working part time in order to time care for a child with special needs, judges transferred in another state body (Ministry of Justice, Judicial Academy, State Judicial Council) and international institutions and missions.

**(2015):** The Republic of Croatia submits now correct numbers of professional judges sitting in courts for previous cycles (2013 and 2014), because in the previous cycles this number did not include court presidents, while there were excluded in the separate questions. Therefore, the correct numbers for these cycles is now provided.

**(2014):** In 2014, the number of professional judges in first instance courts includes judges of municipal, commercial, administrative and misdemeanour courts. The number of judges in second instance courts includes judges of county courts, the High Commercial Court, the High Misdemeanour Court and the High Administrative Court. The number of 3rd instance judges refers to the Supreme Court. Four first instance administrative courts became operational in 2012, while the Administrative Court of the Republic of Croatia became the High Administrative Court.

## Cyprus

**(General Comment):** Cyprus has a two tier system. The Supreme Court is the second and final instance court. All judges of the Supreme Court hear appeals.

**(2020):** Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court. The data for Supreme Court in this question are included in the highest instance courts, but the case flow data of the Supreme Court are included in the second instance cases - questions 97 and 98.

**(2015):** From 2014, following the retirement of male judges at last instance, female judges were appointed.

### **Czech Republic**

**(General Comment):** The Czech Republic has a four-tier system. The number of judges of the two High Courts is included in the number of second instance judges. This methodology of presentation of data is applied since 2013, while for the previous evaluations, magistrates of the High Courts were considered as third instance judges.

**(2016):** The Czech Republic has a four-tier system. The number of judges of the two High Courts is included in the number of second instance judges.

### **Denmark**

**(2017):** The figures above show the numbers of appointed judges in the Danish judicial system. Thus, the figures also include the Court of Greenland, the High Court of Greenland and the court of the Faroe Islands.

### **Estonia**

**(2014):** In 2014, one male judge left and a female judge was appointed.

**(2012):** In 2010, there were 3 female professional judges at the Supreme Court. At the beginning of 2012, one female judge became the judge representing Estonia in the European Human Rights Court.

### **France**

**(2022):** The entered data includes judicial and administrative judges.

DSJ: Data extracted from the LOLFI HRIS - Staffing of professional magistrates in service at the headquarters of judicial jurisdictions as of 31/12/2022. The values are expressed in FTE.

**(2021):** Data taken from an extraction of the LOLFI SIRH - Number of professional judges on 31/12/2021. The values are expressed in FTEs. Source DSJ

Administrative justice data: 1. total number of professional judges at first instance: 899(463 men, 436 women); 2) Number of professional judges in the courts of appeal (2nd instance): 304 (163 men, 141 women); 3. number of professional judges in the Supreme courts: 128 (81 men, 47 women). 1+2+3. Total number of professional judges: total 1331 (707 men, 624 women). The figures are expressed in physical numbers as at 31/12/2021. The members of the National Court of Asylum (CNDA) and the Paid Parking Litigation Commission (Commission du contentieux du stationnement payant) are counted under the first instance.

Source: Council of State

The gender distribution is based on the number available in FTE for all professional judges except for administrative judges for whom the distribution is available in FTE only for the total.

**(2020):** "Here are the details:

With respect to the judiciary. The data are expressed in full-time equivalent. These figures concern only judges (and not paralegals) who sit in court (magistrates seconded to the central administration are not counted). In the table above, the figures have been rounded up when the decimal is greater than or equal to 0.5:

Total number of professional judges: total 6177.9; men 1725.5; women 4452.4

1. Number of first instance professional judges: total 4378.6; men 1133.7; women 3244.9

2. Number of second instance professional judges : total 1577.8; men 503.8; women 1074

3. Number of Supreme Court professional judges : total 221.5; men 88; women 133.5

Source: LSB

For the administrative order, the data include the National Court of Asylum (CNDA) and the Commission du contentieux du stationnement payant (CCSP). In FTE, only the total is available. The detail in physical staff is as follows:

Total number of professional judges: total 1357; men 727; women 630

1. Number of first instance professional judges : total 920; men 487; women 433

2. Number of second instance professional judges : total 306; men 156; women 150

3. Number of Supreme Court professional judges : total 131; men 84; women 47

Source: EC

"

**(2019):** Data are presented in full time equivalent, part-time employees being counted, which explains the possible horizontal and vertical inconsistencies in the table. For information: number of judges from civil society (first instance):

Total: 19,002 (489 temporary judges (MTT) + 13,277 labor judges (conseillers prud'hommes ( CPH) + 1,832 Assessors of the Social Centres (APS) + 3,404 Consular Judges of the Commercial Courts (JC) Men: 11,249 (243 MTT + 6,902 CPH + 1,294 APS + 2,810 JC); Women: 7,753 (246 MTT + 6375 CPH + 538 APS + 594 JC). Source: LOLFI. Number of judges on duty in the courts.

The data do not encompass "public prosecutors and their staff". All judges in courts are counted, including presidents of courts, as the latter perform judges' duties.

**(2018):** With regard to administrative justice, in 2018, it should be noted that the number of judges sitting in specialised courts increased due to the very sharp increase in the number of appeals to the National Court of Asylum (CNDA) and the creation of the Commission du contentieux du stationnement payant (CCSP).

In the area of judicial justice, the increase is due to the filling of vacancies in the courts and the decrease in the number of departures of judges.

**(2014):** The 2014 data on number of judges of courts of law subsumes also the presidents appointed by 31 December 2014.

**(2013):** In 2013, in first instance, there are 161 presidents of ordinary courts of law and 42 presidents of administrative courts. In second instance, there are 37 first presidents of courts of law and 8 presidents of administrative courts. They are encompassed in the indicated figures. However, presidents of administrative courts of appeal are not included (being members of the State Council, they are included within the number of Supreme court judges).

**(2012):** The 2012 data is expressed in FTE, for positions actually filled on 31 December 2012 within courts of law and administrative courts. For the latter, data in FTE concerning the distribution between men and women is not available. Out of the 1377 first instance and appeal judges, there are 816 men and 561 women. Data on men-women distribution for the State Council is not available in FTE: there were 105 men and 47 women. For courts of law, there were in FTE: total: 5771 FTE (2066 men/3705 women); first instance professional judges (1326 men/2804 women); appeal court professional judges (622 men/795 women); Supreme court professional judges (118 men/106 women). The State Council used different calculation methods for 2010 and 2012.

## Germany

**(General Comment):** 1. There is a "court-staff statistic" ("Personalbestand") of the federal states that reports the number of judges in full-time equivalent as of 31 December of the reference year. This statistic also shows the number of female judges but it is not possible to allocate the judges to the different instances/stages of appeal. This statistic does not include the judges at the Federal Courts ("Supreme Courts").

2. The "staff-assignment statistic" ("Personalverwendung") of the federal states basically reports the average number of personnel actually deployed during the reference year (full-time equivalent). For example, employees who were not present for more than 20 working days during a quarter for reasons other than holiday and/or training are excluded. The staff-assignment statistic offers the possibility to allocate the judges to the different instances but it does not show the number of female judges. It does not include the federal judges either.

3. The "judiciary-staff statistic" ("Richterstatistik") combines the number of the judges of the federal states from statistic No 1 (court staff statistic) with the number of judges at the Federal Courts (full-time equivalent as of 31 December 2020). This statistic is not published every year but every two years. It differentiates between the judges of the federal states and the judges of the Federal Courts (highest instance) and includes the number of female judges.

Regarding Q46 the figures under "1. Number of first instance professional judges" and "2. Number of second instance (court of appeal) professional judges" were taken from statistic No 2 (staff-assignment) because statistic No 1 does not offer the possibility to allocate personnel to the different instances. The figures under "3. Number of Supreme Court professional judges" were taken from statistic No 3 because the federal judges only appear in that statistic.

**(2022):** 1. and 2.: Data was taken from the "staff-assignment statistic" of the federal states. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training). The staff-assignment statistic does not distinguish between male and female judges. The "court-staff statistic" of the federal states on the other hand distinguishes between "total" and "female" but does not allow for a differentiation between the instances. According to the court-staff statistic as of 31 December 2022 there were 22 027 judges (FTE) in total, among them 10 813 female and 11 214 male. 3: Figures represent the number of judges at the Federal Courts in FTE as of 31 December 2022. The number of judges at the Federal Courts is published every second year (see General Comment).

**(2021):** 1. and 2.: Data is taken from the "staff-assignment statistics" of the Länder. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training). The staff-assignment statistics do not distinguish between male and female judges. The "regular" court-staff statistics of the Länder distinguish between "total" and "female" but do not allow for a differentiation between the instances. According to the regular court-staff statistics as of 31 December 2021 there were 22 006 judges in total, 10 626 female and 11 380 male (full-time equivalents). 3: Figures represent the number of judges at the Federal Courts in full time equivalents as of 31 December 2020. The number of judges at the Federal Courts is published every second year (see General Comment).

**(2020):** 46.1 and 46.2: Data is taken from the "staff-assignment statistics" of the Länder. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training). The staff-assignment statistics do not distinguish between male and female judges. The "regular" court-staff statistics of the Länder distinguish between "total" and "female" but do not allow for a differentiation between the instances. According to the regular court-staff statistics as of 31 December 2020 there were 21.944 judges in total, 10.418 female and 11.526 male (full-time equivalents) 46.3: Figures represent the number of judges at the Federal Courts in full time equivalents as of 31 December 2020.

"Pact for the Rule of Law" (Pakt für den Rechtsstaat):

The federal level and the Länder on 31 January 2019 agreed on a 'Pact for the Rule of Law'. The pact foresees additional funding of EUR 220 million from the federal level for the Länder to create 2000 additional posts for judges and prosecutors, including the necessary administrative staff by 31 December 2021. In addition, the federal level is creating 24 additional posts at the Federal Court of Justice and 71 posts at the Prosecutor General of the Federal Court of Justice. New posts that were created after the beginning of 2017 are included into the count.

A joint report by the Federal Government and the Länder on the state of implementation of the pact was presented on 10 June 2021. The report concluded that the implementation has well progressed, noting in particular that over 2 700 post for judges and prosecutors have been created so far, with 2 500 being filled.

These numbers will not be reflected directly in the data given above, because the figures represent the average value of the actual personnel deployed during the reference year (in full-time equivalents).

It should also be noted that one of goals of the 'Pact for the Rule of Law' is to address the challenges related to the upcoming wave of retirements of judges and public prosecutors.

**(2019):** The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2018).

**(2018):** The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2018).

**(2017):** Comment - Please provide any useful comment for interpreting the data above: The information provided counts the number of full-time equivalent staff. There are no absolute figures for the number of persons making up this staff. A judge working full hours is counted as a full-time equivalent (i.e. 1). A judge working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for a judge working half the usual number of hours). Re 1 and 2: Information based on staffing overviews. These data are ascertained according to a complex calculation mechanism as an annual average of the actual personnel deployed (for example: minus the number of staff absent for more than 20 working days in a single quarter for reasons other than vacation and/or further-training). Re 3: The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2016).

**(2016):** The information provided counts the number of full-time equivalent staff. There are no absolute figures for the number of persons making up this staff. A judge working full hours is counted as a full-time equivalent (i.e. 1). A judge working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for a judge working half the usual number of hours). Re 1 and 2: Information based on staffing overviews. These data are ascertained according to a complex calculation mechanism as an annual average of the actual personnel deployed (for example: minus the number of staff absent for more than 20 working days in a single quarter for reasons other than vacation and/or further-training). Re 3: The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2016).

**(2015):** The data refer to the year 2014. At present, no more recent data are available.

Sources: Federal Office of Justice (Bundesamt für Justiz), Schöffenstatistik (statistical information on lay judges) as per 31 December 2014 as well as information provided by the Federal Länder

## Greece

**(2022):** The answer came after the cooperation of the Directorate for the organization and operation of Justice with Juststat. The discrepancy has been analyzed to last year questionnaire.

**(2021):** The answer came after the cooperation of the Directorate for the organization and operation of Justice with Juststat. The increase in the number of Supreme Court professional judges is explained by the fact that, the judges of the Court of auditors, who are all supreme, had not been previously counted, but now they are included.

**(2020):** Gender statistics are not kept. -Number of first instance professional judges :593 first-instance administrative judges,1167 first instance judges,916 judges of local courts and District Criminal Courts.  
- Number of second instance (court of appeal) professional judges:336 second-instance administrative judges,598 second instance judges  
- Number of Supreme Court professional judges:170 administrative judges of Council of State,5 of the General Committee of the Ordinary and Administrative Courts,76 judges of Areios Pagos(Supreme Court),  
The methodology of replying changed. Differences in numbers with previous years cannot be explained as we don't have enough information about previous data.

**(2018):** There is not a specific reason for the discrepancy of point 3. The number 243 is a result of the subtraction of points 1 and 2 from the total number of professional judges (1+2+3), just as last year.

**(2016):** Previous data concerning the number of second instance judges did not, inadvertently, include all the ranks for penal, political and administrative justice. Accordingly, this year the number is higher and explains also the variation in the total. It should be mentioned that the number of judges at the courts of Peace, which on 31/12/2016 was 880, is not taken into consideration since they have a separate procedure entering the judiciary and they are a separate category within it.

**(2014):** The decrease in the number of second instance judges between 2013 and 2014 is due to the fact that administrative judges are not counted in this category for 2014.

**(2013):** In 2013, justices of peace are included, while Court of Auditors' judges are not considered in the total.

**(2012):** For 2012, the total number subsumes judicial officials of the civil-penal and administrative courts. It should be noticed that 688 magistrates were not included, as well as Court of Auditors' judges.

## Hungary

**(General Comment):** Since 2012 and the establishment of the National Office for the Judiciary, the data collection methodology is the same. Accordingly, the number of first instance professional judges includes judges of the District Courts. As second instance judges are counted judges of the Regional Courts and the Regional Courts of Appeal. As concerns the Regional Courts, the distribution of first and second instance cases is based on the bylaws which are renewed every year by the president of each court after consultation with the judicial council and the professional department of the court. The number of Supreme Court judges is indicated in item 46.3.

**(2019):** There are additional 54 judges assigned to the National Office for the Judiciary (for work in accordance with judicial administration) and to the Ministry of Justice (to help the legislative work of the ministry). These judges do not hear cases while they are assigned.

**(2018):** There are additional 48 judges assigned to the National Office for the Judiciary (for work in accordance with judicial administration) and to the Ministry of Justice (to help the legislative work of the ministry). These judges do not hear cases while they are assigned.

**(2017):** There are additional 34 judges assigned to the National Office for the Judiciary (for work in accordance with judicial administration), and 4 judges assigned to the Ministry of Justice (to help the legislative work of the ministry). These judges do not hear cases during their assignment.

**(2016):** There are additional 35 judges assigned to the National Office for the Judiciary (for work in accordance with judicial administration), and 9 judges assigned to the Ministry of Justice (to help the legislative work of the ministry). These judges do not hear cases while they are assigned.

**(2014):** In 2014, 26 judges were assigned to the National Office for the Judiciary and 7 judges were assigned to the Ministry of Justice. These judges do not hear cases when carrying out their specific missions within the NOJ and the Ministry of Justice.

**(2013):** The number of Supreme Court female judges decreased between 2010 and 2012, while the number of Supreme Court male judges increased between 2012 and 2013. There is no specific reason in this respect, as the vacant positions are filled through an open application process, where the gender of the applicants is not taken into consideration in any way.

**(2012):** The number of Supreme Court female judges decreased between 2010 and 2012, while the number of Supreme Court male judges increased between 2012 and 2013. There is no specific reason in this respect, as the vacant positions are filled through an open application process, where the gender of the applicants is not taken into consideration in any way.

## **Ireland**

**(2022):** As of 31 December 2022, the number of male judges in the Court of Appeal had dropped from 8 to 6 in comparison to 2020 due to the elevation of two male judges from the Court of Appeal to the Supreme Court and the subsequent new appointment of two new Court of Appeal judges one of whom was male and the other female (-1 male judge of the Court of Appeal).

**(2021):** Figures as of 31/12/2021.

At that time there were 6 vacancies in total.

First Instance Courts – District Court, Circuit Court, High Court = total 3

Second Instance Court – Court of Appeal = total 1

Highest Instance Court – Supreme Court = total 1

**(2020):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the circuit court and ordinary judges of the High Court - including Court Presidents.  
An amendment was made in 2019 to the number of judges in the court of appeal due to workload of the court.

**(2019):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents.  
An amendment was made to the number of judges in the court of appeal due to workload of the court.

**(2018):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents.

**(2017):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents. As at 31 December 2017 there were three serving female Supreme Court judges.

**(2016):** Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents. As regards the number of Supreme Court judges, the figures reflect a reduction in the actual number of judges compared to the number reported in the previous reporting cycle.

**(2015):** The discrepancy between the total figures and the figures for gender is explained by vacancies in the judiciary's establishment, as follows: Supreme Court: 1; High Court: 1; Circuit Court: 2.

First instance judges are judges of the High Court, Circuit Court and District Court. The High Court and Circuit Court also exercise appellate jurisdiction.

Numbers above include Court Presidents.

**(2014):** In 2014, data on 2nd instance judges is available, since the new Court of Appeal was established only in 2014.

## Italy

**(General Comment):** Judges serving in specialized first-instance courts, such as regional audit commissions, local tax commissions, and military courts, which operate independently and are financially autonomous from the Ministry of Justice, are not included in the scope of question 46.

**(2018):** Since 2018, the figures have also included judges belonging to Administrative Justice. The above figures include 6634 ordinary judges and 381 administrative judges.

**(2017):** An upward trend in respect of the number of female judges in the Supreme Court: in Italy, the High Council of the Judiciary is competent for the transfers of judges from one office to another. This transfer procedure generally takes place once or twice a year. The number of open positions for each court is proportional to the percentage of vacancies in that particular court. During the last few years, there were occasions where the positions made available at the court of cassation were a bit higher than number one would have expected according to the percentage of vacancies. Hence, more judges applied for the vacancies at the court of cassation compared to other courts. To date the vacancies at the court of cassation are about 4% of the total number of positions. As a matter of fact the penetration of female judges shows a positive trend. In first and second instance courts the penetration is already over 50%. At court of cassation level there is much room for improvement.

**(2015):** The overall reduction of judges between 2014 and 2015 is partly due to the effect of the recent labor reform that lowered the mandatory retirement age for judges from 75 to 70.

**(2013):** In the last few competitive exams held in Italy, the percentage of female candidates was higher than this of male candidates. Accordingly, a positive variation can be observed in respect of the number of female judges between 2010 and 2013.

## Latvia

**(2017):** The changes in the number of judges at the Supreme Court are the outcome of the court reform developing pure three instance level court system. Until 2014 there were both appellate and cassation courts within the Supreme Court. Until end of 2014 and 2016 respectively there were additional appellate chambers dealing with criminal and civil cases. Since beginning of 2017 the number of judges at Supreme Court (cassation instance) is stable – 36.

**(2014):** The number of male judges in the Supreme Court decreased per 5 judges between 2012 and 2014 due to various reasons: three male judges retired; two male judges returned to regional courts (because they worked in the Supreme Court temporarily); one male judge passed away in 2014; one new male judge came to work in the Department of Civil Cases of the Supreme Court.

## Lithuania

**(General Comment):** The methodology of presentation of data reflects the peculiarities of the Lithuanian court system. Namely, as the regional courts function not only as courts of appeal, but also as courts of first instance (Article 19 of the Law on Courts of the Republic of Lithuania), the number of judges of these courts is included in the 1st section. Accordingly, the latter indicates the number of judges of district courts, regional courts and regional administrative courts. Likewise, given that the Supreme Administrative Court is the court of appeal (although the rulings of the Supreme Administrative Court of Lithuania are final and not subject to appeal) the number of judges of this court is encompassed in the 2nd section. The latter indicates the number of judges of the Court of Appeal of Lithuania and the Supreme Administrative Court of Lithuania. The 3rd section indicates the number of judges of the Supreme Court of Lithuania.

**(2022):** In 2022 the corps of judges was supplemented by 30 judges, which is significantly more than in 2021 and slightly more than in 2020 (12 in 2021, 26 in 2020).

In 2022 27 persons were appointed as district court judges.

**(2017):** Please see general comments.

## Luxembourg

**(General Comment):** Section 1: The number of first instance professional judges includes judges of the district courts, judges of the justices of the peace and judges of the administrative tribunal.

section 2: The number of second instance professional judges includes judges of the Court of appeal of the Superior court of Justice and judges of the Administrative court.

Section 3: The number of professional judges at the Supreme court level includes only judges of the Court of cassation.

**(2018):** The staff of the judicial and administrative courts has grown steadily in the recent years, as established by the amended law of 7 March 1980 on judicial organization. This explains the significant variations observed between 2016 and 2018 in the judiciary and non-judge staff. According to the judicial organisation of Luxembourg, there is a Superior Court of Justice, composed of the Court of Cassation and the Court of Appeal. The judges of the Superior Court of Justice belong to both the Court of Cassation and the Court of Appeal. If, legally speaking, these are separate positions, in practice the five judges of the Superior Court of Justice occupy two positions and they are therefore counted among the judges of the Court of Appeal as well as at the level of the Superior Court of Justice .

The figures differ from those indicated in the last data collection campaigns on two points. 1) concerning the number of judges at the highest level: starting with 2016, we have distinguished between the judges sitting at the court of appeal and those of the Cour de cassation, which is the highest court in Luxembourg. Until 2016, and as the two courts taken together form the Cour supérieure de Justice (which as such has some very specific competences), we indicated only the total of the judges affected to the Cour supérieure. It might be useful for statistical purposes to distinguish between the two levels. 2) concerning the number of judges at the first level: the figures indicated until 2016 were superior to the real figures, as, erroneously, the prosecutors (which by law are also magistrates affected to these courts) had been included. We corrected this error in 2016. There has been a major modification in June 2017, by the law of 27th of June 2017 adopting a multiannual program of recruitment into the judiciary and amending the amended law of 7th of March 1980 on judicial organisation, programming the future changes in the staff at the different entities. This law provides for a multiannual program of recruitment of judges and prosecutors during the years 2017-2020. It entered into force in July 2017.

**(2017):** The Act of 27 June 2017 introducing a multiannual programme for recruitment to the judiciary and amending the amended Act of 7 March 1980 on the organisation of the judiciary, defines the number of posts in the various instances. The indicated data correspond to the number of permanent positions actually held in 2017.

**(2016):** The figures differ from those indicated in the last data collection campaigns on two points.

1) concerning the number of judges at the highest level: starting with 2016, we have distinguished between the judges sitting at the court of appeal and those of the Cour de cassation, which is the highest court in Luxembourg. Until 2016, and as the two courts taken together form the Cour supérieure de Justice (which as such has some very specific competences), we indicated only the total of the judges affected to the Cour supérieure. It might be useful for statistical purposes to distinguish between the two levels.

2) concerning the number of judges at the first level: the figures indicated until 2016 were superior to the real figures, as, erroneously, the prosecutors (which by law are also magistrates affected to these courts) had been included. This error has now been corrected.

**(2015):** In 2014, the judges of the Administrative Court were included in the number of judges in the Supreme Court but in 2015 these judges were accounted as second instance judges.

**(2014):** In 2014, the judges of the Administrative Court were included in the number of judges in the Supreme Court but in 2015 these judges were accounted as second instance judges.

**(2013):** To the total number of judges, should be added 4 trainees ("attachés de justice"). The increase in the number of female judges at all instances between 2010 and 2013 is explained by the special attraction for a profession that allows to combine work and family life. Judges of second instance and those of the Court of Cassation are all part of the Superior Court of Justice.

**(2012):** The total number of professional judges does not correspond to the sum of the number of judges before each instance because some judges have jurisdiction in two courts (e.g. the Constitutional Court is composed of judges of the Court of Cassation and the Administrative Court).

## Malta

**(General Comment):** In Malta there is no Supreme Court, the Court of Appeal being the Court of second instance. The Constitutional Court, then, is presided over by the 3 judges who compose the Court of second instance also known as the Court of Appeal in its Superior Jurisdiction. The number of 1st Instance 'judges' also includes magistrates that preside over 1st Instance Courts.

**(2021):** During 2021, 4 new magistrates and 2 new judges were appointed to the bench, thereby increasing the judicial complement by the same number. 2 judges were also appointed to the bench, but given that they were previously magistrates, their appointment did not increase the judicial complement.

**(2019):** For Number of first instance professional judges, the difference in nominal figures is of 4 male magistrates compared to previous cycle. This is mainly due to retirement and the appointment of 2 male magistrates to judges. 3 new magistrates have been appointed in 2019, only 1 of which is male.

For the Number of second instance professional judges, Madame Justice Lorraine Schembri Orland has been appointed Judge elect in respect of Malta on the European Court of Human Rights. Given that she did not serve in Malta at the end of 2019, she does not feature in the above data.

**(2017):** Despite the categorical manner in which the Maltese judiciary have been classified for the purpose of this exercise, it is important to note that the roles of some of the judges are very fluid. Hence, some of the 1st Instance judges preside, when the need arises, over 2nd Instance courts, whilst 2nd Instance judges hear cases at 1st Instance such as at the Civil Court, First Hall or the Civil Court, Family Section.

Throughout 2017, 1 male 1st Instance Judge passed away at the beginning of the year, whilst another 2nd Instance Judge retired towards the end of the year. 1 female Magistrate has been appointed. Care is being taken in order to ensure an equal gender representation in the appointments of the judiciary.

**(2016):** Despite the categorical manner in which the Maltese judiciary have been classified for the purpose of this exercise, it is important to note that the roles of some of the judges are very fluid. Hence, some of the 1st Instance judges sit, when the need arises, in 2nd Instance courts, whilst 2nd Instance judges hear cases at 1st Instance such as at the Civil Court, First Hall or the Civil Court, Family Section.

There has been an increase of 3 female judges at 1st instance since 2014. There was an increase from 15 to 17 female judges at 1st instance in 2015 and a further increase of 1 female judge at 1st instance in 2016. Care is being taken in order to ensure an equal gender representation in the appointments of the judiciary.

**(2015):** Regarding the number of judges, the high percentage variations that might be observed results from the small absolute number of judges that Malta has. Malta has been trying, and there are still on-going efforts, at increasing the number of judges. If between 2010 and 2015 the number of male judges decreased (by 1), this was complemented by an increase in the number of female judges (also by 1).

## Netherlands

**(General Comment):** Since 2020, new methodology of presentation of data is used, allowing distinguishing between first and second instance for the specific group of judges who were previously all counted as first instance judges ('overig RA'). For all cycles, court presidents are taken into consideration in the figures.

**(2022):** Numbers for first and second instance are on posts filled, not fte. Total fte for first and second instance together is 2 451. We cannot provide more detailed information. For the Supreme Court, fte and posts filled are the same.

**(2021):** Numbers are on posts filled, not fte. Total fte is 2416.

Total fte for first and second instance was given in 2021, but information on fte was NA for the rest of the categories and the detail required cannot be provided.

For the Supreme court, fte and posts filled are the same.

**(2020):** These numbers are on posts filled, not fte. The total fte for first and second instance together is 2372, but information on fte is NA for the rest of the categories and detail required for this question. These numbers include court presidents. In the previous cycles, due to an inability to differentiate between first or second instance for a certain group of judges, they were counted as first instance judges. This inflated the first instance numbers and underreported the second instance numbers. This problem was present in the data up until the 2019 survey. For the 2020 data, this problem has been solved, and the data is now correct.

**(2018):** We did not receive information on the number of judges (in fte) working at the High Court. There are 33 judges at the High Court (people, not fte), 20 male / 13 female. Since this concerns only 1% of all judges, we'd suggest to work with these numbers (and accept the small deviation in the calculated total number)

**(2017):** these are number of people (posts); the total number of fte is 2315, this can not be separated for 1st and 2nd instances

NB: data on the number of Supreme Court judges is provided in fte. More precisely, according to the annual report of the Council of State <https://jaarverslag.raadvanstate.nl/2017/> the number was 37.9 fte in 2017.

**(2016):** All data in number of persons. FTE data are only available for the total: 2148.  
Supreme Court NA

**(2015):** Number of deputy judges courts in 2015 = 1.100

The numbers provided in the table are posts. The FTE is available only for the total and it is 2.169. Other categories are NA.

**(2014):** In 2014, the number of first instance judges does not include judges of the Trade and Industry Tribunal, the Supreme Court and the Council of State. The number of second instance judges includes magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

**(2013):** In 2013, the total in fte is 2 181. This was excluding the Supreme Court. The number of first instance judges excludes judges of the Trade and Industry Appeals Tribunal, the Supreme Court and the Council of State. The number of second instance judges includes magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

**(2012):** In 2012, the total in fte is 2 194, excluding the Supreme Court. The number of first instance judges excludes judges of the Trade and Industry Appeals Tribunal, the Supreme Court and the Council of State. The number of second instance judges includes magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

## Poland

**(General Comment):** The Polish court structure is characterized by four levels of courts but only three instances. Basically, there are district courts which are first instance courts, regional courts which are first and second instance courts, and appellate courts which are second instance courts. The highest instance courts are the Supreme Court, the Supreme Administrative Court and the Constitutional Tribunal. Owing to this peculiarity, some judges sit as first and second instance magistrates. According to the methodology of presentation of data that has been chosen, judges of regional courts are counted as first instance judges together with judges of district courts and judges of first instance administrative courts. Only judges of appellate courts are considered as second instance magistrates. The Supreme Court operates under the Constitution of the Republic of Poland and the Supreme Court Act. It is established to:

- exercise supervision over the activities of common and military courts in the area of adjudication - this is the so-called judicial supervision (Article 183(1) of the Constitution). The means used to exercise such supervision include:
- recognition of extraordinary complaints, cassations and other appeals (instance supervision),

passing resolutions resolving legal issues (extra-institutional supervision) Resolutions of the entire chamber or a larger body of judges have the force of law and are binding on all Supreme Court formations. A panel of 7 judges may decide to give the resolution the force of legal principle.

Competence of the Constitutional Tribunal

The Constitution of 2 April 1997 includes four areas within the jurisdiction of the Constitutional Tribunal:

- 1) control of norms (abstract and concrete; a posteriori and a priori - Art. 188 items 1-3, Art. 122 items 3 and 4, Art. 133 item 2 of the Constitution); a special procedure for the control of norms is the consideration of constitutional complaints (Art. 79 and Art. 188 item 5 of the Constitution)
- 2) adjudication of competence disputes between central constitutional organs of the state (Article 189 of the Constitution);
- 3) adjudicating on the compatibility with the Constitution of the objectives or activities of political parties (Article 188, item 4 of the Constitution)
- 4) recognising the temporary inability of the President of the Republic to discharge his office (Article 131, paragraph 1 of the Constitution).

Of the four areas of the jurisdiction of the Tribunal indicated above, the control of norms is undoubtedly a fundamental task.

Court assessors:

A person may be appointed to the position of assessor if he or she fulfils the conditions laid down in Article 61 § 1 points 1-4 of the Act on the Common Courts System and, moreover, has completed training at the National School of the Judiciary and Public Prosecution and passed a judge's or prosecutor's exam. Court assessors are appointed by the President of the Republic of Poland for an indefinite period of time, at the request of the National Council of the Judiciary. In the exercise of his or her office, a judicial assessor is independent and subject only to the Constitution and the laws. Assessors who are entrusted with the duties of a judge perform adjudicatory functions in district courts alongside judges. However, they may not: apply pre-trial detention to a detainee handed over to the court's disposal with a request for pre-trial detention, hear complaints against decisions on refusal to initiate an investigation or enquiry, against decisions on discontinuance of an investigation or enquiry, or against decisions on discontinuance of an enquiry and entry of a case in the register of offences, and adjudicate family and guardianship law cases. After 20 months, an assessor may be appointed as a judge by the President of the Republic.

**(2022): Common courts:**

1. The number of judges of district, regional courts + court assessors: 9403 (5904 women, 3499 men)
2. The number of judges of the appeal courts: 469 ( 238 women, 231 men)

The numbers are higher because the president appointed a lot of court assessors as judges in 2022. In addition, there were more appointments to the regional and appeal courts than retirements of judges from these courts.

Administrative courts:

1. The number of judges of district + court assessors: 491 ( 275 women, 216 men)
2. The number of judges of the Supreme Administrative Court : 107 ( 37 women, 70 men)

**(2021): Common courts:**

The number of judges of district courts: 6046 ( 3938 women, 2108 men)

The number of judges of regional courts : 2684 ( 1550 women, 1134 men)

The number of judges of the appeal courts: 459 ( 239 women, 220 men)

The numbers are higher because the president appointed a lot of court assessors as judges in 2021. In addition, there were more appointments to the regional and appeal courts than retirements of judges from these courts.

The Supreme Court : 93 (73 men, 20 women)

The Administrative Supreme Court: 102 (62 men, 40 women);

Administrative courts first instance: 431 ( 192 men, 239 women);

**(2020):** The number of judges of district courts: 6036 ( 3922 women, 2114 men)  
The number of judges of regional courts : 2544 ( 1462 women, 1082 men)  
The number of judges of the appeal courts: 417 ( 220 women, 197 men)  
The number of judges of the first instance administrative courts : 454 ( 260 women, 194 men)  
Supreme courts:  
The number of judges of the Supreme Administrative court: 102 (62 men, 40 woman).  
The number of judges of the supreme court: 97 (75 men, 22 woman).  
Military courts:  
The number of judges of district military courts: 18 (1 woman, 17 men)  
The number of garrison judges: 27 (5 women, 22 men).  
\*Starting from 2020 the number of Supreme court judges include also judges of the Supreme Administrative Court

**(2019):** Compared to the previous edition, the number of judges of the supreme court was also given.  
The number of Supreme court is 99: 25 (civil chamber), 27 (criminal chamber) 14 (labour law and social security chamber), 20 (extraordinary control and public affairs chamber), 13 (disciplinary chamber).  
Females: 21 (total)  
11(civil chamber)  
3 (criminal chamber)  
3 (labour law and social security chamber)  
3 (extraordinary control and public affairs chamber)  
1 (disciplinary chamber)  
Males: 78 (total)  
14 (civil chamber)  
24 (criminal chamber)  
11 (labour law and social security chamber)  
17 (extraordinary control and public affairs chamber)  
12 (disciplinary chamber)

## Portugal

**(General Comment):** The total includes judges from courts of 1st, 2nd and 3rd instances, except the Constitutional Court.

**(2020): 3.** We are dealing with small numbers, therefore the discrepancy ratio is big. In addition, with time female judges, that are the majority of judges, are getting to the top of their professional career.

**(2019):** In absolute terms the increase is only 5 persons. The numbers are small, therefore in relative terms it appears to be relevant.

**(2018):** The number of Supreme Court Judges has been decreasing since 2015. In absolute terms the decrease from 2016 to 2018 is from 82 to 71 judges, which is not significative in absolute terms, but acquires a more relevant expression in relative terms.

**(2017):** As concerns the increase in the number of female Supreme Court judges: the numbers are small, therefore the variation seems important.

**(2014):** The increase in the number of Supreme Court female professional judges is due to the general tendency of increase of female judges in the last decade at first instance courts.

## Romania

**(General Comment):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). Only judges of the „judecatorii” are counted as first instance judges. In line with our previous reports in this matters, in the table above judges from tribunals and courts of appeal shall be included in the category "second instance professional judges", even if according to the procedural provisions in terms of competences tribunals may judge both as first and instance court and for certain procedural circumstances (material and personal) even the courts of appeal may judge in first instance. Moreover even the High Court can judge in first instance for example in criminal cases according to the personal competence rules of procedure.

**(2022):** Only judges of the „judecatorii” are counted as first instance judges.

**(2020):** Only judges of the „judecatorii” are counted as first instance judges.

**(2019):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above judges from tribunals and courts of appeal shall be included in the category "second instance professional judges", even if according to the procedural provisions in terms of competences tribunals may judge both as first and instance court and for certain procedural circumstances (material and personal) even the courts of appeal may judge in first instance. Moreover even the High Court can judge in first instance for example in criminal cases according to the personal competence rules of procedure.

**(2018):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above judges from tribunals and courts of appeal shall be included in the category "second instance professional judges", even if according to the procedural provisions in terms of competences tribunals may judge both as first and instance court and for certain procedural circumstances (material and personal) even the courts of appeal may judge in first instance. Moreover even the High Court can judge in first instance for example in criminal cases according to the personal competence rules of procedure.

**(2017):** The number of professional judges sitting in second instance courts (point 2) includes both the number of judges within the courts of appeal and the number of judges within the tribunals.

**(2016):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In the table above the judges from tribunals are included in the category "second instance professional judges".

**(2014):** For 2014, judges mentioned at 46.1 are judges within first instance courts, while judges mentioned at 46.2 are judges within tribunals and courts of appeal.

**(2013):** Judges mentioned at 46.1 are judges within first instance courts and tribunals, while judges mentioned at 46.2 are judges within courts of appeal. In 2012 and 2013, the Superior Council of Magistracy brought important changes to the Regulation for the promotion of judges to the High Court of Cassation and Justice and 19 judges were promoted.

**(2012):** At 46.1 are mentioned judges within courts of first instance, while at 46.2 are mentioned judges within tribunals and courts of appeal.

## **Slovak Republic**

**(General Comment):** Supreme Administrative Court is calculated together with Supreme Court.

**(2021):** Number of Supreme Administrative Court professional judges are included in the Q. 46 line 3. (8 males, 13 females; total 21).

**(2019):** The Number of Supreme Court professional judges is 77 for the full time judges. There are 7 temporarily assigned judges as well (2 women and 5 men).

**(2018):** The provided total corresponds to the number of judges actually performing their functions. Put differently, judges who are temporary assigned to other institutions (Ministry of Justice, Judicial Academy, other judicial institutions including international courts), judges granted maternity leave etc. are not considered in the provided figures. Total number including judges temporary not performing their functions is 1427 (521 men, 906 women).

**(2017):** The increase in the total number of judges is caused by filling the previously designed vacant posts of judges.

**(2015):** The decrease in the number of judges in comparison with the previous cycle has been caused by the retirement of the judges whose posts have not been filled yet. The selection procedures for the vacant posts are under way.

**(2014):** In 2014, the total number of judges in the records of the Ministry of justice was 1366 (503 males, 863 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

**(2013):** In 2013, the total number of judges in the records of the Ministry of justice was 1385 (511 males, 874 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

**(2012):** In 2012, the total number of judges in the records of the Ministry of justice was 1344 (497 males, 847 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

## Slovenia

**(General Comment):** The provided total number of judges corresponds to the number of de facto occupied judicial posts performing their functions. Some judges are assigned to other duties (eg. to the Judicial council, Ministry of Justice, Supreme court) and are not included in the reported numbers. The information on actual presence (excluding the maternity or sick leave, but including the annual leave) is also available.

**(2022):** At the end of 2022, 878 judicial posts were formally occupied, although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 862 professional judges (FTE) sit in courts (perform judicial function), since the rest of the judges (16 judges - difference to the total of 878 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts. The data on actual presence of judges in courts is also collected; the number of judges in the Slovenian judicial system in 2022 was 767,15 according to actual presence calculations.

Discrepancies (compared to 2020 data): Until 2021, approx. 30 judges at the Administrative Court (first instance court, see Q44) and approx. 50 higher judges at local and district courts (first instance courts) were reported as second-instance judges (according to their rank: higher judge); from 2021 they are reported according to their court (first-instance judges).

**(2021):** At the end of 2021, 880 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 860 professional judges sit in courts (perform judicial function), since the rest of the judges (20 judges - difference to the total of 880 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts. The data on actual presence of judges in courts is also collected; the number of judges in the Slovenian judicial system in 2021 was 802,84 according to actual presence calculations.

Until 2021, approx. 30 judges at the Administrative Court (first instance court, see Q44) and approx. 50 higher judges at local and district courts (first instance courts) were reported as second-instance judges (according to their rank: higher judge); from 2022 they are reported according to their court (first-instance judges).

**(2020):** At the end of 2020, 890 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 875 professional judges sit in courts (perform judicial function), since the rest of the judges (15 judges - difference to the total of 890 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts. The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave).

The number of judges in the Slovenian judicial system in 2020 was 805,5 according to actual presence calculations.

**(2019):** At the end of 2019, 890 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave).

Nevertheless, we report that 873 professional judges sit in courts (perform judicial function), since the rest of the judges (17 judges - difference to the total of 890 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts.

The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave). The number of judges in the Slovenian judicial system in 2019 was 797 according to actual presence calculations.

**(2018):** At the end of 2018, 890 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 867 professional judges sit in courts (perform judicial function), since the rest of the judges (23 judges - difference to the total of 890 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts. The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave).

The number of judges in the Slovenian judicial system in 2018 was 796 according to actual presence calculations.

**(2017):** At the end of 2017, 889 judicial posts were formally occupied (FTE), although some posts were de facto vacant (e.g. judge absent due to maternity leave). Nevertheless, we report that 869 professional judges sit in courts (perform judicial function), since the rest of the judges (20 judges - difference to the total of 889 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts.

The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave)

The number of judges in the Slovenian judicial system in 2016 was 795,54 according to actual presence calculations.

**(2016):** At the end of 2016, 897 judicial posts were formally occupied (full-time equivalent method), although some post were de facto vacant (e.g. judge absent due to maternity leave). The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave). The number of judges in Slovenian judicial system in 2016 was 811,52 according to actual presence calculations.

Nevertheless, we report that 880 professional judges sit in courts (perform judicial function), since the rest of the judges (17 judges - difference to the total of 897 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts.

**(2015):** At the end of 2015, 912 judicial posts were formally occupied (FTE), although some post were de facto vacant (e.g. judge absent due to maternity leave).

Nevertheless, 897 professional judges sit in courts (perform judicial function), since some judges were assigned to other duties (at the Supreme Court; different projects ;appointed to the Judicial Council and appointed to the Ministry of Justice.

We reported the Administrative court as the first instance court (Q42 and Q91). However, the law requires for the Administrative court judge to be a higher judge (2nd instance judge), therefore the Administrative court judges are included as the 2nd instance professional judges

**(2012):** Starting with 2012, judges of administrative courts are included in the number of first instance judges.

## Question 046-2

### Belgium

**(2022):** It is to be noted that the Council of State (comprising 42 concillors in 2022, and whose framework was extended to 58 by a law in September 2022) also adjudicates as a court of last instance. It has been decided under Q46 and Q46-2 to consider the Council of State as a court of first instance, The Asylum and Immigration Tribunal Counts 54 judges reckoned as administrative judges of first instance.

**(2020):** The system does not allow part-time work for judges. Data by type of case are not known. Judges are appointed at the court level, and the head of the court assigns them to the different chambers of the court and allocates cases.

### Bulgaria

**(General Comment):** Category "other": military judges

**(2022):** The total number of 1230 first-instance judges includes 922 district judges for whom no information regarding specialization is available, and military judges are listed in the "Other" column. The total number of 778 judges of the second instance includes 37 junior judges for whom no information regarding specialization is available, and the judges of the Military Court of Appeal are listed in the "Other" column. Regarding the Supreme Court of Cassation, the total number of 180 judges also includes the president of the court, for whom no information is available regarding specialization.

**(2021):** The total number of first-instance judges is 1258. It includes 991 district (first instance) judges, for whom there is no available information regarding the specialization, 236 administrative, 10 other (military) and 21 - judges at first instance Specialized Criminal Court. The total number of second-instance judges includes also 59 junior judges, adjudicating at regional courts (second instance), for whom information on specialization is not available. 5 other are military judges. The total number of supreme judges includes the president of the Supreme Court of Cassation, for whom there is no available information regarding the specialization.

**(2020):** The column "others" in question 46-2 refers to the military judges - 12 regional/provincial and 5 appellate - a total of 17. The total number of judges in the district courts is 959, and the same, with the exception of the Sofia District Court, are not divided by subject matter. Therefore, data related to the number of first instance judges dealing with civil / commercial and criminal cases are not available. Appendix: Summary information on the data as of 31.12.2020, received by all regional/provincial courts (first and second instance) regarding the number of judges in them, who work in the civil, commercial and criminal divisions. It should be borne in mind that, according to the information received, in almost all courts, a large number of judges sit in more than one division, therefore the summation of the number of judges from the three divisions should not give the total number of judges in the respective court. Total number of judges in the Court of Appeal (second instance) - 124, of which in the civil division - 36, in the commercial division - 38 and in the criminal division - 50.

## Croatia

**(General Comment):** The difficulty to provide the data lays in mixed specialization of judges in courts, so exact data cannot be extracted.

## Cyprus

**(2021):** All 13 Supreme court judges hear all cases. District court judges are dealing with criminal and civil cases, and they were previously included in the 'Other' cases. We have now limited this to judges of special jurisdiction courts.

**(2020):** This includes the supreme court judges who deal with all types of cases, first instance family court judges, labour court judges, rent control court judges and military court.

Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court. The data for Supreme Court in this question are included in the highest instance courts, but the case flow data of the Supreme Court are included in the second instance cases - questions 97 and 98.

## Czech Republic

**(2022):** The category civil/commercial includes all proceedings except criminal and administrative.

**(2021):** Insolvency proceedings and Guardianship proceedings

**(2020):** Insolvency Proceedings

## Denmark

**(General Comment):** We cannot answer this question by case type as all judges make decisions in all types of cases in Denmark.

## Estonia

**(General Comment):** Judges of 1st and 2nd instance are not obliged to only be civil or criminal judges. It can change depending on the workload and wishes of the judge.

**(2022):** Judges of 1st and 2nd instance are not obliged to only be civil or criminal judges. It can change depending on the workload and wishes of the judge. The number of civil judges within the courts has been increased in 2022 at the expense of administrative judges.

**(2020):** In the first instance we don't have judges formally separated as criminal or civil judges.

## Finland

**(General Comment):** We do not have statistic of the amount of the civil and/ or commercial and criminal judges in the general courts as in many courts judges work in both types of cases. In Market Court, there are 23 judges who are civil/commercial judges.

## France

**(2022):** The increase in the number of State Counsellors between 2021 and 2022 is attributed to returns from mobility.

**(2021):** Non-specialised judges, who account for approximately 45% of the staff of the civil and criminal courts, are required to work in both criminal and civil matters. As a result, the distribution between the different types of litigation is not quantifiable, as these assignments fall within the organisational powers of the head of court.

Similarly, certain specialised judges (juvenile judges and liberty and custody judges) are also likely to intervene in both civil and criminal cases due to their areas of competence.

Source DSJ. Data have been rounded up from 0.5, down below. Source: Council of State for the administrative part (data have been rounded).

**(2020):** "The distinction by type of case is not possible in the justice of the judicial order.

Note: the distribution of the processing of civil and criminal cases within the tribunals and courts, which depends on the organization of the jurisdictions, does not allow us to fill in this table. For the administrative courts, the FTEs have been rounded up. The precise non-rounded data can be made available if necessary. "

## Germany

**(2022):** "Other" includes judges handling family cases and labour law cases. In previous cycles, this category also included judges handling cases at the financial and social courts. In accordance with the classification of cases used for question 91, these judges are now allocated to the category "administrative".

"First instance" and "Second instance": Data is taken from the "staff-assignment statistic" of the federal states. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).

"Supreme Court": the figures are taken from the "court-staff statistic" and represent the number (FTE) of judges at the federal courts (Federal Court of Justice, Federal Patent Court, Federal Administrative Court, Federal Finance Court, Federal Labour Court, Federal Social Court, Federal Constitutional Court, Military Disciplinary Courts) as of 31. December 2022. It shows the number of judges (FTE) at the Federal Court of Justice (154) but includes no information on their assignment to civil or criminal cases. According to the website of the Federal Court of Justice, there are currently 114 judges (headcount) assigned to the civil panels and 47 to the criminal panels.

**(2021):** "Other" includes: family cases (at the Local and Higher Regional Courts), cases at the Labour Courts, Social courts, Finance courts

"First instance" and "Second instance": Data is taken from the "staff-assignment statistics" of the Länder. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).

"Supreme Court": the figures are taken from the court-staff statistics and represent the number (FTE) of judges at the Federal Courts (Federal Court of Justice, Federal Patent Court, Federal Administrative Court, Federal Finance Court, Federal Labour Court, Federal Social Court, Federal Constitutional Court, Military Disciplinary Courts) as of 31. December 2020. The statistic is published every second year. It shows the number of judges (FTE) at the Federal Court of Justice (152) but includes no information on their assignment to civil or criminal cases. According to the website of the Federal Court of Justice, there are currently 113 judges (headcount) assigned to the civil panels and 46 to the criminal panels.

**(2020):** "Other" includes: family cases (at the Local and Higher Regional Courts), cases at the Labour Courts, Social courts, Finance courts

"First instance" and "Second instance": Data is taken from the "staff-assignment statistics" of the Länder. It is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).

"Supreme Court": the figures are taken from the court-staff statistics and represent the number (FTE) of judges at the Federal Courts (Federal Court of Justice, Federal Patent Court, Federal Administrative Court, Federal Finance Court, Federal Labour Court, Federal Social Court, Federal Constitutional Court, Military Disciplinary Courts) as of 31. December 2020. The statistic shows the number of judges (FTE) at the Federal Court of Justice (152) but includes no information on their assignment to civil or criminal cases. According to the website of the Federal Court of Justice, there are currently 114 judges (headcount) assigned to the civil panels and 47 to the criminal panels.

Slight horizontal and vertical inconsistencies are caused by rounding.

## **Greece**

**(2022):** There are two categories of judges, those dealing with criminal and civil justice and administrative judges. There is no data on the separation of cases. For the Council of State (Supreme Administrative Court) in administrative cases the judges are 166.

**(2020):** There are two categories of judges, those dealing with criminal and civil justice and administrative judges. There is no data on the separation of cases

## **Ireland**

**(2022):** In all courts, (First Instance, Second Instance and Supreme Court) judges are empowered to deal with all case types within their court jurisdiction. While in some courts, most notably the High Court and the Circuit Court, judges may be assigned to specific cases for a period, nonetheless, all judges can deal with all types of cases within their jurisdiction.

**(2021):** Judges can be assigned to both criminal and civil cases. Although in some jurisdictions, mainly the High Court and Circuit Court, Judges might specialise for a period (sometimes for a period of years) in criminal and civil matters. All Judges can administer all types of cases within their jurisdiction. Administrative cases are not a separate category in Ireland.

**(2020):** Judges deal with both criminal and civil and commercial proceedings. Number of Judges would be the same across all headings (except administrative as already explained) - Court Service

## **Italy**

**(2022):** Judges who do not specifically deal with any of these types of cases, and judges with coordination and management duties.

## Latvia

**(General Comment):** The courts of first instance of general jurisdiction do not explicitly distinguish between the specialization of judges on the basis of the main types of cases, therefore there is not possible to distinguish number of judges by case type (civil and/or commercial cases and criminal cases). Although there is a separate group of judges in the district (city) courts, which primarily hear cases of certain categories.

**(2021):** For Supreme Court - within the number of judges is not indicated number of President of the Supreme Court.

**(2020):** The courts of first instance of general jurisdiction do not explicitly distinguish between the specialisation of judges on the basis of the main types of cases, therefore there is not possible to distinguish the data between civil and or commercial cases and criminal cases.

## Lithuania

**(2020):** the first instance indicates the number of judges of district courts, regional courts and regional administrative courts. Likewise, given that the Supreme Administrative Court is the court of appeal (although the rulings of the Supreme Administrative Court of Lithuania are final and not subject to appeal) the number of judges of this court is encompassed in the 2nd instance. The latter indicates the number of judges of the Court of Appeal of Lithuania and the Supreme Administrative Court of Lithuania.

## Luxembourg

**(2022):** The 5 justices of the Supreme Court, namely the Court of Appeal, adjudicate on criminal, civil and commercial matters.

## Malta

**(2022):** Some judges in the Maltese judicial system preside over both civil and criminal courts. In this instance, such judges have been distributed evenly between the 2 courts.

Administrative cases at first instance are heard by the Administrative Review Tribunal, presided over by 3 magistrates. If appealed, such cases are heard by the Court of Appeal Inferior Jurisdiction presided over by a judge who hears and decides cases appealed from a number of first instance courts (not only the Administrative Review Tribunal). Given that these cases constitute only a fraction of the caseload of this judge, it would be misleading to indicate him as a 2nd Instance judge over appeals from administrative cases.

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**(2020):** Some judges in the Maltese judicial system preside over both civil and criminal courts. In this instance, such judges have been distributed evenly between the 2 courts.

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## Netherlands

**(General Comment):** For SC fte and posts filled are the same. Note that the judges under the category 'Administrative' (Supreme Court) refer to the judges in the tax chamber of the Dutch Supreme Court. With regard to administrative law, the Dutch Supreme Court only handles tax cases and some social security cases. There is no third instance court for other administrative cases in the Netherlands.

Judges often work more than one case type. There is a large overlap, but in the administrative system, only one sector can be registered. Therefore, making a distinction would not be a fair reflection of the true situation and the information is not easily available. This comment does not generally apply to the High Court.

**(2022):** Numbers are on posts filled, not fte. Fte for first and second instance is 2 451.

**(2021):** Numbers are on posts filled, not fte. FTE for first and second instance is 2416.

For SC fte and posts filled are the same. Note that the 11 judges under the category 'Administrative' (Supreme Court) refer to the judges in the tax chamber of the Dutch Supreme Court. With regard to administrative law, the Dutch Supreme Court only handles tax cases and some social security cases. There is no third instance court for other administrative cases in The Netherlands.

**(2020):** Judges often work with more than one case type. There is a large overlap, but in the administrative system, only one sector can be registered. Therefore, while this information is not easily available, making this distinction would also not be a fair reflection of the true situation.

These are positions filled, not fte (like Q46).

## Poland

**(2022):** In case of the Supreme Court "Other" refers to"

-17 judges sitting in the Labour and Social Security Law Chamber dealing with the labour law and social security law cases;  
-17 judges sitting in the Extraordinary Review and Public Affairs Chamber dealing, inter alia, with the extraordinary appeals in the civil and criminal law cases, the safeguard of the fundamental rights and freedoms, competition and consumer protection cases, some registration cases as well as election protests and protests concerning the validity of a national referendum, cases concerning the regulation of energy, telecommunications and postal services, rail transport, as well as the regulation of the water and sewage market or complaints concerning the excessive length of proceedings. From the whole number of 90 Supreme Court Judges, 11 Supreme Court Judges are randomly chosen to adjudicate in the Professional Liability Chamber.

**(2020):** 1. Supreme Court - the 13 judges of the Supreme Court Chamber of Labour Law and Social Insurance appear in the column "other" together with the 18 judges of the Extraordinary Review and Public Affairs Chamber and the 13 judges of the Disciplinary Chamber.

## Portugal

**(2022):** As there are judges who have civil and criminal competences at the same time, it is not possible to discriminate judges by civil and commercial matters. Therefore, the judges of the judicial courts were all included in the column "other".

**(2021):** As there are judges who have civil and criminal competences at the same time, it is not possible to distinguish judges by civil and commercial matters. Therefore, the judges of the judicial courts were all included in the column "other".

**(2020):** As there are judges who have civil and criminal competences at the same time, it is not possible to distinguish judges by civil and commercial matters. Therefore, the judges of the judicial courts were all included in the column "other".

## Romania

**(General Comment):** The statistical system does not collect information regarding a breakdown in the number of judges based on the different legal matters.

**(2022):** The statistical system does not collect information regarding a breakdown in the number of judges based on the different legal matters.

**(2020):** In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above judges from tribunals and courts of appeal shall be included in the category "second instance professional judges", even if according to the procedural provisions in terms of competences tribunals may judge both as first and instance court and for certain procedural circumstances (material and personal) even the courts of appeal may judge in first instance. Moreover even the High Court can judge in first instance for example in criminal cases according to the personal competence rules of procedure.

### Slovak Republic

**(2022):** For example hosting judges - can not be involved in one case type, presidents of the courts. The distribution of administrative judges per instance is made based on the instance level of the court where they work and not based on the instance of the cases for which they are responsible. When comparing the data presented in the table right above with the question Q046, a discrepancy of 11 judges in the overall count comes to light. It is imperative to clarify that Slovak Republic used a different methodology for these two questions. Here in the question Q046-2, it involved calculating an annual average for the number of judges per matter, instead of the critical moment of 31st of December as for Q046-2.

**(2021):** The Supreme Administrative Court had 21 administrative judges in 2021, included in Second instance.

### Slovenia

**(General Comment):** Since 2021, data on judges classified by legal fields is collected by approximating the time an individual judge is working on a certain type of cases. The category "Other" does not include judges involved in the court management. Judges involved in court management are partially or entirely relieved from adjudicating cases. The data is reported as actual presence (not FTE).

The category "Other" corresponds to "Other cases" at Q91: free legal aid at district courts, labour courts and at the Administrative court, enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction), international attestations at district courts, attestations according to the Hague convention at district courts.

**(2022):** The data is only approximate - please see general comment. The data is reported as actual presence (not FTE) and therefore not compatible with Q46. As already mentioned in the frame of Q46, the number of judges in the Slovenian judicial system in 2022 was 767,15 according to actual presence calculations. The category "Other" does not include judges involved in the court management (additional 39 judges).

**(2021):** The data is only approximate - please see general comment. The data is reported as actual presence (not FTE) and therefore not compatible with Q46.

**(2020):** There is no data for 2020. In 2021, the data on judges by legal fields was collected for the first time (by approximating the time and workload an individual judge is working on a certain type of cases). Since the methodology of reporting is yet to be revised and elaborated, we can only report approximate numbers. For distinction on Civil and/or Commercial/Criminal/Administrative/Other please see comments to Q91, 93 and 94.

First instance judges: Civil and/or commercial: 62% (approx. 396 judges); Criminal: 33% (approx. 214 judges); Administrative: 4% (approx. 28 judges), Other: 1% (approx. 5 judges)

Please note: the judges at the Administrative Court that resolve administrative cases at first instance have the rank of a higher judge.

Second instance judges: Civil and/or commercial: 66% (approx. 77 judges); Criminal: 34% (approx. 39 judges); Administrative: /, Other: /

Supreme court judges: Civil and/or commercial: 57% (approx. 16 judges); Criminal: 18% (approx. 5 judges); Administrative: 25% (approx. 9 judges), Other: /

## Question 052

### Austria

**(General Comment):** Starting from 2021, the “Kanzlei” who are responsible for handling of case files are no more counted as “other staff” but as “staff in charge of different administrative tasks and of the management of the courts”. Moreover, starting from 2021, “technical staff” also includes staff working at the courts’ IT departments. “Other staff” only includes trainees (including trainees for Rechtspfleger) and staff representation. The trainees concerned are nearly all trained for the handling of case files. A small number of trainees is trained for IT-support. Generally speaking, in the last years, efforts were made to enhance the methodology of presentation of data for Q52 and ensure better compliance with the CEPEJ categorization.

**(2021):** Starting from 2021, the “Kanzlei” who are responsible for handling of case files are no more counted as “other staff”, but as “staff in charge of different administrative tasks and of the management of the courts”. “Other staff” only includes trainees (including trainees for Rechtspfleger) and staff representation. Moreover, starting from 2021, “technical staff” also includes staff working at the courts’ IT departments, therefore the number is higher than in previous years.

**(2020):** "Other": Handling of case files (“Kanzlei”)

2. Non-judge (judicial) staff whose task is to assist the judges: the increased number concerns administrative courts.

**(2019):** Non-judge staff whose task is to assist the judges: more staff at the administrative courts  
Staff in charge of different administrative tasks and of the management of the courts: more staff  
Other: Handling of case files (“Kanzlei”)

**(2018):** Handling of case files (“Kanzlei”)

**(2017):** The data also include those of administrative courts.

**(2016):** This cycle administrative courts were taken into account for the first time.  
The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

**(2015):** The right (not rounded) numbers are:

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5) 4734,55 - 1407,08 - 3327,47

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal 798,11 - 331,63 - 466,48

2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions) 19,05 - 1 - 18,05

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management) 439,56 - 155,86 - 283,70

4. Technical staff 21,70 - 9,85 - 11,85

5. Other non-judge staff 3456,13 - 908,74 - 2547,39

**(2014):** The numerical values in the table have been rounded. The most exact replies for this period would be: total non-judge staff: 4 704,51 (1 388 Male, 3 316,51 Female); Rechtspfleger: 784,78 (320,21 Male, 464,57 Female); non-judge staff whose task is to assist the judges: 19,18 (1 Male, 18,18 Female); staff in charge of different administrative tasks: 438,97 (159,85 Males, 279,12 Females); technical staff: 23,05 (9,95 Males, 13,10 Females); other non-judge staff: 3 438,53 (896,99 Males, 2 541,54 Females).

### Belgium

**(2022):** The variance in comparison to the 2020 data for points 2 and 3 stems for the inclusion of legal aides supporting judges, who were previously categorized under point 3 (with administrative staff) rather than point 2.

**(2019):** "Technical personnel": the slight increase observed between 2018 and 2019 results from investments in personnel.

**(2013):** The number of women per category is as follows: Total: 3839,45; category 2: 1212,62; category 3: 2031,93; category 4: 594,90.

**(2012):** The 2d category "non-judge staff whose task is to assist the judges such as registrars" covers clerks and referendaries; the 3d category "staff in charge of different administrative tasks" includes HRM staff, seconded staff to specific authorities of the judicial organisation and administrative staff of the court registry. This distribution can be presented with the following figures: Total: 5457,95 (3930,35 women); 2: 1707,72 (1166,52 women); 3: 2766,23 (2075,73 women); 5: 984 (688,10 women).

## **Bulgaria**

**(General Comment):** Since 2012, the category "other" encompasses the number of non-judge staff employees working in the recreational field, while in 2010 it subsumes the number of court assistants. The Judicial Administration Commission does not keep statistics of those who are trained, as well as of trainee judges. There are junior judges in the courts in the country, for whom Judicial Administration Commission has no relation, no data. Accordingly, the total number of judicial employees in the courts does not include trainee judges.

**(2019):** Since 2012, the category "other" encompasses the number of non-judge staff employees working in the recreational field, while in 2010 it subsumes the number of court assistants.

**(2017):** These are the staff employed in the recreational establishments of the Supreme Administrative Court and the Supreme Court of Cassation such as: manager of the training center, chefs, worker in the kitchen, bartender, waiter, tendant.

**(2015):** Unlike the previous evaluation cycles, now we indicate the figure 502 – technical staff (it includes drives, cleaning staff, guards, etc.), which reduce the number of the employees engaged with administrative tasks and court management under number 3.

Other non-judge staff includes 55 court servants working in recreation department.

**(2013):** The number of non-judge staff assisting judges includes the number of all court staff from the so called specialized administration supporting judges, including court secretaries and court assistance, while for 2010 it subsumes only court secretaries. The category "staff in charge of different administrative tasks" subsumes the number of non – judge staff of general administration.

**(2012):** The number of non-judge staff assisting judges includes the number of all court staff from the so called specialized administration supporting judges, including court secretaries and court assistance, while for 2010 it subsumes only court secretaries.

## **Croatia**

**(General Comment):** The total number of non-judicial staff is a result of a deduction and subsumes only actually working staff. Thus, the total does not include staff on unpaid leave; staff on maternity leave; staff suspended after disciplinary procedures; staff transferred to other State bodies (for example the Ministry of Justice or Judicial Academy). Besides, two non-judicial officials working half-time (for the reason of care for a child with special needs) are counted as 1 non-judicial official. The reason for fluctuation and differences in the number of Rechtspflegers in Republic of Croatia is that they work for 2 years, then prolonged 5 years and then they get a permanent post or not.

**(2022):** The data refer to civil servants and employees employed for an indefinite period.

The number does not include those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**(2015):** The Republic of Croatia submits correct numbers of non-judge staff who are working in courts for previous cycles (2012, 2013 and 2014), because in the previous cycles this number included the staff working for public prosecutors. Therefore, the correct numbers for these cycles are now provided.

**(2014):** In 2013, the number of "Rechtspfleger" included judicial advisors because they work autonomously on cases, on the one hand, and staff who are not judges, but who can enact decisions (land registry officials and court registry officials), on the other hand. In 2014, the interpretation changed and judicial advisors were moved to the category "non-judicial staff whose task is to assist the judges", since they work autonomously but their decision must be signed by a judge.

**(2013):** The variations between 2012 and 2013 in respect of certain sub-categories are due only to a different methodology of classification. The total is slightly different for the two years.

## Cyprus

**(General Comment):** The total number of non-judge staff includes clerical staff and also court bailiffs.

**(2022):** court bailiffs

Increase in the needs of the court led to appointment of more employees.

**(2021):** court bailiffs

**(2020):** Other non-judge staff includes court bailiffs. Differences in number of staff compared to previous year come from new appointments and retirements.

**(2018):** Court bailiffs are included in category Other.

**(2017):** court bailiffs

**(2016):** court bailiff

in 2014 the correct number for male no judge staff assisting the judge should be 9

Question 52: if we change the number of male non judge staff assisting the judge for 2014 from 23 to 9, we must also change the number of non-judge staff assisting judges from 143 to 129 and also the total from 462 to 448. Do you agree on up-dating in this way 2014 data in order to ensure the consistency of the table? the numbers for 2014 must also be changed

**(2015):** Between 2014 and 2015, there was a change in the distribution of non-judge staff. In 2014, in the category "staff in charge of administrative tasks", only the number of high-level administrative staff was included. The other administrative staff were included in the category "other non judge staff". Whereas in 2015, all administrative staff were included in the category "staff in charge of administrative tasks". This change of distribution leads to significant variations.

**(2014):** Variations concerning data on different categories of non-judge staff are due to different methodology of presentation of data used for 2014 and the previous evaluations.

## Czech Republic

**(General Comment):** The category "other" encompasses for 2010 judicial trainees or staff in charge of court documentation. For 2012, 2013 and 2014, besides the already mentioned components, it subsumes also press centre and telephone exchange.

The judicial trainee is entitled to perform the acts of the court under the conditions and to the extent specified in factual and time plan of the preparatory service which is compiled by the chairman of the regional court after consultation with the advisory board for the education of trainees. The plan must be focused in such a way that the training for the performance of the function of a judge serves in particular to:

- a) deepening the trainee's professional knowledge of substantive and procedural law,
- b) developing the trainee's ability to apply legislation in a specific matter,
- c) gaining knowledge of individual agendas maintained by courts and their implementation,
- d) acquisition of procedural procedures and habits necessary for the performance of the function of a judge,
- e) acquaintance with ethical principles related to the performance of the function of a judge.

In accordance with the preparatory service plan, the trainee performs preparatory service at a district or regional court. The trainee is usually assigned to one judge. Familiarization with individual court agendas is ensured by the fact that the president of the court where the judicial trainee is currently located gradually assigns the trainee to individual court departments.

The preparatory service includes adaptation courses, seminars and lectures organized by the Judicial Academy and educational activities organized by court for at least 2 days per month.

Nowadays, there are few judicial trainees and in 2022 the title will be replaced by a „judicial candidate“.

**(2017):** Other - judicial trainees, staff in charge of court documentation, press centre and telephone exchange.

**(2016):** Other - judicial trainees, staff in charge of court documentation, press centre and telephone exchange.

**(2015):** In 2015, compared to 2014, the number of non-judge staff increased due to a project financed from the European social fund and state budget: "Project on improvement of the efficiency of courts by strengthening of the administrative capacities". The project is running until 30th December 2015.

**(2014):** In 2014, the number of non-judge staff increased due to a project financed from the European social fund and State budget: "Project on improvement of the efficiency of courts by strengthening of the administrative capacities". The project is running until 30th December 2015.

## Denmark

**(2020):** -

**(2019):** information NA

**(2017):** "other non judge staff" - in 2017 there was no staff to fit into this category.

**(2016):** The 2016 data on the number of *receptspfligere* is correct. The discrepancy that occurs compared to 2014 data is due to a mistake in the 2014 numbers.

## Estonia

**(2020):** Trainees are not included in the numbers provided for Q52 and Q52-1.

**(2019):** Court interpreters are in the category "other non-judge staff".

**(2018):** Court interpreters are in the category "other non-judge staff".

**(2017):** The increase in the number of male staff in charge of administrative tasks is due to the general movement of personnel.

"Other non-judge staff": Court interpreters.

**(2016):** The observed variations in the numbers with regard to the different sub-categories are due to a general movement of staff.

In 2015, a reform of the Land Registry and Registration Department was carried out, during which the four districts were brought together registry and land registry departments to the Tartu County Court, thus establishing one land registry department and one registry office. The reform involved significant optimization of work processes and dossiers which resulted in the reduction of staff working in the registers. The objectives and results of the reform were largely achieved because registries are kept electronically, and individuals can largely interact with the registers, transmit and receive documents electronically.

**(2015):** The number of technical staff has been decreasing due to redundancies in the Registration and Land Registry Departments. The project of court lawyers was carried out having in mind that the Registration and Land Registry departments are fully digital. Therefore there is a possibility to decrease the number of technical staff.

**(2014):** A pilot project has been introduced in 2013 in one county court consisting in providing each judge with a personal legal assistant. After the first year of the pilot project, the average proceeding times in civil cases in that particular court dropped from 201 days to 160 days; after the second year the average proceeding times dropped further to 132 days. In 2015, the project has been extended to all first and second instance courts.

**(2013):** Since 2013, the second category includes a new position among court staff – judicial clerks. They assist judges in the administration of justice, participating in the preparation of court cases or in court proceedings. They replace step by step former consultants. There is one judicial clerk for every judge. In 2013, the reform was implemented in the largest court of general jurisdiction as a pilot (Harju County Court). In 2015, it was extended to all first and second instance courts.

**(2012):** The overall number of court staff has not changed much during the last years: 976 (2010), 957 (2012) and 990 (2013). Differences in figures in the sub-categories are due to the different categorization of court staff.

## Finland

**(General Comment):** The Finnish court staff organisation does not correspond to the CEPEJ subcategories. Therefore, only the total of non-judge staff can be provided for the question 52. Office staff has tasks mentioned in the categories 2-5. Summoners' tasks are for example to serve summons, subpoenas and other documents. Trainee judges have the same responsibility as judges but they do not have competence to deal with difficult cases. They are always appointed for a fixed term period (one year). In the courts of appeal, the administrative courts, the Supreme Court, the Supreme Administrative Court, the Labour Court and the Market Court a referendary prepares and presents a case to the judges but the final judgment is decided by the judges. The tasks of trainee judges and referendaries correspond to the categories 1 and 2.

1. "Rechtspfleger (or similar bodies)": The senior judge of a district court may appoint in writing a member of the office personnel at the district court who has given an affirmation corresponding to the judge's affirmation, who has received sufficient training and who has sufficient skills to attend to the duties: (1) in cases referred to in Chapter 5, section 3 of the Code of Judicial Procedure: (a) to give judgments by default; (b) to give, on the basis of Chapter 21, section 8(c) of the Code of Judicial Procedure, decisions and judgments on court costs, if the respondent has conceded the claim; (c) to decide on the staying of an action if the plaintiff has withdrawn the action and the respondent does not call for a decision in the case; (2) to decide on applications for divorce on the basis of section 25, subsection 1 of the Marriage Act (234/1929) if both spouses are domiciled in Finland. If the case to be decided by office personnel, as referred to in subsection 1, proves to be extensive, subject to interpretation or otherwise difficult to decide, the case shall be transferred for a decision of a notary or a legally trained judge at the district court. The chief judge of a district court may appoint in writing a member of the office personnel at the district court who has sufficient skills, to issue summons and certificates, to effect service of documents and to attend to other duties connected to the preparation, consideration or enforcement of administration of justice matters. Before taking such tasks the staff member must give an oath. (Courts Act, Chapter 19, Section 6).

**(2022):** The total non-judge staff includes office staff 1521, summoners 274, trainee district judges 135 and referendaries 264.

**(2021):** The total non-judge staff includes office staff 1530, summoners 269, trainee district judges 131 and referendaries 278.

1. "Rechtspfleger (or similar bodies)": The senior judge of a district court may appoint in writing a member of the office personnel at the district court who has given an affirmation corresponding to the judge's affirmation, who has received sufficient training and who has sufficient skills to attend to the duties: (1) in cases referred to in Chapter 5, section 3 of the Code of Judicial Procedure: (a) to give judgments by default; (b) to give, on the basis of Chapter 21, section 8(c) of the Code of Judicial Procedure, decisions and judgments on court costs, if the respondent has conceded the claim; (c) to decide on the staying of an action if the plaintiff has withdrawn the action and the respondent does not call for a decision in the case; (2) to decide on applications for divorce on the basis of section 25, subsection 1 of the Marriage Act (234/1929) if both spouses are domiciled in Finland. If the case to be decided by office personnel, as referred to in subsection 1, proves to be extensive, subject to interpretation or otherwise difficult to decide, the case shall be transferred for a decision of a notary or a legally trained judge at the district court. The chief judge of a district court may appoint in writing a member of the office personnel at the district court who has sufficient skills, to issue summons and certificates, to effect service of documents and to attend to other duties connected to the preparation, consideration or enforcement of administration of justice matters. Before taking such tasks the staff member must give an oath. (Courts Act, Chapter 19, Section 6).

**(2020):** The total non-judge staff includes office staff 1477, summoners/process serves 273, trainee district judges 137 and referendaries 275. 1. "Rechtspfleger (or similar bodies)": The senior judge of a district court may appoint in writing a member of the office personnel at the district court who has given an affirmation corresponding to the judge's affirmation, who has received sufficient training and who has sufficient skills to attend to the duties: (1) in cases referred to in Chapter 5, section 3 of the Code of Judicial Procedure: (a) to give judgments by default; (b) to give, on the basis of Chapter 21, section 8(c) of the Code of Judicial Procedure, decisions and judgments on court costs, if the respondent has conceded the claim; (c) to decide on the staying of an action if the plaintiff has withdrawn the action and the respondent does not call for a decision in the case; (2) to decide on applications for divorce on the basis of section 25, subsection 1 of the Marriage Act (234/1929) if both spouses are domiciled in Finland. If the case to be decided by office personnel, as referred to in subsection 1, proves to be extensive, subject to interpretation or otherwise difficult to decide, the case shall be transferred for a decision of a notary or a legally trained judge at the district court. The chief judge of a district court may appoint in writing a member of the office personnel at the district court who has sufficient skills, to issue summons and certificates, to effect service of documents and to attend to other duties connected to the preparation, consideration or enforcement of administration of justice matters. Before taking such tasks the staff member must give an oath. (Courts Act, Chapter 19, Section 6).

**(2019):** The total non-judge staff includes office staff 1455, summoners 267, trainee district judges 135 and referendaries 271

**(2018):** The total non-judge staff includes office staff 1435, summoners 263, trainee district judges 136 and referendaries 297.

**(2017):** Office staff 1440, summoners 263, trainee judges 122, referendaries 312

**(2016):** office staff 1473, summoners 248, trainee district judges 136, junior district judges 1, referendaries 312

**(2015):** office staff 1428, summoners 265, trainee district judges 138, junior district judges 5, referendaries 309

**(2014):** For the 2014 exercise the total of 2 161 subsumes 1 434 office staff, 266 summoners, 136 trainee district judges, 7 junior district judges and 318 referendaries.

**(2013):** For 2013, the total of 2 196 subsumes 1 445 office staff, 265 summoners, 133 trainee district judges, 7 junior district judges, 346 referendaries.

**(2012):** For 2012, the total of 2 214 subsumes 1 447 office staff, 264 summoners, 129 trainee district judges, 9 junior district judges, 365 referendaries.

## France

**(2022):** The category of 'Other non-judge personnel' encompasses legal assistants and specialized assistants who do not work for the prosecution. Also included in the category of 'Non-judicial personnel assisting judges similar to court clerks' are Category B contract staff recruited under the justice support plan implemented since the second half of 2020 on the sole basis of Article 7 bis of Law No. 84-16 of January 11, 1984 concerning statutory provisions relating to State civil service created by the Public Service Transformation Act of August 6, 2019 establishing project contracts. These contractors are hired for a period of three years.

The significant increase in their number (489 more than in 2021) combined with that of court clerks (+2787 compared to last year) as well as other non-judge personnel (+104 compared to last year) contributes to an overall increase reported for the year 2022.

As at December 31st, 2022, 1,549 Category A and B agents (including 1,066 women) were undergoing initial training at École Nationale des Greffes (European School), most of them undertaking practical internships within judicial institutions. These individuals will join the judiciary during either this or next year significantly increasing the number of agents working in judicial institutions and regional administrative services.

Regarding the 'staff responsible for tasks related to the administration and management of courts', the observed increase is linked to the implementation of a proactive policy to reinforce SARs and support chief justices' secretariats (increase in the number of court registry directors in SARs, increase in the number of administrative secretaries...).

**(2021):** Concerning the total of 22 115, it should be noted that this figure includes 597 legal assistants and specialised assistants working for the courts and 939 contractual staff recruited in the framework of local justice. The "other non-judge staff" correspond to legal assistants and specialised assistants who do not work for the prosecution services. The category "non-judge (judicial) staff whose task is to assist the judges such as registrars" includes the category B contractual staff recruited under the support plan for justice implemented since the second half of 2020 on the sole basis of Article 7 bis of Law No. 84-16 of 11 January 1984 on the statutory provisions relating to the State civil service, created by the law on the transformation of the civil service of 6 August 2019, which institutes the project contract. These contractual employees are recruited for three years. The significant increase in the number of these contractual staff (240 more than in 2020), combined with the increase in the number of court clerks (+221 compared to last year) and the increase in the number of other non-judge staff (+210 compared to last year), contributes to the increase in the overall figures communicated for the year 2021. As on 31 December 2021, 1 666 category A and B staff (including 1 383 women) were undergoing initial training at the "École nationale des greffes", most of them on practical training in the courts. These staff will join the courts in 2022 or 2023, which will significantly increase the number of staff working in the courts and the regional administrative services.  
Source DSJ

**(2020):** "Non-judge staff" correspond to legal assistants and specialized assistants who do not work for the prosecution service. Unlike in previous years, this distinction could be made for the numbers in 2020, which explains the decrease in the figures provided compared to the previous year. The category "Non-judicial staff responsible for assisting judges, like registrars" includes the category B contractual employees recruited under the plan to support justice, implemented since the second half of 2020 on the sole basis of article 7bis of the law n°84-16 of January 11, 1984, concerning statutory provisions relating to the State civil service, created by the law on the transformation of the civil service of August 6, 2019, instituting the project contract. These contract employees are hired for 3 years.  
As of 12/31/2020, 1,699 category A and B agents (including 1,388 women) were undergoing initial training at the National School of Clerks, most of whom were on practical training in the courts. These personnel will join the courts during 2021 or 2022, which will significantly increase the number of agents working in the courts and regional administrative services.  
The data compiles data from the judicial and administrative justice systems. Interns are not included. "

**(2019):** As of 31/12/2019, 1,693 category A and B staff (including 1,408 women) were undergoing initial training at the "Ecole nationale des greffes", most of them on practical training courses in the courts. These staff will join the courts in 2020 or 2021, which will significantly increase the number of staff working in the courts and regional administrative departments.  
Other non-judge staff includes specialised assistants (106, 48 men and 58 women) and legal assistants (422, 93 men and 329 women) working in the civil and criminal courts. The increase in the number of legal assistants between 2018 and 2019 is due to the creation of new budgetary posts obtained.

**(2018):** With the exception of heading 5 "Other non-judge staff", the distinction between staff attached to judges and staff attached to prosecutors is not possible

At the date of 31/12/2018, 1,173 category A and B staff (including 1,003 women) were in initial training at the National School of Registries, most of whom were on practical training in the courts. These staff will join the courts in 2019 or 2020, which will significantly increase the number of staff working in the courts and regional administrative services.

"Other non-judge staff" includes specialised assistants and assistant lawyers who assist non-judge prosecutors in their duties. The detail by function and gender is as follows:

Categories	Total	Male	Female
Specialized assistants	23	13	10
Assistant lawyers	245	53	192
Total	268	66	202

**(2017):** The distinction between staff attached to judges and staff attached to prosecutors is not possible. Namely, the sub-category 2 encompasses specialised assistants (31) and assistant lawyers (242), who assist civil and penal judges or prosecutors in the preparation of case files.

**(2016):** No distinction is possible between staff attached to courts and staff attached to public prosecution services. The category "Other non-judge staff" refers to specialized assistants (18) and legal assistants (111) who work in civil and penal courts.

**(2015):** It should be noted that as of 31 December 2015, 1013 categories A and B staff (including 886 women) were in initial training at the Ecole nationale des greffes (French National School for Registrars), most of them in practical training in courts. This high volume of staff has joined the courts in 2016 or will do so in 2017, which will increase the number of staff actually working in the courts and regional administrative offices.

The distinction between staff in charge of assisting judges and staff in charge of assisting prosecutors is not possible. The latter are therefore part of the figures provided.

**(2013):** The 2013 data encompasses non-judge staff appointed to judges and public prosecutors. On 31 December 2013, 1064 agents were in initial training. They joined courts of law in 2014 or will do in 2015. Among the 21946 non-judge staff, 1911 were appointed to administrative courts. The 274 agents of the State Council counted in 2012 were appointed to a support function and are therefore excluded from the 2013 figures. The size of the litigation section of the State Council represents 87 FET. The staff of the National Court for asylum right has also been taken into account in categories 2, 3 and 4 for a total of 325 FET (not counted until 2013). In 2013, the State Council distributed non-judge staff which was before included in the category "other" in the proposed categories.

**(2012):** On 31 December 2012, 1039 staff were in initial training at the National School for Registrars, most of them in practical training in courts. They joined the tribunals in 2013 or will do so by 2014, which will increase the number of agents actually in office in courts and regional administrative services. Data pertaining to administrative courts is classified within the category "other" because of the versatility of their staff (1,505.5 FTE). As for the State Council, the number in FTE of the non-judge staff is 274.

## Germany

**(General Comment):** Data is taken from the "staff-assignment statistic" of the federal states and represents an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training). The staff-assignment statistic do not distinguish between male and female staff.

**(2022):** "Other non-judge staff" represents:

- staff on the basic level career track as far as not allocated to categories 1 - 4 (including motorpool staff, staff at court cashiers' offices, internal mail and file delivery service, maintenance etc.)
- staff in staff representation bodies, as representatives for staff with disabilities and as gender equality commissioners

Discrepancies of technical staff and other non-judge staff:

The categorisation of staff allocated to "other non-judge staff" was revised and corrected in comparison to previous cycles. Staff on unpaid leave for training purposes was removed. Reception and security services were formerly allocated to "other staff". In alignment with the Explanatory Note, reception and security services are now allocated to the category "technical staff". Other potentially "technical" staff such as motorpool or maintenance staff are not recorded separately in the "staff-assignment statistic" but only together with other lines of work as "staff at basic level career track together".

**(2021):** These figures denote the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

**(2020):** These figures denote the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

**(2019):** These figures denote the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

**(2017):** This figures denotes the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

**(2016):** This figures denotes the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

Comments:

These are personnel-deployment figures denoting the number of full-time equivalent employees not exercising judicial office. Personnel-deployment figures are not collected according to reference date. Instead, an annual average is calculated over four quarters. There are no absolute figures for the number of persons making up this staff. An employee working full hours is counted as a full-time equivalent (i.e. 1). An employee working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for an employee working half the usual number of hours). Figures for the federal courts are not included.

**(2014):** The 2013 and 2014 data are the same due to the impossibility to obtain data for 2014. The trend observed since 2010 reveals stable figures.

## Greece

**(2020):** The above figures include civil servants, permanent and those with a private law relationship of indefinite duration

**(2016):** Previous data did not, inadvertently, exclude staff working for the public prosecution services.

## Hungary

**(General Comment):** • Court secretaries („bírószági titkár”) are employees of the court that are similar to Rechtspfleger. They are lawyers, who after acquiring a degree at a law faculty have made the bar exam (which requires at least 3 years professional practice). They are enabled to perform duties of judges in cases specifically defined by law. According to the Constitution when a court secretary is dealing with a case he/she has the same independence as a judge. In criminal cases they can make out of trial decisions (e.g. order an expert to be included in the case), or they can hear witnesses on request of another court. This practically means they assist the judges in pre-trial phase of the case. In misdemeanour cases they adjudicate the case - this is an area of law in which mostly court secretaries deal with cases of first instance. In civil and labour cases they can make any decision that can be made without hearing the case. This practically means they assist the judges in pre-trial phase of the case. In administrative non-litigious cases they can make any decision that can be made without hearing the case. In company registry cases they can make every decision, as well in insolvency cases (with some exceptions).

• From 2012, the category "non-judge staff assisting judges" includes only staff directly assisting judges. • Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**(2022):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**(2021):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**(2020):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**(2018):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**(2017):** Other non-judge staff includes staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**(2016):** Other non-judge staff includes Staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**(2015):** For the gender ratio we are only able to provide the total figures.

Other non-judge staff (5) includes Staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

**(2014):** In 2014, the category "other" includes "staff in charge of different administrative tasks", "technical staff" and some of those judicial employees who in 2012 were counted as "non-judge staff whose task is to assist judges".

**(2013):** The methodology of presentation of data used in 2013 is different. Some of those judicial employees who in 2012 were included in the category "non-judge staff whose task is to assist judges" were taken into account in the category "other". The latter includes in 2013 the total number of "staff in charge of different administrative tasks" and "technical staff" because these numbers could not be separated within the national database.

**(2012):** Court secretaries are enabled to perform duties of judges in cases specifically defined by law. The increase of the number of Rechtspfleger was mainly due to the expanding scope of their authority according to the amended procedural codes. More administrative tasks and cases of lesser difficulties are dealt with by Rechtspfleger. The category "non-judge staff assisting judges" includes in 2012 only staff directly assisting judges while in 2010, it encompassed other staff as well. In 2012, staff whose task does not consist in directly assisting judges was included in the item "other".

## Ireland

**(General Comment):** Staff numbers in the Irish Courts Service are computed on the basis of "Full-time equivalent" resources, requiring that staff numbers include decimal points, reflecting part-time, work-sharing and other reduced time working arrangements. As decimal points are not imputable to this question in the data base, it has been necessary to round up or round down figures.

**(2022):** 2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions): In 2020 the following were counted: staff in Court offices, court going staff including Judicial Assistants and Tipstaff - District, Circuit & High Court including Judicial Assistant and Tipstaff, Court of Appeal including Judicial Assistant, Supreme Court Judicial Assist and Tipstaff. In 2022, Court Operational Directorates/Regional/Judicial Assistants staff are included in this figure. It also includes Tipstaff/Service Officers and Court Messengers.

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management): for 2020 ICT Staff were including in this figure. In 2022 ICT Staff are not included in this figure.

4. Technical staff: for 2022, ICT Staff and Cleaning Staff are included in this figure.

**(2021):** The discrepancies with previous data are explained by staffing fluctuations.

**(2017):** As concerns the increase observed in the number of female staff in charge of different administrative tasks, additional staff have been employed since the last reporting cycle.

**(2016):** With regard to the category "staff in charge of different administrative tasks", additional staff have been employed since the last reporting cycle.

**(2015):** Figures have rounded up or down to adjust for the fact that actual personnel resource numbers are calculated to decimal points to reflect employment of part of a full-time personnel resource (e.g. where work-sharing arrangements are in place).

**(2013):** The reduction in the number of Rechtspfleger since 2012 reflects in part the appointment of number of County Registrars falling within the Rechtspfleger category as Specialist Judges of the Circuit Court. There were also a number of vacant posts at the end of 2013.

## Italy

**(General Comment):** The category "other non-judge staff" encompasses assistants, receptionists, porters and other judicial staff. As a general remark, it should be stressed that the high percentage of "other non-judge staff" in Italy is due to a very strict interpretation of the definition of the main categories. The specialized first instance courts that are not administered and financed by the Ministry of Justice (regional audit commissions, local tax commissions and military courts) are not taken into consideration at question 52.

**(2022):** Within the framework of the National Recovery and Resilience Plan (PNRR), the Ministry of Justice has carried out an extraordinary recruitment process to strengthen the so-called "Trial Office". This is an organisational tool consisting in the creation or the reinforcement of support teams for judges, with fixed-term employment and with the aim of reducing the backlog and the disposition time. This measure also improved the quality of justice by supporting judges in their normal activities of study, legal research, drafting documents, organising documents and thus allowing judges to concentrate on more complex tasks.

**(2021):** The number of staff has increased due to the hiring of new personnel through public competition.

**(2018):** Since 2018, the figures have also included court staff belonging to Administrative Justice.

**(2016):** According to the data provided for 2014, 2015 and 2016, we can notice a downward trend as concerns the number of technical staff (a decrease of 28% between 2014 and 2015 and a decrease of 26% between 2015 and 2016), especially the number of female staff (a decrease of 33% between 2014 and 2015 and of 32% between 2015 and 2016). An explanation of these variations is not available at this stage.

**(2015):** 'Other non-judge staff' includes: assistants, receptionists, porters and other judicial staff. The high percentage of "other non judge staff" in Italy is due to a very strict interpretation of the definition of the main categories.

## Latvia

**(General Comment):** The work of the Judicial Council is ensured by the secretariat of the Judicial Council which is a division of the Supreme Court. This means that the activities of the Council for the Judiciary are provided from the resources of the Budget of the Supreme Court.

**(2022):** Other non-judge staff - Supreme court: division of case-law and research, division of provision regime of secrecy, staff of secretariat of the Council for the Judiciary. The observed variations in the different categories are due to changes in court staff.

**(2021):** Other non-judge staff: Supreme Court - Division of case-law an research, Division of provision of regime of secrecy, Staff of secretariat of the Council for the Judiciary. In general at the end of 2021, there were many vacancies for court staff for the first and second instance courts, therefore also there are differencies in the number of court staff. In the previous cycles, the numbers for court staff for the first and second instance courts were calculated a little bit different, there were included also vacancies.

**(2020):** The observed variations in the different categories are due to changes in court staff. Other for Supreme Court - Division of case-law and research, Division of provision of regime of secrecy, Staff of the Secretariat of the Council for the Judiciary. Trainees are not included in the number provided of the non-judicial staff.

**(2019): Other non - judge staff:** Staff of the Division of case-law and research, Division of provision of regime of secrecy and Secretariat of the Council for the Judiciary, as well consultants (desk officers) of the Supreme Court of Latvia. The overall discrepancies starts from 2018 due to court reform (Land Registry offices integrated in general jurisdiction courts and historically high turnover rate). The data between 2018 and 2019 are very similar.

**(2018):** Discrepancy due to court reform (Land Registry offices integrated in general jurisdiction courts and historically high turnover rate).

**(2017): Other non-judge staff-** this staff is for Supreme Court - Staff of Division of case-law and research staff, Division of provision of regime of secrecy staff, the Supreme Court of Latvia consultants and Secretariat of the Council for the Judiciary

Starting from 2015 till March, 2018 there were introduced court reform where the judicial map was revised. In the course of the court reform, several courts were merged, legally creating one larger court. On the other hand, in this new territory, the existing courts continue operating as the new body of the joint court, providing the opportunity for citizens to submit the documents at any place of the court. The court reform affected also the changes in the number of court staff, some positions were combined, some positions changed.

**(2014):** The category "other" includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings. For 2014, it also subsumes consultants of the Supreme Court.

**(2013):** The category "other" includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings.

**(2012):** The category "other" includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings.

## Lithuania

**(General Comment):** The category "other" includes translators, court psychologists, it encompasses also other helping staff (civil servants and working under the labour agreement).

**(2022):** Other staff – translators and psychologists.

**(2021):** Psychologists and translators.

**(2020):** Other staff – translators and psychologists.  
There is no such a position as trainee judges in the Lithuanian court system.

**(2019):** Other staff - translators and psychologists.

**(2018):** Other non-judge staff – translators and psychologists.

**(2017):** Other staff – translators and psychologists.

**(2016):** In 2015 the number of technical staff has decreased while at the same time the number of staff assisting judges has increased.

**(2014):** The National Courts Administration has never collected data on statistics of court personnel according to the gender. The data, which was provided in earlier evaluation cycles, was preliminary data, manually gathered.

## **Luxembourg**

**(2022):** In the realm of non-judicial personnel, there are referendaries and a data protection compliance officer within the administrative jurisdictions.

The increase in "other non-judge personnel" was elucidated during the 2021 Scoreboard and remains applicable: Relative to previous figures, the number of other non-judge personnel has risen by 175% between 2020 and 2022. In absolute terms, this equates to an increase of seven individuals since 2020, encompassing seven positions for referendaries. Both judicial and administrative jurisdictions are increasingly turning to referendaries to relieve magistrates of certain tasks.

**(2021):** The category "other non-judge staff" refers to the "référéndaires" and the data protection compliance officer of the administrative courts.

The number of "other non-judge staff" has increased by 125% in absolute terms, which corresponds in fact to an increase of 5 persons, representing 5 posts of "référéndaires". Judicial and administrative courts are making greater use of "référéndaires" to relieve judges of certain tasks.

**(2020):** The other non-judicial staff consists of three legal secretaries and a data protection compliance officer from the administrative courts.

**(2018):** Regarding the category "other non-judge staff", it includes non-judge staff working for administrative courts. The increase of the non-judge staff is due to the fact that we no longer distinguish between the staff in charge of administrative tasks and the staff assisting the judges as court clerks, since all the non-judge staff is in charge of assisting the judges. We interpreted this differently in the previous years. Previously some of the staff was considered as not assisting the judges, because of their statute, this appeared as not correct since none of them is limited to administrative tasks, except at the administrative courts, where six persons are in charge of purely administrative tasks. The revised 2017 data shows an increase of the total non-judge staff assisting the judges of 9.95%.

**(2017):** With regard to question 52, all the non-judge staff is in charge to assist the judges (except at the administrative courts). Therefore for the year 2017, we did no longer distinguish between staff of administrative tasks and the staff assisting the judges. Only at the administrative courts are 6 persons not assisting the judges.

**(2016):** Last year the separation of the sections 1, 2 and 3 was not done correctly. This year this task was made by the parquet general RH office.

**(2014):** The overall administrative tasks concerning ordinary courts are centralized at the level of the Prosecutor General Office. The same applies to technical staff. Among the 192 non-judge staff assisting judges, 117 are women. The category "staff in charge of different administrative tasks" (3 women, 2 men) and the category "technical staff" (1) refer exclusively to the Administrative Court (which was not the case for 2012). The 2014 data reflects the administrative reality, the staff that cannot be categorized to one specific task being attached to the State Prosecutor General. The total remains stable; slight variations are due to temporary replacements. The category "other" does not subsume external staff hired on contractual basis, e.g. in IT matters (as in 2012).

**(2013):** The overall administrative tasks concerning ordinary courts are centralized at the level of the Prosecutor General Office. The same applies to technical staff. Among the 192 non-judge staff assisting judges, 117 are women. The category "staff in charge of different administrative tasks" (3 women and 2 men) and the category "technical staff" (1) refer exclusively to the Administrative Court staff. The 2013 data reflects the administrative reality, the staff that cannot be categorized to one specific task being attached to the State Prosecutor General. The total remains stable; slight variations are due to temporary replacements. The category "other" does not subsume any more external staff intervening on contractual basis, for example in IT matters.

**(2012):** Except for categories 1 ('Rechtspfleger') and 2 (non-judge staff whose task is to assist the judges), all others carry on their work in the interest of the whole judicial system, that is to say, both for judges and prosecutors.

### Malta

**(2022):** The increase in the number of non-judge staff when compared to the previous evaluation results from an increase in the staff making up the judicial teams of new judges. In addition, there has also been an increase in the number of technical staff with a new grade entitled 'Other industrial grades' being inserted for the first time in this evaluation.

**(2019):** For Technical Staff: This is an issue of recruitment and given the change from a Department to an Agency, the Court Services will be issuing new calls in line with the requirements of the Agency.

**(2018):** Other non-judge staff include:

- Director Civil Courts and staff
- Director Criminal Court and staff
- Registry Criminal Court
- Chief Marshal
- Senior Marshal
- Marshals
- Judiciary Drivers
- Subasti Personnel

**(2017):** Other non-judge staff includes:

- Director Civil Courts and staff
- Director Criminal Court and staff
- Registry Criminal Court
- Chief Marshal
- Senior Marshal
- Marshals
- Judiciary Drivers
- Subasti staff

**(2016):** Other non-judge staff includes:

- Director Civil Courts and staff
- Director Criminal Court and staff
- Registry Criminal Court
- Chief Marshal
- Senior Marshal
- Marshals
- Judiciary Drivers
- Subasti staff

Concerning "Technical Staff", 2 technical staff were employed. Between 2014 and 2015, there was a decrease in the number of tradesman employed with the court administration.

**(2015):** In the 2015 data, the category 'Non-judge staff whose task is to assist the judges' includes 13 Court Attorneys that have been introduced for the first time in October 2015. This staff is meant to assist the judges in the drafting of the sentences and other related matters. However the Court Attorneys are not autonomous and the responsibility for the sentences that they draft ultimately lies with the presiding judge.

The differences noted between 2014 and the previous regarding the categories "staff in charge of administrative tasks" and "other non-judge staff" is due to a change in the distribution. After 2014, some non-judge staff who were included in the category "staff in charge of administrative tasks" were integrated in "other non-judge staff".

The decrease between 2014 and 2015 in the number of "technical staff" is due to a decrease in the number of tradesman.

**(2014):** The differences noted between 2014 and the previous regarding the categories "staff in charge of administrative tasks" and "other non-judge staff" is due to a change in the distribution.

**(2013):** In 2013, the number of non-judge staff was detailed as follows: staff assisting judges – deputy registrars (67), court messengers (19), judicial assistants (30), clerical staff (141), ushers (25), senior court recorders (12), court recorder in charge (1), and Children's advocate (2); staff in charge of administrative tasks – Directorate Support Services (86), Directors and staff (12), Asset Management unit (3), Archives (3), one stop shop (7), Subasti (3), Library (1), Publications (3) technical staff – tradesmen (7), Bookbinder (1);

"other" – cleaners (8), Chief Marshal (1), Marshals (20). An exercise at beefing up the Court administration staff was undertaken by the Government in 2013, as a result of which, the figures for different sub-categories have increased considerably.

**(2012):** In 2012, the number of non-judge staff was detailed as follows: staff assisting judges – deputy registrars (65), court messengers (19), judicial assistants (30), clerical staff (59), ushers (25), senior court recorders (12), court recorder in charge (1), and Children's advocate (2); staff in charge of administrative tasks – Directorate Support Services (83), Directors and staff (13), Asset Management unit (3), Archives (3), one stop shop (4), Subasti (2), Library (1), Publications (2); technical staff – tradesmen (7), Bookbinder (1); "other" – cleaners (7), Chief Marshal (1), Marshals (20).

## Netherlands

**(General Comment):** Only the total of non-judge staff working in courts is available.

**(2022):** The Council of the Judiciary is not able to make a distinction between different types of non-judge staff working in courts, and thus, the entry is NA (total fte = 7 477). The Supreme Court can make the distinction between the number of non-judge staff whose task it is to assist judges (fte= 101) and staff in charge of different administrative tasks (fte= 158).

**(2021):** The Council of the Judiciary is not able to make a distinction between different types of non-judge staff working in courts, and thus, the entry is NA. The Supreme Court can make a distinction for the number of non-judge staff whose task is to assist the judges (fte = 110), and staff in charge of different administrative tasks (fte = 148). The first and second instance court cannot (total fte = 7395).

**(2017):** the number given is the number of people (posts), the fte is 6719; these can not be separated by gender or line in the table

**(2016):** Number of FTE = 6530.

**(2015):** FTE in 2015 is 6.497

**(2014):** The figure 7 287 pertains to persons; data in FTE is 6 495.

**(2013):** According to 2013 data, the figure 7.287 pertains to persons, data in fte is 6.495.

## Poland

**(2022):** The presented data does not include court assessors (trainee judges). The question should only indicate the number of court employees who are not judges. According to Article 2 § 1a of the Act of 27 July 2001. Law on the Common Court System (Journal of Laws of 2023, item 217), in district courts, tasks related to the administration of justice are also performed by court assessors/trainee judges, with the exception of:

- 1) applying temporary detention in pre-trial proceedings in relation to a detainee handed over to the court's disposal together with a request to apply temporary detention;
- 2) examining complaints against decisions on refusal to initiate an investigation or enquiry, decisions to discontinue an investigation or enquiry and decisions to discontinue an enquiry and on decisions to discontinue an investigation and enter the case in the register of crimes
- 3) deciding family and juvenile cases.

**(2021):** •Members of the Research and Analyses Office of the Supreme Court (Biuro Studiów i Analiz SN);  
Data also includes staff from The Supreme Administrative court and The Supreme court of justice

**(2020):** probation officers, Specialists of Opinion Teams of Forensic Specialists  
\*the presented data does not include court assessors (trainee judges). The question should only indicate the number of court employees who are not judges. According to Article 2 § 1a of the Act of 27 July 2001. Law on the Common Court System (Journal of Laws of 2020, item 2072), in district courts, tasks related to the administration of justice are also performed by court assessors/trainee judges, with the exception of:

- 1) applying temporary detention in pre-trial proceedings in relation to a detainee handed over to the court's disposal together with a request to apply temporary detention;
- 2) examining complaints against decisions on refusal to initiate an investigation or enquiry, decisions to discontinue an investigation or enquiry and decisions to discontinue an enquiry and on decisions to discontinue an investigation and enter the case in the register of crimes
- 3) deciding family and juvenile cases.

Since in the remaining scope court assessors perform tasks related to the administration of justice - just like judges - they should be deemed to belong to the professional group of judges. At the same time I would like to inform you that as at 31 December 2020 there were 486 trainee judges employed in district courts, including 317 women and 169 men. 1. number of rechtspflegers of 16 voivodeship administrative courts included (males 23, females 34);  
2-4. - In 2020 data include also employees of the Supreme Administrative Court;

**(2019):** - professional probation officers;  
- employed in Consultative Team of Judicial Specialist

**(2018):** Other non-judge staff:  
- professional probation officers  
- employed in Consultative Team of Judicial Specialists

**(2017):** Other non-judge staff -5790  
of which:  
Professional probation officers - 5188  
Employed in Consultative Team of Judicial Specialists - 602.

**(2016):** Other non-judge staff - 5859  
of which:  
Professional probation officers - 5212  
Employed in Consultative Team of Judicial Specialists - 647.

## Portugal

**(General Comment):** The variations in the number of non-judge staff over the different evaluation cycles seem high due to the small numbers.

**(2022):** The variations in the number of non-judge staff over the different evaluation cycles seem high due to the small numbers. Included in the "Other non-judge staff" category are professionals not included in the other specific categories, such as senior technical staff who mainly provide support to the higher courts.

**(2020):** 52-3-In absolute terms, the increase between 2018 and 2020 in the category "Staff in charge of different administrative tasks and of the management of the courts" for women is from 94 to 104. Since we are dealing with small absolute values, the identified variation, despite not representing a significant difference in absolute terms, acquires a more relevant expression in terms of relative variation.  
52-4- We confirm the increase in the number of "technical staff" in the courts between 2018 and 2020. No specific explanation.

**(2019):** In 2019, as in previous years there was no other non-judge staff.

**(2018):** In 2018, as in 2017 there were no other non-judge staff.

**(2017):** "other non judge staff" - this category includes all staff with a non-specified category or non-specific functions. As this is a residual category, the numbers tend to be small.

**(2014):** The decrease in the number of staff in charge of administrative tasks is due to retirements that have not been replaced and to the continuous IT modernization.

**(2013):** The number of judicial staff is decreasing on account of retirements that have been occurring since 2010. In addition, due to the reform of the Public Administration that is taking place since 2009 and the financial constraints of the past few years, the number of public servants has decreased.

## Romania

**(General Comment):** The number indicated for the category "non-judge staff assisting judges" encompasses clerks with judicial tasks; the number indicated for "staff in charge of administrative tasks" concerns registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; the number indicated for "technical staff" includes IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents etc.). The category "other" subsumes assistance magistrates, judicial assistants and probation counselors. o Assistance magistrates work only within the High Court of Cassation and Justice. They participate in the trial sessions, have a consultative vote in deliberations and write the minutes of the sessions, as well as the decisions. o Judicial assistants work only within tribunals and are part, together with the judges, of the panels which judge, in first instance, cases regarding labor and social insurances litigations (the panel is composed of 1 judge and 2 judicial assistants; the latter participate in the deliberations with a consultative vote and sign the decisions). o The probation counselors have, in principle, the following attributions: support the activity of judges by elaborating certain evaluation documents in criminal cases with juvenile offenders; support the activity of the judge delegated with enforcing decisions in criminal matters; cooperate with public institutions in order to execute the measure to force a minor to carry out an unpaid activity in an institution of public interest; initiate and carry on special programs of social reinsertion for persons convicted to prison and for minors who committed offences provided by the criminal law; carry out, at request, activities of individual counseling of offenders, with regard to the social, group and individual behavior; initiate and carry out special programmes of protection, social and judicial assistance of minors and youngsters who committed offences.

**(2022):** Other: assistance magistrates, judicial assistants and probation counselors.

**(2021):** 6.665 represents the number of clerks with judicial tasks ( - 170 work only within the High Court of Cassation and Justice); 1.701 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 38 work only within the High Court of Cassation and Justice); 1.723 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (-100 work only within the High Court of Cassation and Justice). Other categories of personnel which function within the Romanian courts (1055): a higher percentage of occupation of vacant positions.

Assistance magistrates: 130 Judicial assistants: 176 Probation counselors: 749

**(2019):** 6437 represents the number of clerks with judicial tasks ( - 169 work only within the High Court of Cassation and Justice); 1646 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 16 work only within the High Court of Cassation and Justice); 1750 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents..... ( - 6 IT staff works only within the High Court of Cassation and Justice). Other categories of personnel which function within the Romanian courts (867):  
Assistance magistrates: 116 Judicial assistants: 177 Probation counselors: 574

**(2018):** 6402 represents the number of clerks with judicial tasks ( - 163 work only within the High Court of Cassation and Justice); 1645 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 17 work only within the High Court of Cassation and Justice); 1772 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents ( -101 work only within the High Court of Cassation and Justice). Other categories of personnel which function within the Romanian courts (843):  
Assistance magistrates: 110 Judicial assistants: 176 Probation counselors: 557

**(2017):** Other categories of personnel which function within the Romanian courts (852): Assistance magistrates: 112 Judicial assistants: 176 Probation counselors: 564  
The increase observed in the category "other" between 2016 and 2017 is explained by the employment of the respective number of probation counselors.

**(2016):** 6191 represents the number of clerks with judicial tasks ( - 165 work only within the High Court of Cassation and Justice); 1621 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 9 work only within the High Court of Cassation and Justice); 1822 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents ( - 109 work only within the High Court of Cassation and Justice). Other categories of personnel which function within the Romanian courts (663):  
Assistance magistrates: 113 Judicial assistants: 173 Probation counselors: 377

**(2015):** 6149 represents the number of clerks with judicial tasks ( - 149 work only within the High Court of Cassation and Justice); 1615 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants ( - 9 work only within the High Court of Cassation and Justice); 1844 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents ( - 109 work only within the High Court of Cassation and Justice).  
Other categories of personnel which function within the Romanian courts: Assistance magistrates: 115 ; Judicial assistants: 176 ; Probation counselors: 352

**(2014):** In 2014, there were 6072 clerks with judicial tasks (153 within the High Court of Cassation and Justice); 1585 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants (9 within the HCCJ); 1854 IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (96 within the HCCJ). The category "other" subsumes 101 Assistance magistrates, 175 Judicial assistants and 360 Probation counselors.

**(2013):** In 2013, there were 5743 clerks with judicial tasks; 1563 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1784 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category "other" subsumes 92 Assistance magistrates, 176 Judicial assistants and 281 Probation counselors.

**(2012):** In 2012, there were 5489 clerks with judicial tasks; 1486 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1762 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category "other" subsumes 90 Assistance magistrates; 175 Judicial assistants; 281 Probation counselors.

## **Slovak Republic**

**(2022):** The judiciary, especially the non-judges' positions, are probably not attractive for the males because of the salary. Another possible explanation is that the position of Rechtspfleger is a starting position before judicial exams and subsequent application for the position of judge, which could have caused an outflow of male employees.

**(2021):** The number of technical staff is included in category 3 (staff in charge of administrative tasks). The position in line 2. is not attractive for males.

**(2020):** The number of technical staff and other non-judge staff are included in category 3 (staff in charge of administrative tasks)

**(2018):** See general comment.

There are no special explanation related to discrepancies in gender composition of court staff

**(2017):** The slight increase in the number of male non-judge staff originates at the Supreme court of the Slovak republic. The position of the "Judicial assistant" has been established and filled. The assistant helps the judge with legal research, drafting of decisions etc. Out of 86 assistants there are 29 male.

**(2014):** In 2014, the category "Rechtspfleger" subsumes 967 higher judicial officers and 63 mediation and probation officers. The category "staff assisting judges" includes assistants of judges and court secretaries. The category "staff in charge of different administrative tasks" encompasses court staff responsible for court administration, contact with the public (information centre, filing office), archives and technical staff. It was not possible to extract the accurate number of "technical staff" and "other non-judge staff" from the overall data on "staff in charge of different administrative tasks".

**(2013):** In 2013, the category "Rechtspfleger" includes 975 judicial officers, 45 legal assistants at the Supreme Court and 63 mediation and probation officers. The category "non-judge staff assisting judges" includes 1348 assistants and 752 judicial secretaries. The rest of the non-judge staff is subsumed in the category "other". In 2011 and 2012, the Ministry of Justice decided to increase the total number of the judicial officers with the intention to improve the disposition of certain court agendas.

**(2012):** In 2012, the category "Rechtspfleger" includes 982 judicial officers and 64 mediation and probation officers. It was not possible to extract the accurate number of "technical staff" and "other non-judge staff" from the overall data on "staff in charge of different administrative tasks".

## Slovenia

**(General Comment):** The definitions of categories are as follows:

1. "Rechtspfleger" category includes only the staff (judicial assistants and judicial advisers) with autonomous competence to adopt final decisions (decisions on the merits of the case), set explicitly in procedural laws - currently the Claim Enforcement and Security Act, the Financial Operations, Insolvency Proceedings and Compulsory Windingup Act, the Court Register of Legal Entities Act and the Land Register Act.
2. "Non-judge staff" category includes staff, whose tasks are generally set by the Courts Act. These are judicial assistants (filing applications and statements by parties for the record and, by order of a judge, perform less demanding tasks related to preparation for trial proceedings or other procedural acts, making calculations of costs, preparing drafts of decisions and performing other tasks in judicial proceedings under the orders of a judge), judicial advisers (performing work connected with the examination of parties, witnesses and experts (outside the main hearings), performing more complex preparatory work for hearings, reporting at panel meetings, drafting decisions, conducting hearings under the guidance of a judge and performing other work by order of a judge) and judicial trainees (typically do not perform significant amount of work as their role is to learn; however they can participate in hearings and drafting of court decisions in some cases).
3. All the other staff, not mentioned above and not corresponding to 4. "Technical staff" is included in 3. "Administrative staff". The latter includes, along with the court management staff, the office support staff, whose tasks are not specifically set by the law and include case registering, administrative case preparation, court fees, typing and/or recording of court sessions etc.

**(2022):** Approx. 3,5% of all court staff (120 persons) are judicial trainees (counted under "2. Non-judge (judicial staff)").

**(2021):** Approx. 3% of all court staff (115 persons) are judicial trainees (reported under “2. Non-judge (judicial staff”).

**(2020):** Approx. 3% of all court staff (109 persons) are judicial trainees (counted under “2. Non-judge (judicial staff”). No particular explanation can be given regarding the increase in the number of “3. Staff in charge of different administrative tasks and of the management of the courts” / Males.

**(2017):** Differences with previous evaluation cycles within categories (including male/female ratio):

The number of court staff is reported according to the actual work tasks of the staff. Between years, court staff can be assigned to different departments and tasks and therefore the variation of Rechtspfleger/Non-judge/Administrative staff categories and male/female ratio within categories can change, even though no major hiring or letting go for different categories of court staff had occurred. The relative differences in the Technical staff category are due to the small (absolute) number of staff.

**(2016):** Differences with previous evaluation cycles within categories (including male/female ratio):

The number of court staff is reported according to the actual work tasks of the staff. Between years, court staff can be assigned to different departments and tasks and therefore the variation of Rechtspfleger/Non-judge/Administrative staff categories and male/female ratio within categories can change, even though no major hiring or letting go for different categories of court staff had occurred. The relative differences in the Technical staff category are due to the small (absolute) number of staff.

**(2015):** The difference between 2014 and 2015 data is due to the methodology of gathering the data. In this cycle, all the courts were asked to provide the additional data to assure the accuracy of the answer. The reporting method was further improved and some adjustments were made according to the definition of “Rechtspfleger”, “Non-judge staff” and „Administrative staff” categories.

**(2014):** In courts, there were 14,55 % of males and 85,45 % of females (judges included) on 31. 12. 2014. In this cycle the reporting method was further improved. The Supreme Court's strategic orientation according to this matter is to decrease the number of judges, while increasing the number of non-judge staff. The Supreme Court can, in order to ensure timeliness of proceedings, distribute additional finances for temporary employment of additional staff to individual courts.

**(2013):** The category 1 - "Rechtspfleger" includes court clerks, independent and higher judicial advisors in the field of commercial (court) register, land register and civil enforcement procedure, as they have the competence to decide on certain cases, judicial advisers in the field of civil enforcement, who have even slightly broader competences than judicial assistants. The category 2 includes judicial advisers and the remaining judicial assistants. The category 3 includes administrative support to the judge and court management – court director, human resources office, financing-accounting office. The category 4 refers to cleaning, security, system administration, drivers, etc.

**(2012):** In 2012, the category 1 - "Rechtspfleger" includes court clerks; the category 2 includes judicial advisers. The other court staff was not further categorised.

## Spain

**(General Comment):** The Spanish judicial system distinguishes between three categories of non-judicial staff: Gestor Procesal, Tramitador Procesal and Auxilio Judicial. The sum of these bodies, destined to Courts, is the response to Q.52.5 'Other non judge staff'.

**(2022):** The sum of the bodies [Gestor Procesal, Tramitador Procesal and Auxilio Judicial] destined to Courts:45332 In addition to that, there are 1155 Forensic Doctors.

Regarding the distribution males / females: This distribution can only be given from the Autonomous Regions of the direct competence of the Ministry of Justice (5 out of 17). In these Autonomous Regions the proportion of females within the civil servants in Courts is

71% (therefore, 29% of males). This proportion is possibly applicable to the whole national system.

**(2021):** The sum of the bodies [Gestor Procesal, Tramitador Procesal and Auxilio Judicial] destined to Courts:44651  
In addition to that, there are 1147 Forensic Doctors.

**(2020):** The sum of the bodies [Gestor Procesal, Tramitador Procesal and Auxilio Judicial] destined to Courts:44289  
In addition to that, there are 1144 Forensic Doctors.

Regarding the distribution males / females: This distribution can only be given from the Autonomous Regions of the direct competence of the Ministry of Justice (5 out of 17). In these Autonomous Regions the proportion of females within the civil servants in Courts is 71'76% (therefore, 28'23% of males). This proportion is possibly applicable to the whole national system.

**(2019):** The data indicated in the chart as 'other non judge staff' (43556) includes the three kinds of civil servants that work in Courts (Gestión procesal, Tramitación procesal, Auxilio judicial). In addition to that, there are other 1122 Forensic Doctors.

**(2018):** 1121 Forensic Doctors

**(2017):** The figure for other non judge staff includes judicial civil servants who are in charge of the processing of files, communication acts, and other tasks, and are distributed in three categories (called Auxilio Judicial, Tramitación Procesal, Gestión Procesal). Forensic Doctors are a special body (not included in the figure provided in this question). Their total number (Forensic Doctors) at 4 April 2018 is 1003.  
For 2017, in contrast with previous cycles, data on number of "other non-judge staff" excludes the civil servants that work in Prosecution Offices.

**(2016):** The figure for other non judge staff includes judicial civil servants who are in charge of the processing of files, communication acts, and other tasks, and are distributed in three categories (called Auxilio Judicial, Tramitación Procesal, Gestión Procesal). Forensic Doctors are a special body (not included in the figure provided in this question). Their total number (Forensic Doctors) at 4 April 2018 is 1003.

**(2014):** In 2014, there are 44 896 other non-judge staff (judicial clerks) and 3 667 judicial counsellors (this is the new name for the secretario judiciales since October 1st).

#### Question 052-1

##### Belgium

**(2022):** The lack of correspondence between the total for Q52 and Q52-1 is due to the technical staff not being included in the table under question 52-1. These employees operate at three different levels, and their number (593) cannot be divided among these levels.

**(2021):** Source: Directorate P&O - HR Department Judicial staff - Directorate General Judicial Organisation, Federal Public Service Justice (FPS Justice)

**(2020):** Source: HR Service Judicial Personnel-Directorate General Judicial Organization, FPS Justice

##### Bulgaria

**(General Comment):** The regional courts in Bulgaria are first and second instance so this is a problem when giving data according to CEPEJ criteria, so this can explain the discrepancies here.

Item 1 "Total number of court employees working in the courts of first instance" includes all employees of the district and administrative courts. Item 2 "Total number of court employees working in the courts of second instance (appellate court)" includes all employees working in the regional courts and courts of appeal in the country.

**(2021): 2.** "Total non-judge staff working in courts at second instance": the increased number is due to newly opened vacancies for non-judge staff in view of strengthening the courts' activities.

**(2020):** It is noteworthy recalling the difficulty of determining the place of the regional/provincial courts in the "first instance" and "second instance (appellate)" columns. For the purposes of the CEPEJ survey, they are classified as "second instance (appellate)". Accordingly, item 1 "Total number of court employees working in the courts of first instance" includes all employees of the district and administrative courts, while item 2 "Total number of court employees working in the courts of second instance (appellate court)" includes all employees working in the regional courts and courts of appeal.

## **Croatia**

**(2022):** The data refer to officials and employees employed on an indefinite basis (data from table 052.)

The number does not include those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

## **Cyprus**

**(2022):** Increase in the needs of the court led to appointment of more employees.

**(2021):** Positions that were vacant had been filled.

**(2020):** Cyprus has a two-tier system, therefore the Supreme Court is the second, highest and final instance court. The data for Supreme Court in this question are included in the highest instance courts, but the case flow data of the Supreme Court are included in the second instance cases - questions 97 and 98.

**(2018):** The Court of Appeal is also the Supreme Court

## **Denmark**

**(2020):** -

## **Estonia**

**(2022):** Many of the non-judge staff is shared between courts, e.g translators. Main purpose is to cut costs and offer better service with the help of digitalisation.

## **France**

**(2022):** It has not been possible to exclude the legal assistants and specialized assistants working for the public prosecutor's office from the breakdown of data provided in the table above (1076 in total nationwide for first instance courts, appellate courts, and supreme courts). Also included in these figures are contractual 'local justice' personnel whose recruitment was authorized as of 2020 under project-based contracts (see annotation to question 52). The difference between the total for Q52 and the total for Q52-1 is once again explained this year by the non-inclusion in question Q 52-1 of personnel working in SAR: indeed, since question Q52-1 only concerns non-judicial staff working in first instance courts, appellate courts, and supreme courts, SAR personnel are not counted therein.

**(2021):** It has not been possible to exclude the legal assistants and specialised assistants working for the public prosecution services for the breakdown of the data provided in the table above (359 in total for the First instance courts, Courts of appeal and Supreme courts, at national level). Also included in these numbers are the 'justice de proximité' contract staff whose recruitment has been authorised from 2020 onwards on the basis of the project contract (see comment of Q52). On the other hand, staff working in the SAR are excluded (contrary to Q52), i.e. 1 766 staff.  
Source DSJ

## Germany

**(2022):** While the staff-assignment statistic allocates judges to instances, non-judge staff is not allocated to instances.

**(2021):** Unlike in the case of judges (question 46), non-judge staff are not allocated to individual instances in the staff-assignment statistics of the Länder.

**(2020):** Unlike in the case of judges (question 46), non-judge staff are not allocated to individual instances in the staff-assignment statistics of the Länder.

**(2018):** Differentiating non-judge staff at first and second instance level based on their gender is not possible since the ordinary court system in Germany consists of three instances (local courts, regional courts and higher regional courts). At the same time, regional courts function as a court of appeal on fact and law but can also hear cases at first instance. Unlike in the case of judges (question 46), non-judge staff are not allocated to individual instances.

## Greece

**(2022):** The explanation was given in last year's questionnaire.

**(2021):** At the highest level there is the Court of auditors, whose judicial officials have been included above, the total number of them is 637 and consists of 219 men and 418 women. The above data were provided by the Directorate of judicial officials with the cooperation of Juststat of the Ministry.

**(2020):** The above figures include civil servants, permanent and those with a private law relationship of indefinite duration

## Ireland

**(2022):** The total non-Judge staff working in the courts includes staff of the Office of the CEO, Corporate Services staff, Strategy and Reform staff, ICT staff, Regions & C&D Operations, Superior Court Operations staff, as well as quasi-judicial and technical staff. These staff members work throughout the system, and not just in one of the district, circuit, high or supreme courts. 1. Total non-judge staff working in courts at first instance level: The FTE for 2022 is up on 2020, this figure is total staff minus staff in Court of Appeal and Supreme Court.

2. Total non-judge staff working in courts at second instance (court of appeal) level: In 2020 this included Court of Appeal staff including Judicial Assist and Tipstaff. In 2022 this includes Court of Appeal staff only.

3. Total non-judge staff working in courts at Supreme Court level: In 2020 this included Supreme Court staff including Judicial Assistants and Tipstaff. In 2022 this includes Supreme Court staff only, as Judicial Assistants are included in figure for 52/Q2 and Tipstaff are included in figure 52/Q5.

**(2021):** The discrepancies with previous data are explained by staffing fluctuations.

**(2020):** The total non-Judge staff working in the courts includes staff of the Office of the CEO, Corporate Services staff, Strategy and Reform staff, ICT staff, Regions & C&D Operations, Superior Court Operations staff, as well as quasi-judicial and technical staff. These staff members work throughout the system, and not just in one of the district, circuit, high or supreme courts.

**(2018):** Question 52 - 1 was answered to provide a breakdown of staff working as registrars and in offices and other support staff in those offices. The reason the figures would not add up to the total is because the figures exclude administrative staff who are employed by the Courts Service in administrative areas away from front line offices, and who cannot be distributed between instances. The wording in the column for the total of such staff (1049) was given on the basis that this column used the same wording as the previous table which presumably covered all Courts Service staff.

#### **Italy**

**(2022):** See comment at Q.52

**(2018):** Since 2018, the figures have also included court staff belonging to Administrative Justice.

#### **Latvia**

**(2022):** The observed variations in the different categories are due to changes in court staff.

**(2021):** In general, at the end of 2021, there were many vacancies for court staff for the first and second instance courts, therefore also there are differences in the number of court staff. In the previous cycles, the numbers for court staff for the first and second instance courts were calculated a little bit different, there were included also vacancies.

**(2018):** Discrepancy due to court reform (Land Registry offices integrated in general jurisdiction courts and historically high turnover rate)

#### **Luxembourg**

**(2021):** The 27% increase in the number of second instance non-judge staff is explained in particular by the hiring of additional "référéndaires". At the Supreme Court, the number of non-judge female staff decreased by 50% in relative terms; in absolute terms, this corresponds to one woman being replaced by a male member of staff.

#### **Malta**

**(2020):** It is not possible to differentiate the non-judge staff according to these criteria.

**(2018):** It is not possible, at the moment, to differentiate the staff working at first instance from that working at second instance.

#### **Netherlands**

**(General Comment):** Comments from the SC:

1.Note that the above also includes the judicial and other staff working for the office of the Procurator General and Advocates General at the Dutch Supreme Court (who are not part of the Dutch public prosecution office).

2.Note that the Dutch Supreme Court has outsourced various tasks such as building maintenance, technical services, facility management, reception, security, cleaning and catering. The individuals performing these services are therefore not included in the numbers above.

**(2021):** Comments from the SC:

1.Note that the above also includes the judicial and other staff working for the office of the Procurator General and Advocates General at the Dutch Supreme Court (who are not part of the Dutch public prosecution office).

2.Note that the Dutch Supreme Court has outsourced various tasks such as building maintenance, technical services, facility management, reception, security, cleaning and catering. The individuals performing these services are therefore not included in the numbers above.

**(2018):** The total of non-judge staff does not include staff of the High Court.

## Poland

**(2020):** Data from the supreme court's human resources Department.  
In 2020 data include also employees of the Supreme Administrative Court

## Portugal

**(2022):** the data in question 52-1 has also been updated, due to a small error in the accounting of the different categories included in it." Compared to the figures we sent initially, the correction was very small in percentage terms (36 more employees were added, out of a total of 5412).

The amended figures in table 52.1 referred to a specific category of STJ/STA officials who have now been added, as they were not accounted for previously by mistake (neither in the version initially sent with 2022 data, nor in the previous edition with 2021 data).

**(2020):** We confirm the increase in 2020 in the category of non-judge staff working in courts at Supreme Court level in the Supreme Court of Justice and the Supreme Administrative Court, with a special focus on the administrative and tax courts.

**(2018):** Since 2016 there has been an increase of non-judge staff to meet the needs of additional staff. There were no legislative or other changes that could directly justify the increase.

## Romania

**(2021):** A higher percentage of occupation of vacant positions for total non-judge staff working in courts at Supreme Court level.

**(2020):** 3. Total non-judge staff working in courts at Supreme Court level-

The difference between 2018 (communicated data) and 2020 is pointedly given by the difference in the methodology for reporting data within the human resources sector. Thus, for 2018, in the total number of auxiliary staff (non-judge staff working at Supreme Court level) was not included the number of staff represented by ushers, procedural agents, drivers. Also, rechecking the communicated data for 2018 on this point (point. 3), it is confirmed that the total number of auxiliary staff (occupied positions) at the High Court of Cassation and Justice is 230 (2018 data, including the staff represented by the professional categories mentioned above).

## Slovak Republic

**(2021):** Total non-judge staff working in courts at Supreme Administrative Court level - 59 total; 18 males and 41 females, included in line 3.. Some of the staff moved to the Supreme Administrative Court and some left the judicial system.

**(2018):** All data were provided by the central institution for the court management, The Department of Human Resources Development of the Ministry of Justice

## Slovenia

**(General Comment):** Besides profiles typically working in courts, the non-judge staff at the Supreme court includes also staff at the Centre for Informatics (see Q62-1) – approx. 20 employees, mostly system administrators/engineers (counted at Q52 under “4. Technical staff”) and project managers (counted at Q52 as “3. Administrative staff”).

**(2020):** No particular explanation can be given regarding the increase in the number of “3. Total non-judge staff working in courts at Supreme Court level” / Males.

## Spain

**(2018):** These figures include the number of "letrados de Administración de Justicia", which are the CEPEJ equivalent of "Rechtspfleger".

## Question 055

### Austria

**(General Comment):** Data is presented in full time equivalent.

**(2014):** The numerical values provided in the table are rounded. The accurate figures are: total – 344,83 (171,52 males and 173,31 females); prosecutors at first instance level – 308,69 (147,13 males and 161,56 females); prosecutors at second instance (court of appeal) level – 20,94 (13,04 males and 7,90 females); prosecutors at Supreme Court level – 15,20 (11,35 males and 3,85 females).

**(2012):** In 2012, the various tasks were more exactly assigned to the number of full time equivalents - dealing with tasks of the prosecution on the one hand and the administrative tasks on the other hand.

### Belgium

**(2021):** Source: FPS Justice - Directorate General for the Judiciary, HR Department of the Judiciary, Notaries and Enforcement agents

**(2020):** Support Service of the College of Public Prosecutors

**(2014):** In 2014, the number of professional prosecutors includes the heads of division of the 15 public prosecutors' offices and the heads of the 8 prosecution offices within labour courts.

### Bulgaria

**(General Comment):** The provided data refers to the actual number of employed persons for the year of reference.

**(2016):** 1511 is the total number of working prosecutors at 31.12.2016; 888 prosecutors at first instance level includes – the prosecutors from 113 Regional Prosecutor's Offices and 1 Specialized Prosecotr's Office; 500 prosecutors work in 28 District Prosecutor's Offices, 7 Appellate Prosecutor's Offices and 3 Military District Prosecutor's Offices; 123 are the prosecutors working in Supreme Prosecutor's Office of Cassation and Supreme Administrative Prosecutor's Office and 1 Prosecutor General. (The indicated numbers do not include the number of the investigative magistrates in the investigative departments at District Prosecutor's Offices and National Investigation Service and their administrative heads.

**(2014):** For 2014, the number of prosecutors acting at 1st instance includes prosecutors of the regional prosecutor's offices, specialized prosecutor's offices and the military prosecutor's offices. The number of prosecutors acting at 2nd instance includes prosecutors from district and appellate prosecutor's offices. The number of prosecutors at Supreme Court level includes prosecutors from the Supreme Prosecutor's Office of Cassation, Supreme Administrative Public Prosecutor's Office, and the Prosecutor General. In contrast with the 2012 evaluation, the number of investigators in the District Investigation Departments at the District Prosecutor's Offices and the National Investigation Service is not taken into consideration for 2014.

**(2012):** For 2012, the total includes 512 magistrates with position of "investigator in the Investigation Department at the District Prosecution Office". Conversely, these 512 magistrates are not subsumed in the number of prosecutors at 1st instance level. The number of prosecutors at 2nd instance level including Prosecutor's Office of Appeal and Military District Prosecutor's Office encompasses 451 prosecutors and 433 investigators in the Investigation Departments at the District Prosecution Offices and military investigators. The number of prosecutors at Supreme Court level includes 128 prosecutors and 79 investigators at the National Investigation Service.

## Croatia

**(General Comment):** The provided data encompasses all officials in the public prosecutors' offices, including heads of the public prosecutors' offices (the Public Prosecutor of the Republic of Croatia, county and municipal public prosecutors, the head of the Bureau for Combating Corruption and Organised Crime) and all public prosecutors deputies. The number of prosecutors at the first instance level includes all municipal public prosecutors, their deputies, as well as the head of the Bureau for Combating Corruption and Organised Crime and his deputies. The number of prosecutors at the second instance (court of appeal) level includes all county public prosecutors and their deputies. The number of prosecutors at the Supreme Court level includes the Public Prosecutor and his deputies.

**(2022):** The data refer to all state attorneys:

State Attorney General, municipal/county state attorneys, deputy municipal/county state attorneys authorized to perform duties of municipal/county state attorneys, deputy state attorneys and deputies of municipal/county state attorneys.

The number is reduced by those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**(2018):** The above information includes all officials in the public prosecutor's offices – all public prosecutors (heads of prosecution offices) and public prosecutors' deputies (deputies of the Public Prosecutor, deputies of the Head of the Bureau for Combating Corruption and Organised Crime and deputies of the county and municipal public prosecutors).

The number of prosecutors at the first instance level includes all municipal public prosecutors (heads of municipal prosecution offices and Head of the Bureau for Combating Corruption and Organised Crime), their deputies, as well as the deputies of the Head of the Bureau for Combating Corruption and Organised Crime. The number of prosecutors at the second instance level (court of appeal) includes all county public prosecutors (heads of the county prosecutors' offices) and their deputies. The number of prosecutors at the supreme court level includes the Public Prosecutor General and his deputies.

**(2012):** In 2012, the public prosecutors' Office of the Republic of Croatia employed 21 officials. The county public prosecutors' offices employed 155 officials, and the municipal public prosecutors' offices employed 410 officials. Out of 617 officials, 385 or 62.4% were women. The number of officials remained the same as in 2011. As of 31 December 2012, 7 public prosecutor's posts and 130 deputy public prosecutor's posts were vacant.

## Cyprus

**(2022):** More positions have been filled.

**(2020):** The number includes also legal advisors to the Attorney General's office.

The number increased because more positions of prosecutors were approved.

**(2014):** All prosecutors appear before all courts.

## Czech Republic

**(General Comment):** The Czech Republic is endowed with a system of 4 levels of State prosecution offices: district, regional, high and supreme. The number of high public prosecutors is included in the number of prosecutors at second instance level.

## Denmark

**(2022):** The number is the actual number of employees in fulltime equivalent as of December 2022. Full-time equivalents are allocated on the 1st of the month, and it is therefore not possible to draw a precise number for 31 December. The number is therefore drawn for 1 December 2022 and scaled up to a full year.

**(2021):** The number is the actual number of employees in full-time equivalent as of December 2021. Full-time equivalents are allocated on the 1st of the month, and it is therefore not possible to draw a precise number for 31 December. The number is therefore drawn for 1 December 2021 and scaled up to a full year. The actual numbers of full-time equivalents are calculated as digital numbers which is not possible to add in the questionnaire. This is why the total number of prosecutors does not add up when compared to the number of males and females.

**(2016):** The observed discrepancies are due to ordinary changes in staffing.

**(2014):** The variations over the period 2012-2014 are due to the fact that in 2012, information was missing about prosecutors engaged in tasks concerning administrative cases (Ledelsessekretariat) and prosecutors employed by the national police (Rigspolitiet).

## Estonia

**(General Comment):** The categorization of questions 55 and 56 regarding public prosecutors do not exist in Estonia.

## Finland

**(General Comment):** The National Prosecution Authority comprises the Office of the Prosecutor General that acts as the general administrative unit, and five prosecution districts: Southern Finland, Western Finland, Northern Finland, Eastern Finland and Åland. The National Prosecution Authority has 34 offices around Finland. The Prosecutor General is the supreme prosecutor and the head of the prosecution service. The Prosecutor General directs and develops prosecutorial activity by issuing general instructions and guidelines to the prosecutors. She/he also appoints district prosecutors. The Prosecutor General may take over a case from a prosecutor, but cannot order a prosecutor to decide the case in any given manner. She/he can also self-decide on the bringing of charges and designate a prosecutor to pursue the case in the courts. The Deputy Prosecutor General decides the matters in his/her competence on the same authority as the Prosecutor General. He/she also acts as a deputy for the Prosecutor General when necessary. For regular prosecutorial tasks, the Office of the Prosecutor General has state prosecutors whose jurisdiction covers the entire country. Most criminal matters (about 91 3000 cases annually) are dealt with by the prosecution areas. The Office of the Prosecutor General deals mainly with criminal cases with wider significance to society as a whole, a few dozen every year. Prosecutors in Finland are not bound on Court instances, and every prosecutor is expected to, in a normal situation, to handle and prosecute the criminal case all the way to the Supreme Court, if needed.

**(2020):** Prosecutors in Finland are not bound on Court instances.

## France

**(2021):** Data taken from an extraction of the LOLFI SIRH - Number of public prosecutors on 31/12/2021. The values are expressed in FTEs.

Source DSJ

The data have been rounded upwards from 0.5 and downwards below, with the exception of the data relating to the number of male prosecutors at the Courts of appeal (the exact figure is 249.6) in order to ensure vertical consistency.

**(2020):** Only the judicial order is concerned

**(2014):** For 2014, State prosecutors, heads of public prosecution services, are included.

**(2012):** For 2012, only prosecutors of courts of law appointed by 31 December 2012 were counted.

## Germany

**(General Comment):** The information relates to the number of job shares for public prosecutors. There are no absolute figures for the number of persons. The information on the job shares count a judge working full-time as 1. A judge working part-time is counted as the fraction of 1 which corresponds to the proportion of his/her working hours to full-time (e.g. 0.5 for a judge working half the usual number of hours).

**(2022): 1.:** Data is taken from the court staff statistic of the federal states and represents the number of public prosecutors (FTE) at the local and regional courts as of 31. December 2022

2. Data is taken from the court staff statistic of the federal states and represents the number of public prosecutors (FTE) at the higher regional courts as of 31. December 2022

3. Data is taken from the court staff statistic and represents number of public prosecutors (FTE) at the Federal Court of Justice.

**(2021):** Figures represent full-time equivalents as of 31. December 2021

"Pact for the Rule of Law" (Pakt für den Rechtsstaat):

The federal level and the Länder on 31 January 2019 agreed on a 'Pact for the Rule of Law'. The pact foresees additional funding of EUR 220 million from the federal level for the Länder to create 2000 additional posts for judges and prosecutors, including the necessary administrative staff by 31 December 2021. In addition, the federal level is creating 24 additional posts at the Federal Court of Justice and 71 posts at the Prosecutor General of the Federal Court of Justice. New posts that were created after the beginning of 2017 are included into the count.

A joint report by the Federal Government and the Länder on the state of implementation of the pact was presented on 10 June 2021. The report concluded that the implementation has well progressed, noting in particular that over 2 700 post for judges and prosecutors have been created so far, with 2 500 being filled.

It should be noted that one of goals of the 'Pact for the Rule of Law' is to address the challenges related to the upcoming wave of retirements of judges and public prosecutors.

**(2020):** Figures represent full-time equivalents as of 31. December 2020

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It should be noted that one of goals of the 'Pact for the Rule of Law' is to address the challenges related to the upcoming wave of retirements of judges and public prosecutors.

**(2016):** Figures indicate the number of full-time equivalent staff (not the number of individuals). A prosecutor working full hours is counted as a full-time equivalent (i.e. 1). A prosecutor working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for a prosecutor working half the usual number of hours).

## Greece

**(2021):** The above data are given by the Directorate of organization and operation of Justice with the cooperation of JUSTSTAT.

**(2020):** Positions by law have increased. Gender data are not kept.

## Hungary

**(2022):** On 31 December 2022 2 prosecutors were working temporarily in the Ministry of Justice. These two persons were also included in the total number of prosecutors, but they were not taken into consideration when looking at the number of prosecutors working at each/different level. One of the two public prosecutors assigned to the Ministry of Justice is male and the other one is female. All prosecutors are appointed to work full-time, but it may occur that a prosecutor temporarily works part-time, for child care reasons for example. As far as prosecutors at first instance level are concerned, the table contains the number of prosecutors working for district and district level prosecution offices together with the number of prosecutors working for chief prosecution offices. Out of this number, the number of prosecutors working at chief prosecution offices is 534 (236 men and 298 women), the number of prosecutors working for district (district level) prosecution offices is 1203 (421 men and 782 women).

As to the number of prosecutors at second instance, the table includes the number of prosecutors working at the appellate chief prosecution offices. The reason for this is that no exact answer can be given to the question. In the Hungarian Prosecution Service, prosecutors working at district and district-level prosecution offices only proceed with first instance cases. Prosecutors of chief prosecution offices working at county (or county level) prosecution offices handle first instance cases which fall into the jurisdiction of regional/county courts, but part of the prosecutors of chief prosecution offices handle cases at second instance or at second instance as well in cases initiated at first instance by district or district prosecution offices. Our personnel database, however, does not contain information on the latter group of cases. Prosecutors of the appellate chief prosecution offices handle second instance cases or, in specific circumstances, they proceed at third instance. I wish to inform you that prior to 2022 we only indicated among the data the number of prosecutors of district prosecution offices at first instance and the number of prosecutors of chief prosecution offices and appellate chief prosecution offices at second instance. According to this method of calculation, the current data (for 31 December 2022) include the following:

Total number of prosecutors (1 + 2 + 3):

Total: 1874

Males: 727

Females: 1147

1. Number of prosecutors at first instance level:

Total: 1203

Males: 421

Females: 782

2. Number of prosecutors at second instance (court of appeal) level:

Total: 562

Males: 251

Females: 311

3. Number of prosecutors at Supreme Court level:

Total: 107

Males: 54

Females: 53

**(2021):** On 31 December 2021, two prosecutors were serving in the Ministry of Justice, on a temporary basis. They are included in the total number of prosecutors; however, they are not taken into account when giving the number of prosecutors serving at different instances (court levels). All prosecutors are appointed to a full-time job; however, it occurs that some prosecutors perform part-time service on a temporary basis for various reasons, such as raising children.

The 'number of prosecutors at first instance level' is an aggregate of the number of prosecutors serving at district-level prosecution services and other prosecution services equivalent to that level, as well as the number of prosecutors serving at high prosecution services. A part of the prosecutors serving at high prosecution services proceed also at second instance (high court) level. The number of prosecutors serving at high prosecution services is 520 (226 males, 294 females), while the number of prosecutors serving at district-level prosecution services (other prosecution services equivalent to that level) is 1210 (439 males, 771 females).

The 'number of prosecutors at second instance (court of appeal) level' means the number of prosecutors serving at appellate prosecution services.

**(2016):** Another 9 prosecutors were temporarily serving in the Ministry of Justice. They are included in the total number of prosecutors, but we did not take them into account at each level.

## Ireland

**(General Comment):** Allocation of prosecutors work is not in all instances divided as per the questions above. The sub-categories at 1, 2 and 3 of the question posed do not apply in the Irish system.

**(2022):** The Office has a number of grades for prosecutors which are different from the categories above, they include Prosecutor, Senior Prosecutor, Principal Prosecutor, Senior Principal Prosecutor, Assistant Director of Public Prosecutions, Deputy Chief Prosecutor. There is one Director of Public Prosecutions and one Deputy Director of Public Prosecutions

**(2020):** Our court going staff number at the 31st December 2020 is 128 - (50 male / 78 female). This figure includes our Prosecutors and Technical staff - Legal Executive. It also includes 1 Trainee Solicitor. In our Office our Technical Staff and Trainee Solicitors are court going staff and manage the running of a prosecution at trial in the same manner as some of our Prosecutors. In relation to the increase in staff resources for the ODPP, and the context for same, please see the forewords of our Annual Report 2020 and our Annual Report 2019 available at <https://www.dppireland.ie/publication-category/annual-reports/>.

**(2018):** There were 108.7 fulltime equivalent lawyers (fte) (headcount 111) on the payroll of the Office of the Director of Public Prosecutions at 31 December 2018 – 65.6 fte (67 headcount) of these were female and 43.1 fte (44 headcount) were male.

**(2016):** Of the staff complement in the Office of the Director of Public Prosecutions at the end of the reference year, 102 were of professional or technical grade at Prosecutor equivalent level or above.

**(2014):** Parts' of Full Time Equivalents were counted in decimal figures and have been rounded up. The total represents the number of qualified Solicitors and Barristers employed directly in the Office of the Director of Public Prosecutions (DPP). A proportion of these lawyers represent the DPP in the District Court. Members of the police force also prosecute in this court within a prescribed 'delegated authority' from the DPP. Members of the independent Bar act on behalf of the DPP, on a self-employed basis, in first instance and appellate courts. There are a further 32 State Solicitors contracted to provide a solicitor service to the DPP in cases heard outside of the capital.

## Italy

**(2016):** There is no specific explanation concerning the increase in the total number of prosecutors at Supreme Court level. However, numbers are small and therefore percentage changes vary more harshly.

## Latvia

**(2020):** The increase in the number of prosecutors in court district level prosecutor's offices is related to the imposition of an obligation on the prosecutor of the court district level prosecutor's office, and not on the chief prosecutor of the district (city) prosecutor's office to perform the duties of a higher prosecutor.

Regarding the decrease in the number of women working in the Prosecutor General's Office, it must be concluded that in total the number of women working has decreased by 8 persons. One of the reasons could be reaching the maximum age for performing the duties prescribed by law or the death of a person.

**(2012):** During 2011 and 2012, prosecutors' offices increased the number of posts which resulted in the appointment of new prosecutors. In order to decide on the promotion of prosecutors, their professional qualification has been evaluated and their quality of work performance analysed, as well as their participation in trainings, work statistical indicators, etc. Pursuant to the collected data, more male prosecutors have been promoted to higher posts.

## Lithuania

**(2020):** After the reorganization of the prosecution service in 2011, 5 second instance prosecutors' offices were merged with 51 separate first instance prosecutor's office in their area of operation, and thus 5 regional first-second instance prosecutor's offices were established.

**(2014):** In 2012, the 56 territorial prosecutor's offices have been reorganised into 5 regional prosecutor's offices with 10 district prosecutor's offices functioning inside them (first instance and second instance levels have been combined). Currently, only two instances exist.

**(2012):** In 2012, after reorganization of the prosecution service, the first and the second instances have merged. Currently, two instances exist instead of three. Besides, the total number of prosecutors has decreased because some prosecutors have left the service, but no new prosecutors have been recruited.

## Luxembourg

**(General Comment):** The figure in point 3 includes both second instance and Supreme Court prosecutors, as they are grouped together in the Superior Court of Justice, which is subdivided into the Court of Appeal and the Court of Cassation.

**(2022):** Since the 2020-2022 assessment, the General Prosecutor's Office has seen an increase of two female Advocate Generals and a male magistrate has been replaced by a female magistrate following retirement. The decrease of -28.57% in male prosecutors at the Supreme Court and the 50% increase in female prosecutors at the Supreme Court can be attributed to this.

**(2018):** Le personnel des juridictions judiciaires et administratives a connu une croissance soutenue ces dernières années, tel que prévu par la loi modifiée du 7 mars 1980 sur l'organisation judiciaire. Ceci explique les variations importantes observées entre 2016 et 2018 au niveau du personnel de la magistrature et du personnel non-juge. Les magistrats appartenant à la cellule de renseignement financier (CRF) sont dorénavant exclus de la question 55.1 (suite au détachement de la CRF du Parquet de Luxembourg) puisqu'ils n'exercent plus de fonction juridictionnelle proprement dite. Au total, la CRF compte 4 magistrats et un attaché de justice en 2018. L'effectif du Parquet d'arrondissement reste toutefois inchangé suite à la création des nouveaux postes affectés à la CRF. Les magistrats du pool de complément sont inclus dans les chiffres de la question 55.3.

**(2016):** The number of prosecutors indicated here as working at the Supreme Court corresponds to the number of prosecutors working at the Superior Court of Justice (which includes prosecutors intervening at the Court of Appeal and Court of Cassation level).

**(2014):** The number of male public prosecutors decreased between 2012 and 2014, while the number of female public prosecutors increased for the same period. These variations have for sole explanation the normal progress of career of magistrates of the public prosecution office at first instance.

## Malta

**(General Comment):** All the lawyers working in the Office of the AG prosecute cases in the criminal courts, but it is not possible, as yet to distinguish between 1st and 2nd Instance Courts. All full-time lawyers have been included in the above figure except the AG herself.

**(2022):** The increase in the number of prosecutors is the result of a recruitment drive that was carried out in 2022.

**(2020):** The increase in the number of lawyers working at the Office of the AG follows the reform in 2020 whereby the AG has taken up exclusively the role of prosecutor general (the advisory role to government has been vested in the State Advocate). Given this special focus, the Office of the AG has been recruiting more lawyers in order to meet the case demands of the courts.

**(2016):** All the lawyers at the Office of the Attorney General work both in Court as well as advisers to the various Ministries and Departments. All prosecuting officers at the Office of the Attorney General act at all court levels. Thus, prosecutors are not classified according to the case instance.

**(2014):** These past few years there has been an increase in the number of female law graduates, which will definitely reflect in the employment trends within this sector.

## Netherlands

**(General Comment):** The Dutch Supreme Court does not have public prosecutors. The office of the Procurator General and Advocates-General at the Dutch Supreme Court is separate from Dutch public prosecution and the Ministry of Justice. They have a different function.

**(2020):** The Supreme Court does not have (public) prosecutors. The office of the procurator general and attorneys general that the Supreme Court houses, is separate from the public prosecution and does not function as prosecution. They have a different function.

**(2016):** total 927,5 358,12 569,38  
1 842,25 312,72 529,53  
2 85,25 45,40 39,85

**(2014):** For 2014, the number of prosecutors at first instance level includes 8 prosecutors who are still in education (7 females; 1 male). Prosecutors at Supreme Court level are not employees of the National Prosecution Service and therefore not included in the total.

## Poland

**(General Comment):** The general organisational units of the public prosecutor's office are: National Prosecutor's Office , regional prosecutor's offices, circuit prosecutor's offices and district prosecutor's offices.

**(2022):** The table under item 1 contains the number of district prosecutors and under item 2 the number of circuit prosecutors. In contrast, under item 3 is the number of prosecutors in the position of prosecutor of the National Prosecuting Authority. The total is higher than the sum of the subcategories because it includes the number of prosecutors employed in regional prosecutor's offices - a total of 399 prosecutors (156 women and 243 men), as, pursuant to Article 16 of the Act of 28 January 2016 - Law on the Public Prosecutor's Office (Journal of Laws of 2023, item 1360), the common organisational units of the public prosecutor's office are: National Prosecutor's Office, regional prosecutor's offices, circuit prosecutor's offices and district prosecutor's offices.

The table in question does not, therefore, provide an opportunity to illustrate the full structure of the public prosecutor's office in Poland, which, in accordance with the above-mentioned provision of the Law on the Public Prosecutor's Office, consists of four levels. All items (1 - 3) include military prosecutors, of whom 86 are employed at the district prosecutor's office level, including 61 men and 25 women; 48 at the circuit prosecutor's office level, including 38 men and 10 women; and 16 military prosecutors (12 men and 4 women) at the National Prosecutor's Office. In regional prosecutors' offices, prosecutors for military affairs do not perform official duties.

**(2021):** The table under item 1 contains the number of district prosecutors and under item 2 the number of circuit prosecutors. In contrast, under item 3 is the number of prosecutors in the position of prosecutor of the National Prosecuting Authority. The total is higher than the sum of the sub-categories, as it takes into account the number of prosecutors employed in regional prosecutor's offices - a total of 402 prosecutors (154 women and 248 men), as, pursuant to Article 16 of the Act of 28 January 2016 - Law on the Public Prosecutor's Office (Journal of Laws of 2022, item 1247), the common organisational units of the public prosecutor's office are: National Prosecutor's Office, regional prosecutor's offices, circuit prosecutor's offices and district prosecutor's offices.

All items (1 - 3) include military prosecutors, of whom 77 are employed at the district prosecutor's office level, including 19 women and 58 men; at the regional prosecutor's office level, 45 military prosecutors, including 9 women and 36 men; and at the National Prosecutor's Office, 17 military prosecutors (4 women and 13 men).

**(2020):** The table under item 1 contains the number of district prosecutors and under item 2 the number of circuit prosecutors. Whereas under item 3 is the number of prosecutors in the position of a prosecutor of the National Prosecutor's Office. The total is higher than the sum of the subcategories because it takes into account the number of prosecutors employed in regional prosecutor's offices - a total of 391 prosecutors (151 women and 240 men), since according to Article 16 of the Law of 28 January 2016 - Law on Prosecutor's Office (Journal of Laws of 2021, item 66) the common organizational units of the prosecutor's office are: National Prosecutor's Office, regional prosecutor's offices, circuit prosecutor's offices and district prosecutor's offices. For 2020, all items (1-3) include prosecutors for military matters, who at the level of the district prosecutor's office are employed by 85, including 22 women and 63 men; at the level of the regional prosecutor's office - 38 prosecutors for military matters, including 8 women and 30 men, and at the National Prosecutor's Office - 13 prosecutors for military matters (2 women and 11 men).

**(2018):** Within the organizational structure of general organizational units of the prosecution office, there are Appellate Public Prosecutor's Offices, which function as a third rank and employ altogether 367 prosecutors (149 women and 224 men). Additionally, 65 prosecutors of military affairs (including 16 women and 49 men) are employed at the level related to the Regional Public Prosecutor's Office; 30 prosecutors of military affairs (including 6 women and 24 men) - at the level related to the District Public Prosecutor's Office, and 5 prosecutors of military affairs (5 men) - in the National Public Prosecutor's Office.

## Portugal

**(General Comment):** The communicated data encompasses the number of magistrates of the Public Prosecution Service in courts of first instance, second instance and high superior courts, except the Constitutional Court.

**(2022):** The discrepancy rate is due to small numbers

**(2020):** No specific explanation for the numbers above.

**(2018):** In absolute terms the decrease from 2016 to 2018 is from 7 to 5 female prosecutors, which is not significant in absolute terms, but acquires a more relevant expression in relative terms.

**(2012):** The increase in the number of female prosecutors is due to the general tendency of increase of female prosecutors in the last decade at first instance courts. It is natural that gradually the proportion of female prosecutors in the higher courts tends to grow as a result of their career progress. The number of prosecutors in the High Judicial Court and in the High Administrative Court, increased. In particular, in the High Administrative Court there was a strong reinforcement of these professionals in 2011 in order to respond to a pressing need of prosecutors in this court.

## Romania

**(General Comment):** In Romania there are four level of courts/prosecution offices attached to these courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

**(2018):** In Romania there are four level of courts/prosecution offices attached to these courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

**(2014):** The prosecutor's offices are established in the following hierarchy: the prosecutor's offices attached to the courts of law (point 1 of the table), the prosecutor's offices attached to tribunals and prosecutor's offices attached to the courts of appeal (point 2), and the Prosecutor's Office attached to the High Court of Cassation and Justice (point 3).

**(2012):** The prosecutor's offices are established in the following hierarchy: the prosecutor's offices attached to the courts of law (point 1 of the table), the prosecutor's offices attached to tribunals and prosecutor's offices attached to the courts of appeal (point 2), the Prosecutor's Office attached to the High Court of Cassation and Justice (point 3).

## **Slovak Republic**

**(General Comment):** The number of prosecutors at the Supreme Court level also includes prosecutors of the Special Prosecution Bureau. The latter deals with crimes of corruption and the most severe offences including organized crime. It intervenes in first instance, but acts as an organizational part of the General Prosecutor's Office.

## **Slovenia**

**(General Comment):** The number is reported in FTE.

Selection process in the procedure for appointing state prosecutors with the formation of a final opinion is in the competence of the State Prosecutor's Council (an independent state body). State prosecutors are appointed by the government.

In Slovenian criminal justice system state prosecutors are exclusively authorized to conduct public prosecution in criminal matters on behalf of society and in the public interest. The Constitution and law guarantee autonomy in status and functioning of state prosecutors. Decisions made by the state prosecutor shall not be interfered with, except by way of general instructions and assigning of a case in the manner determined by the law. Slovenian state prosecutors perform their function in 13 organizational units – prosecution offices. There are 11 District State Prosecutor's Offices and one Specialized State Prosecutor's Office of The Republic of Slovenia, where local, district and senior state prosecutors are positioned. At The Office of the Prosecutor General of the Republic of Slovenia supreme state prosecutors and State Prosecutor General perform their functions. Here are also some state prosecutors of lower ranks assigned to perform demanding professional tasks.

There are no higher state prosecutor's offices as the proceedings before the courts of appeal are governed by the district prosecutor's offices. According to the State Prosecution Service Act prosecutors with the rank of at least local state prosecutor may represent a case before local courts, prosecutors with the rank of at least district state prosecutor may represent a case before district courts, prosecutors with the rank of at least senior state prosecutor may represent a case before higher courts and only supreme state prosecutors may represent a case before the supreme court. Local state prosecutors may also appear before district courts if authorized by the head of state prosecutor's office for certain categories of matters, for a particular matter, for certain categories of procedural acts or for a particular procedural act. Local and district prosecutors may in their cases appear along with a senior prosecutor before the courts of appeal if authorized by the head of an appellate division of the state prosecutor's office for a particular case. Senior and supreme state prosecutors are competent to represent a case also before first instance courts.

In the context of question 55 we counted local and district prosecutors as prosecutors at first instance level, senior prosecutors as prosecutors at second instance level and supreme prosecutors as prosecutors at Supreme Court level without regard of the rang of court before they perform their function in fact or if they are assigned to other institution for a limited period of time (e.g for the administration of State Prosecutorial Council).

**(2022):** The number is reported in FTE format. The total gross number of state prosecutors is 210.

An increase in number of higher and supreme state prosecutors is due to the slow/stalled procedures for appointment of candidates at the government in 2020 and 2021 (in 2022, some candidates that applied in 2018, 2019 and 2020 were appointed.)

**(2021):** Before 2021, data was reported in gross numbers. For 2021 data, the FTE format is observed.

The above data does not include six State prosecutors who perform other duties (assigned to The Council of State Prosecutors, appointed to Eurojust, the European Public Prosecutor and the European Delegate Prosecutor).

**(2020):** The information is in form of gross data. According to the methodology used for reporting judges and court staff (FTE) – by which part-time employees are converted to full-time time by the calculation of working hours, the number amounts to 193, as a number of prosecutors are not working full time.

**(2016):** Slovenian state prosecutors perform their function in 13 organizational units. There are 11 district prosecutor's offices and one Specialised State Prosecutor's Office of The Republic of Slovenia, where local, district and higher state prosecutors are positioned. At The Office of the Prosecutor General of the Republic of Slovenia supreme state prosecutors and State Prosecutor General perform their functions. Here are also some state prosecutors of lower ranks assigned to perform demanding professional tasks.

There are no higher state prosecutor's offices as the proceedings before the courts of appeal are governed by the district prosecutor's offices. According to the State Prosecutor Act prosecutors with the rank of at least local state prosecutor may represent a case before local courts, prosecutors with the rank of at least district state prosecutor may represent a case before district courts, prosecutors with the rank of at least higher state prosecutor may represent a case before higher courts and only supreme state prosecutors may represent a case before the supreme court. Local state prosecutors may also appear before district courts if authorized by the head of a state prosecutor's office for certain categories of matters, for a particular matter, for certain categories of procedural acts or for a particular procedural act. According to amendment of legislation in 2015 local and district prosecutors may in their cases appear along with a higher prosecutor before the courts of appeal if authorized by the head of an appellate division of the state prosecutor's office for a particular case. Higher and supreme state prosecutors are competent to represent a case also before first instance courts.

In the context of question 55 we counted local and district prosecutors as prosecutors at first instance level (164), higher prosecutors as prosecutors at second instance level (42) and supreme prosecutors as prosecutors at Supreme Court level (11) without regard of the rank of court before they perform their function in fact or if they are assigned to other institution for a limited period of time (e.g for the administration of State Prosecutorial Council). The information is in form of full-time equivalent.

**(2014):** In November 2011, the new State Prosecutor Act came into force. It dissolved the special department of the Office of the State Prosecutor General, responsible for the 2d instance level. Proceedings before courts of appeal are now governed by the 4 State circuit prosecutor offices in towns where the higher courts are located. Prosecutors are organised in 12 offices (11 circuit offices and one Specialised State Prosecutor's Office, where circuit and higher prosecutors work) and the Supreme State Prosecutor Office (where supreme State prosecutors and the general State prosecutor work). The function "assistant State prosecutor" changed in "local State prosecutor". The Specialised State Prosecutor's Office for dealing with the most severe criminal offences was established.

**(2012):** In November 2011, the new State Prosecutor Act came into force. It dissolved the special department of the Office of the State Prosecutor General, responsible for the 2d instance level. Proceedings before courts of appeal are now governed by the 4 State circuit prosecutor offices in towns where the higher courts are located. Prosecutors are organised in 12 offices (11 circuit offices and one Specialised State Prosecutor's Office, where circuit and higher prosecutors work) and the Supreme State Prosecutor Office (where supreme State prosecutors and the general State prosecutor work). The function "assistant State prosecutor" changed in "local State prosecutor". The Specialised State Prosecutor's Office for dealing with the most severe criminal offences was established.

## Spain

**(General Comment):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories.

Article 34 of Law 50/1981, (Organic Statute of the Public Prosecutor's Office) distinguishes three categories:

1st Chamber Prosecutors of the Supreme Court, equal to Magistrates of the High Court. The Deputy Prosecutor of the Supreme Court will be considered the President of the Chamber.

2nd Prosecutors, equated to Magistrates.

3. Lawyers-Prosecutors, equated to Judges.

**(2022):** As mentioned in previous exercises, the structure of the Prosecution service does not distinguish prosecutors by 'instance level'.

However, it distinguishes three categories: First, First category ("Fiscales de Sala") Prosecutor of Chamber: Total 40, Males 26, Females 14 (this category includes the Prosecutors of chamber of Supreme Court).

Second. "Fiscal": Total 1908, Males 704, Females 1204

Third: "Abogado-Fiscal": Total 771, Males 187, Females 584

**(2021):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories: First, First category ("Fiscales de Sala") Prosecutor of Chamber: Total 32, Males 21, Females 11 (this category includes the Prosecutors of chamber of Supreme Court).  
Second. "Fiscal": Total 1825, Males 701, Females 1124  
Third: "Abogado-Fiscal": Total 774, Males 178, Females 596

**(2020):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories: First, First category ("Fiscales de Sala del Tribunal Supremo") Supreme Court Prosecutor of Chamber: Total 33, Males 26, Females 7  
Second. "Fiscal": Total 1830, Males 700, Females 1130  
Third: "Abogado-Fiscal": Total 681, Males 158, Females 523

**(2018):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories: First, Total 33, Males 26, Females 7  
Second) Total 1779, Males 696, Females 1083  
Third) Total 653, Males 161, Females 492

**(2016):** The structure of the Prosecution services does not distinguish prosecutors by 'instance level'. However, it distinguishes three categories: First) Total 25, Males 19, Females 6  
Second) Total 1826, Males 738, Females 1088  
Third) Total 622, Males 155, Females 467

## Question 056

### Austria

**(General Comment):** Data are presented in full time equivalent.

**(2022):** Starting from 2022, the data provided in the table correspond to persons who exercise the function of head of prosecution office. Previous data were expressed in FTE.

**(2014):** The numerical values provided are rounded. The accurate figures are: total – 26,64 (16,79 males/9,85 females); heads of prosecution offices at first instance level – 19,60 (12,50 males/7,10 females); heads of prosecution offices at second instance level – 6,49 (3,89 males/2,60 females); heads of prosecution offices at Supreme Court level – 0,55 (0,40 males/0,15 females).

### Belgium

**(General Comment):** Of the 6 heads of department in the public prosecution service at second instance, the federal prosecutor is included.

**(2014):** In 2014, the number of first instance prosecutors' offices and prosecution offices within labour courts was reduced, resulting in a decrease in the number of heads of prosecution services. The decrease between 2012 and 2014 in the number of court presidents and heads of prosecution offices in first instance (male and female) is due to the reform of the judicial map concerning first instance courts.

### Bulgaria

**(2020):** In the provided in the previous cycle 2018-2020 the information on the total number of administrative heads, instead of the indicated figure 133 (one hundred and thirty-three), the figure should be 153 (one hundred and fifty-three). The difference is probably due to a technical error or to the provision of the actual number of incumbents, without reflecting the persons appointed to perform the functions of administrative heads. Due to the impossibility to establish the real cause, information on the data in the individual columns cannot be given.

The data provided (cycle 2020-2022) comply with the instructions on question № 056 in the explanatory note to the scheme for evaluation of judicial systems, ie. there are also the persons who have been appointed to perform the functions of administrative heads due to the lack of a holder of the position. The optimization performed under Art. 30, para. 2, item 7 of the JSA of the district prosecutor's offices, whereby with decisions of the Plenum of the SJC under protocol № 21 / 19.07.2018 and 20 / 29.07.2019 a total of 39 (thirty-nine) district prosecutor's offices were closed and transformed in territorial divisions as follows:

- 11 district prosecutor's offices, as of 01.01.2019;
- 28 district prosecutor's offices, as of 01.01.2020

Following this transformation, the total number of prosecutors at first instance, respectively their administrative heads, is now 74.

Thus, from the real number of administrative heads cycle (2018 – 2020) - 153, 39 (thirty-nine) administrative heads were removed from the closed district prosecutor's offices, in view of which the total number of heads of prosecutor's offices decreased to 114 (one hundred and fourteen), of which: the number of heads of prosecutor's offices at first instance is 74 (seventy-four), the number of heads of prosecutor's offices at second instance is 39 (thirty-nine), and at the supreme level - 1 (one).

**(2016):** 113 administrative heads of Regional Prosecutor's Offices and 1 Specialized Prosecutor's Office; 38 are the administrative heads of 28 District Prosecutor's Offices, 3 Military District Prosecutor's Offices, 7 Appellate Prosecutor's Offices; 1 Prosecutor General

**(2014):** For 2014, the figure 113 includes heads of regional prosecutors' offices. The figure 41 includes 29 district, 7 appellate and 3 military district prosecutors' offices, the Supreme Prosecutors Office of Cassation and the Supreme Prosecutors Office of Appellate.

## Croatia

**(General Comment):** The organisational structure of the public prosecution services comprises: the State Attorney of the Republic of Croatia, the Office for Combating Corruption and Organised Crime (USKOK), county State attorneys' offices and municipal State attorneys' offices. The number of public prosecutors' offices has been significantly rationalised. The number of Heads of the State attorneys' offices does not correspond to the number of municipal State attorneys' offices, because in some of these offices the Heads of offices were not appointed and, until such appointment is made, their duties are exercised by their deputies. The number of the first instance State attorneys' offices includes the number of the municipal State attorneys and Head of Office for Combating Corruption and Organised Crime (USKOK).

**(2022):** The number is reduced by those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

**(2020):** In 2018, the number of Heads of the State attorneys' offices did not correspond to the number of municipal state attorneys' offices, because in some of these offices the Heads of offices were not appointed. By 2020, they were appointed. Additionally, since 1st of January 2019., 3 new first instance POs were established. The number of the first instance State attorneys' offices includes the number of the municipal state attorneys and Head of Office for Combating Corruption and Organised Crime.

**(2018):** In 2018, the organisational structure of the public prosecution in the Republic of Croatia is comprised of the State Attorney of the Republic of Croatia, the Office for Combating Corruption and Organised Crime, 15 county state attorneys' offices and 22 municipal state attorneys' offices. The number of Heads of the State attorneys' offices does not correspond to the number of municipal state attorneys' offices, because in some of these offices the Heads of offices were not appointed. The number of the first instance State attorneys' offices includes the number of the municipal state attorneys and Head of Office for Combating Corruption and Organised Crime.

**(2016):** In 2016, the organisational structure of the public prosecution in the Republic of Croatia is comprised of the State Attorney of the Republic of Croatia, the Office for Combating Corruption and Organised Crime, 15 county state attorneys' offices and 22 municipal state attorneys' offices. The number of Heads of the State attorneys' offices does not correspond to the number of municipal state attorneys' offices, because in some of these offices the Heads of offices were not appointed. The number of the first instance State attorneys' offices includes the number of the municipal state attorneys and Head of Office for Combating Corruption and Organised Crime.

**(2014):** On 31 December 2014, there were 10 vacancies opened for Heads of State attorneys' offices (2 at the county level, and 8 at the municipal level).

## **Cyprus**

**(General Comment):** All heads of prosecution offices can appear before all courts.

**(2012):** In 2012, the noticed decrease in the number of heads of prosecution services was due to the freezing of places within the public sector.

## **Czech Republic**

**(2022):** The number of females heads of prosecution offices has decreased only from 2 to 1.

## **Denmark**

**(2022):** Please note that number 1 is counted as the director of the prosecution service in the 15 different police districts of Denmark, Greenland and the Faroe Islands. 2 is the heads of the 3 state prosecutors offices (Copenhagen, Viborg and State Prosecutor for Special Crime). 3 is the Director of Public Prosecutions (Rigsadvokaten).

**(2020):** Please note that number 1 is counted as the director of the prosecution service in the 15 different police districts of Denmark. 2 is the heads of the 3 state prosecutors offices (Copenhagen, Viborg and State Prosecutor for Special Crime Unit) 3 is the Director of Public Prosecutions (Rigsadvokaten).

**(2016):** The observed discrepancies are due to ordinary changes in staffing.

## **Estonia**

**(General Comment):** The categorization of questions 55 and 56 regarding public prosecutors do not exist in Estonia.

**(2020):** .

**(2012):** For 2012, the number of heads of prosecution offices includes 1 Prosecutor General, 2 Deputies of the Prosecutor General, 4 Chief Prosecutors.

## **Finland**

**(2020):** Prosecutors in Finland are not bound on Court instances.

This number includes the five prosecution districts, the The Prosecutor General and the Deputy Prosecutor General. The number of heads of prosecution offices decreased between 2018 and 2020 due to the re-organization of the prosecution.

**(2018):** The Prosecutor General, the Deputy Prosecutor General and 11 heads of the local prosecution offices. New heads of prosecution offices have been appointed and more of them are females.

**(2016):** the Prosecutor-General, the Deputy Prosecutor-General and 11 heads of local prosecution offices

**(2014):** For 2014, the total referres to the Prosecutor-General, the Deputy Prosecutor-General and 11 heads of local prosecution offices.

**(2012):** For 2012, the total referres to the Prosecutor-General (male), the Deputy Prosecutor-General (male) and 13 heads of local prosecution offices (13 males and 2 females).

## France

**(2012):** For 2012, the public prosecutor of the Cassation court, general public prosecutors to the courts of appeal and State prosecutors were counted.

## Germany

**(General Comment):** The total number of heads of the public prosecution offices is at least the number of Regional Courts (115) plus the number of Higher Regional Courts (24) at which the chief public prosecution offices are located.

**(2022):** There are no statistics specifically on the number of the heads of public prosecution offices. The figures were calculated based on the number of public prosecution offices (115 public prosecution offices at the Regional Courts, 24 prosecutor general's offices at the Higher Regional Courts, 1 Federal Prosecutor General's office at the Federal Court of Justice). Generally, each public prosecution office has one head but there might be cases in which two persons working in part time share the position or in which one person (temporarily) is the head of two public prosecution offices.

**(2020):** There are no statistics specifically on the number of the heads of public prosecution offices. The figures were calculated based on the number of public prosecution offices (115 public prosecution offices at the Regional Courts, 24 prosecutor general's offices at the Higher Regional Courts, 1 Federal Prosecutor General's office at the Federal Court of Justice). Generally, each public prosecution office has one head but there might be cases in which two persons working in part time share the position or in which one person (temporarily) is the head of two public prosecution offices.

**(2018):** There is no evidence of how many heads of prosecutors there are.

However, since the structure of the public prosecutor's offices (public prosecutor's offices, Attorney General's Office and General

Prosecutor's Office) is the same as that of the courts (District Court, Higher Regional Court, Federal Supreme Court), there are at least as many senior prosecutors as there are courts. The total number of heads of the public prosecution offices is at least the number of Regional Courts plus the number of Higher Regional Courts at which the chief public prosecution offices are located.

**(2016):** There is no evidence of how many heads of prosecutors there are. However, since the structure of the public prosecutor's offices (public prosecutor's offices, Attorney General's Office and General Prosecutor's Office) is the same as that of the courts (District Court, Higher Regional Court, Federal Supreme Court), there are at least as many senior prosecutors as there are courts. The total number of heads of the public prosecution offices is at least the number of Regional Courts (116) plus the number of Higher Regional Courts (24) at which the chief public prosecution offices are located. These are currently 140.

## Greece

**(2020):** Gender data are not kept.

**(2016):** The previous data given referred to the heads of prosecution offices, which in Greece is a title (rank) and not to those who are actually in charge of the organization and the management of a Prosecution Office. This year's data are the correct ones.

**(2014):** The 2014 data concerns all prosecutors that possess the rank of "prosecutors", and not only those who are in charge of each prosecutor's office. The total number of prosecutors in charge of each prosecutor's office (heads) is 83.

## Hungary

**(2022):** The table contains the following heads/senior leaders of prosecution offices:

the Prosecutor General; appellate chief prosecutors (if there is no appellate chief prosecutor appointed or assigned, then the head of division at the appellate chief prosecution office who leads the appellate chief prosecution office); chief prosecutors (if there is no chief prosecutor appointed or assigned, then the deputy chief prosecutor who leads the chief prosecution office); prosecutors who are heads of district prosecution offices (if there is no leading prosecutor appointed or assigned, then the deputy head of the district prosecution office who leads the organizational unit).

The heads of organizational units with operational responsibilities (such as Information Technology Department and Independent Administrative Unit) are also included in the data of the Office of the Prosecutor General.

As previously indicated, prior to 2022, only the number of public prosecutors at district prosecution offices who handle first-instance cases and the number of public prosecutors at chief prosecution offices and appellate chief prosecution offices who handle second-instance cases were included in the database. According to this calculation method, the data for prosecution leaders as of 31 December 2022 are as follows:

Total number of heads of prosecution offices (1 + 2 + 3 level of jurisdiction)

Total: 151

Males: 91

Females: 60

1. Number of heads of prosecution offices at first-instance level

Total: 124

Males: 70

Females: 54

2. Number of heads of prosecution offices at second-instance (courts of appeal) level

Total: 26

Males: 20

Females: 6

3. Number of heads of prosecution offices at Supreme Court level

Total: 1

Males: 1

Females: 0

**(2013):** The number of heads of prosecution offices corresponds to the number of courts of appeal (5) and the number of district courts intervening in second instance (21).

## Ireland

**(General Comment):** There is only one Office of Public Prosecution in Ireland and the Director of Public Prosecutions is the head of that office.

In fact, the effect of Section 3 (1) of the Prosecution of Offences Act 1974 is to make the Director of Public Prosecutions the prosecuting authority in relation to criminal matters (apart from a very limited number of functions retained by the Attorney General).

**(2022):** Please see Guidelines for Prosecutors (5th edition, 2019), paragraphs 2.4 to 2.10.  
(<https://www.dppireland.ie/app/uploads/2023/01/Guidelines-for-Prosecutors-5th-Edition-eng.pdf>).

**(2020):** Please see Guidelines for Prosecutors (5th edition, 2019), paragraphs 2.4 to 2.10.

## Italy

**(2022):** The percentage of discrepancies is high due to the small absolute value.

## Latvia

**(2022):** At the end of 2020, a reorganization was launched in the prosecutor's office with the aim of ensuring rational use of state budget funds, as well as creating a more even distribution of prosecutors' workload. During the reform, which also continued in 2021, the work of individual district-level prosecutor's office units was optimized (reduced number of prosecutors offices and number of heads of offices), at the same time prosecutors were also specialized in criminal offenses committed in the service of state institutions, including those related to corruption.

**(2020):** The data provides information only about persons performing the duties of head of prosecution office.

**(2018):** Data includes the position of the deputy Head Prosecutor, who is also the position of a higher prosecutor in the Prosecutor's Office.

**(2016):** Data includes the position of the deputy Head Prosecutor, who is also the position of a higher prosecutor in the Prosecutor's Office.

**(2014):** The provided data includes the number of deputy heads of prosecution offices, who are also occupying the higher prosecutor position within the structure of the public prosecution services. The total number of heads of prosecution offices for 2014 is 61 (8 deputy heads), 36 males (3 deputy heads), 25 females (5 deputy heads). The total number of heads of prosecution offices at first instance level is 41 (4 deputy heads), 24 males (2 deputy heads), 17 females (2 deputy heads). The total number of heads of prosecution offices at second instance level is 10 (4 deputy heads), 6 males (1 deputy head), 4 females (3 deputy heads).

**(2012):** The provided data includes the number of deputy heads of prosecution offices, who are also occupying the higher prosecutor position within the structure of the public prosecution services. The total number of heads of prosecution offices for 2012 is 56 (5 deputy heads), 33 males (1 deputy head), 23 females (4 deputy heads). The total number of heads of prosecution offices at first instance level is 37 (1 deputy head), 16 females (1 deputy head). The total number of heads of prosecution offices at second instance level is 10 (4 deputy heads), 6 males (1 deputy head), 4 females (3 deputy heads).

## Lithuania

**(2022):** In 2022, structural changes were implemented (merging of some departments), resulting in a reduction of 10 managerial positions (Chief Prosecutors, Deputy Chief Prosecutors). The number of men and women changes for natural reasons and depends on the gender of the applicants for the position of the Chief / Deputy Chief Prosecutor.

**(2014):** In 2012, the 56 territorial prosecutor's offices have been reorganised into 5 regional prosecutor's offices with 10 district prosecutor's offices functioning inside them (first instance and second instance levels have been combined). Currently, only two instances exist. The total number of heads of prosecution offices evolved in the following manner: 2010 – 190; 2011 – 187; January 2012 – 145; May 2012 – 126; September 2012 – 93, December 2013 – 90, December 2014 – 89.

**(2012):** After reorganization of the prosecution service in 2011, the 1st and the 2d instances merged. Currently, two instances exist instead of three. This reorganization allowed reducing number of heads of prosecution services. Namely, 54 district prosecutor's offices lost their independent status and became departments of 5 regional prosecutor's offices. Therefore, neither heads of district prosecutor's offices nor heads of their units were considered "heads of prosecution services" and were not included in the 2012 data.

## Luxembourg

**(General Comment):** The General Prosecution Office at the level of the Superior Court is headed by one General State Prosecutor. There are also two district prosecution offices (Luxembourg and Diekirch), so there are two district prosecutors.

**(2016):** 56.1 to 56.3: the heads referred to therein are also taken into account for items 55.1 to 55.3  
The number of prosecutors indicated here as working at the Supreme Court corresponds to the number of prosecutors working at the Superior Court of Justice (which includes prosecutors intervening at the Court of Appeal and Court of Cassation level).

## Malta

**(General Comment):** The Attorney General is the head of the Office of the Attorney General and her role as Head of Prosecution is defined in the Constitution of Malta.

**(2018):** The Attorney General is the head of the Office of the Attorney General. He enjoys the support of 2 Deputy Attorney Generals, one dedicated to civil law and the other dedicated to criminal law.

**(2016):** The Attorney General is the head of the Office of the Attorney General. His role is that of head of the prosecution as well as principal legal advisor to the government (and its various Ministries and Departments).

## Netherlands

**(2016):** total 61,44 44,1 17,34  
1 59,32 41,98, 17,34  
2 2,12 2,12 0

**(2014):** The number of heads of prosecution offices at first instance level in 2014 includes 19,77 substitutes (14,54 male/5,23 female). Prosecutors at Supreme Court level are not employees of the National Prosecution Service and therefore they are not included in the total.

## Poland

**(2022):** Due to the impossibility of filtering the data as at 31.12.2022, the status as at 21.07.2023 r.  
The table takes into account the heads of regional prosecutors' offices, whose number is 11, including nine men and two women.  
The figures indicated in the table do not take into account the number of persons serving as deputy heads of prosecution offices at the above levels.

**(2020):** The sum is higher than the sum of the subcategories because it takes into account the number of heads of regional prosecutor's offices, (whose number is 11, including 9 men and 2 women), since according to Article 16 of the Law of January 28, 2016 - Law on Prosecutor's Office (Journal of Laws of 2021, item 66) the common organizational units of the prosecutor's office are: National Prosecutor's Office, regional prosecutors' offices, circuit prosecutors' offices and district prosecutors' offices. The figures indicated in the table do not take into account the number of persons serving as deputy heads of prosecution offices at the above levels.

**(2018):** Universal prosecutorial bodies are: the National Public Prosecutor's Office, appellate public prosecutor's offices, regional public prosecutor's offices and district public prosecutor's offices. Numerical data determined in the table does not include the number of deputy chief prosecutors related to the prosecution offices at the aforementioned levels.

**(2016):** There are several differences between data which were sent in previous campaigns (2014) and above table. Differences could be caused by indicating in previous cycles also vice heads of prosecution offices.

**(2014):** Figures provided for 2014 encompass deputy-heads of prosecution offices.

**(2012):** Figures provided for 2012 encompass deputy-heads of prosecution offices.

## Portugal

**(2016):** Portuguese Official Justice Statistics do not collect these data.

## Romania

**(2022):** In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

**(2020):** In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

The discrepancies in terms of number of heads within the prosecution offices compared to the previous campaign are due to the fact that the leading position mandates have expired within the current period and because of the pandemic situation competitions for filling in these positions could not be organised.

**(2018):** In line with our previous reports in this matters, in the table above prosecutors from prosecution offices of the tribunals and of the courts of appeal shall be included in the category "second instance professional prosecutors".

**(2016):** As regards the total number of heads of prosecution offices that went from 277 in 2014 to 426 for 2016 data, this may be generated by the fact that the specialised prosecution units (such as the anticorruption and anti organised crime structures) might have not been taken into account. Data may therefore not be comparable.

Without taking into calculation the specialised structures as mentioned above, the number of heads prosecution offices of the Supreme court is 13; if adding the number of heads of prosecution offices of the specialised structures, the number will be as follows: DNA (anticorruption unit) 15 out of which 10 male and 5 female; DIICOT (anti organised crime structure) 51 out of which 28 male and 23 female.

**(2012):** In 2012, akin to the previous exercise, the figures include also deputy heads of prosecution offices of the Tribunals and Courts of Appeal.

## Slovak Republic

**(2014):** For 2012 and 2014, only the number of heads of prosecution offices was indicated. There is one head prosecutor for every District prosecution office (54), every Regional prosecution office (8) and the General Prosecutor Office (1). However, on 1 January 2015, there were two vacant positions of heads of district prosecution offices. Besides the head of the prosecution office, the post of chief prosecutor implies also the deputies of every prosecution office, the specialised prosecutor and his/her deputies, the directors and the deputies of sections and departments of the General prosecution Office. For example, in 2014, the total number of prosecutors in chief position was 200 (119 men, 81 women).

**(2012):** For 2012 and 2014, only the number of heads of prosecution offices was indicated. There is one head prosecutor for every District prosecution office (54), every Regional prosecution office (8) and the General Prosecutor Office (1). However, on 1 January 2015, there were two vacant positions of heads of district prosecution offices. Besides the head of the prosecution office, the post of chief prosecutor implies also the deputies of every prosecution office, the specialised prosecutor and his/her deputies, the directors and the deputies of sections and departments of the General prosecution Office. For example, in 2014, the total number of prosecutors in chief position was 200 (119 men, 81 women).

## Slovenia

**(General Comment):** We considered heads of District State Prosecutor's Offices and Specialized State Prosecutor's Office of The Republic of Slovenia as heads of prosecution office at first instance level. There is no organizational counterpart in the structure of prosecution office to courts of second instance, so the answer is NAP. We considered prosecutor general as the head of prosecution office at supreme court level.

**(2020):** The difference is due to small absolute number.

**(2016):** The position of the Supreme Court president was not filled on 31. 12. 2016 . The term of the previous president ended during 2016 and new president was not elected until 2017. The new president for the next 6-years-term is male.

## Spain

**(General Comment):** The structure of the Prosecutor's body is adapted to the territorial division of Spain in Autonomous Regions and Provinces.

So it is not applicable the categories designed by the questionnaire. The Spanish structure distinguishes Heads of offices of the Autonomous Region, Heads of offices of Province, Heads of offices of area.

**(2022):** The structure of the Prosecutor's body is adapted to the territorial division of Spain in Autonomous Regions and Provinces.

Number of Heads of offices of the Autonomous Región: Total 17 (Males 9, Female 8)

Number of Heads of offices of Province: Total 44 (Males 25, Female 19)

Number of Heads of offices of Area: Total 26 (Males 11, Females 15)

**(2020):** The structure of the Prosecutor's body is adapted to the territorial division of Spain in Autonomous Regions and Provinces.

Number of Heads of offices of the Autonomous Región: Total 17 (Males 12, Female 5)

Number of Heads of offices of Province: Total 44 (Males 27, Female 17)

Number of Heads of offices of Area: Total 27 (Males 8, Females 19)

**(2018):** The structure of the Prosecutor's body is adapted to the territorial division of Spain in Autonomous Regions and Provinces.

Number of Heads of offices of the Autonomous Región: Total 17

(Males 11, Female 6)

Number of Heads of offices of Province: Total 44 (Males 30, Female 14)

Number of Heads of offices of área: Total 26 (Males 11, Females 15)

**(2016):** Number of Heads of offices of the Autonomous Región: Total 17 (Males 13, Female 04)

Number of Heads of offices of Province: Total 44 (Males 30, Female 14)

Number of Heads of offices of área: Total 27 (Males 10, Females 17)

**(2012):** In 2010, the data provided for heads of prosecution at Supreme Court level referred to prosecutors, taking into account prosecutors as members of the Supreme Court, while the 2012 data referred exclusively to heads of prosecution within the Supreme Court, which were 7.

## Question 057

### Austria

**(2022):** The agents of public prosecutor's offices ("Bezirksanwälte") are judicial officers with legal training, and are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor (Quite similar to the "Rechtspfleger", but with a lower range of competence); starting from 2022, agents of public prosecutor's offices in training are included in the frame of Q60.

**(2020):** The agents of public prosecutor's offices ("Bezirksanwälte") are judicial officers with legal training, and are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor (Quite similar to the "Rechtspfleger", but with a lower range of competence); agents of public prosecutor's offices in training included

**(2018):** The agents of public prosecutor's offices ("Bezirksanwälte") are judicial officers with legal training, and are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor (Quite similar to the "Rechtspfleger", but with a lower range of competence); agents of public prosecutor's offices in training included.

**(2016):** The agents of public prosecutor's offices ("Bezirksanwälte") are judicial officers with legal training, and are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor (Quite similar to the "Rechtspfleger", but with a lower range of competence).

## **Belgium**

**(General Comment):** Note that there is the possibility for the competent Attorney General to authorize permanently appointed public prosecutors to exercise public action before police courts in certain cases. This requires a motivated individual order and after positive opinion of the competent Attorney General (cf. Article 162 § 2 of the Judicial Code).

**(2016):** By a reasoned individual order and after a positive opinion has been given by the competent public prosecutor, permanently appointed public prosecutors may bring a public action before the police court, except in the case of involuntary death as a result of a traffic accident, in so far as they can prove at least two years' seniority as a lawyer in the judiciary.

## **Cyprus**

**(2016):** the Attorney General can assign to lawyers the prosecution of certain cases.

## **Denmark**

**(General Comment):** Some police officers conduct cases pertaining to minor offences in court, but they carry out this function on behalf of the prosecution service.

**(2018):** There is a small number of police officers who conduct cases pertaining to minor offences in court behalf of the prosecution service, but it is only a small part of their normal tasks as a police officer.

## **Estonia**

**(2018):** We have assistant prosecutors who act under the guidance of the prosecutor.

**(2016):** We have assistant prosecutors who act under the guidance of the prosecutor.

## **Finland**

**(General Comment):** The Chancellor of Justice of the Government and the Parliamentary Ombudsman may also prosecute or order that charges to be brought in matters falling within the scope of their supervisory authority. If a prosecutor has decided not to prosecute, the injured party has the right to him/herself bring a charge for the offence in order to have the case heard by a court.

**(2018):** If a prosecutor has decided not to prosecute, the injured party has the right to self bring a charge for the offence in order to have the case heard by a court. The Chancellor of Justice of the Government and the Parliamentary Ombudsman may also prosecute or order the charges to be brought in matters falling within the scope of their supervisory authority.

## **France**

**(General Comment):**

There are delegates of the public prosecutor who undertake certain duties on behalf of the prosecuting attorney: implementing alternative measures to criminal prosecution, notifying individuals of proposed measures within the framework of a penal composition, serving notices for penal orders to convicted individuals, overseeing compliance with community service sentences and monitoring enforcement of penalty sanctions. Additionally, they are responsible for collecting fines imposed through penal orders and representing the public prosecutor in territorial proceedings.

**(2022):** There exist delegates of the public prosecutor who undertake specific missions on behalf of the prosecutor: implementing alternative measures to criminal prosecution, notifying proposed measures within the framework of a penal composition, serving notice of penal orders to offenders, overseeing compliance with community service sentences and monitoring enforcement of punitive sanctions. Furthermore, they are tasked with collecting fines imposed through penal orders and representing the public prosecutor in territorial proceedings.

**(2016):** No other person has functions comparable to those of the public prosecutor, the latter being sole in charge of the public prosecution. On the other hand, certain powers may be delegated on an ad hoc basis within a specific framework. Thus, before the police court and the local court which are competent to try contraventions of the first four levels, the functions of the public prosecutor are carried out by an officer of the public prosecutor's office (OMP) in the person of the competent police commissioner in the jurisdiction of these courts.

The prosecutor of the Republic may also designate a representative of the public prosecutor to intervene in the procedure of criminal composition or to remind the perpetrator of the obligations resulting from the law, to direct the perpetrator to a health, social or professional structure or to ask the perpetrator to regularise his/her situation or to compensate the damage resulting from the offence. The prosecutor's delegates may be natural persons or associations. They are empowered to do so by the public prosecutor, must take an oath before the court and are bound by professional secrecy. They submit an annual activity report to the prosecutor.

The prosecutor's delegates are not members of the public prosecutor's office and are not in charge of initiating public prosecutions, unlike the officers of the public prosecutor's office mentioned above. Indeed, the prosecutor's delegates are only competent within the framework of the mission assigned to them for an alternative measure to prosecution in a specific case.

**(2014):** Data in FTE is not available for two reasons. On the one hand, deputy prosecutors (about 950) and criminal mediators are involved as delivery agents and not employees. On the other hand, associations, to the number of 155, are also entitled to fulfill these missions, but it is still not possible to determine the number of FTE devoted to these specific missions, among other socio-judicial missions.

**(2012):** It is not possible to provide a number in FTE for two reasons. On the one hand, deputy prosecutors (about 1000 in 2012) and criminal mediators are involved as delivery agents and not employees. On the other hand, associations, to the number of 150, are also entitled to fulfill these missions, but it is still not possible to determine the number of FTE devoted to these specific missions, among other socio-judicial missions.

**Germany**

**(General Comment):** Section 142 of the Courts Constitution Act (GVG) provides for the function of an official solicitor. In Germany, an official solicitor is a civil servant in a special career of the higher judicial service who performs certain tasks of a public prosecutor. In principle, they can perform prosecutorial duties before local courts without restriction, but at federal state level the orders on the organisation and operation of the public prosecutor's offices regularly limit the activities of the official solicitors to an enumerative catalogue of offences to be tried before the criminal judge. In addition, section 142 of the Courts Constitution Act (GVG) provides that legal trainees may be entrusted with the performance of prosecutorial duties. These legal trainees are persons who have completed their law studies with the first state examination and are in a two-year preparatory service, the completion of which is intended to qualify them for the judicial office. Within the scope of the assignment of duties, the trainee has the same procedural powers as an official solicitor.

**(2016):** The number cited concerns exclusively associate public prosecutors at a local court (Amtsanwälte). This figure as well reflects job shares (not a number of heads). Besides these associate public prosecutors, there are trainee jurists, civil parties to criminal proceedings, and revenue authorities. However, their number is not known (NA) and therefore was not included in the answer to question 57.

Officials of the public prosecution office:

The office of the public prosecution office at the Local Courts can also be exercised by officials of the public prosecution office with a right of audience before the local courts (section 142 (2) of the Courts Constitution Act). The jurisdiction of the officials of the public prosecution office does not encompass preparing public charges in local court proceedings in criminal matters falling under the jurisdiction of courts other than the local courts. In accordance with the Order regarding the Organisation and Service Operations of the Public Prosecution Offices (Anordnung über Organisation und Dienstbetrieb der Staatsanwaltschaft, OrgStA) issued by some Land administrations of justice, officials of the public prosecution office are only assigned criminal matters in which the criminal court judge rules, and then only the criminal matters designated in a list. Trainee jurists:

Responsibility may be assigned to trainee jurists for discharging the duties of an official of the public prosecution office with a right of audience before the local courts and, in an individual case, for discharging the duties of a public prosecutor under the latter's supervision (section 142 (3) of the Courts Constitution Act).

Civil party to criminal proceedings:

Under certain preconditions, some criminal offences can be prosecuted by aggrieved persons by means of a private charge without needing to first call on the public prosecution office. A private charge can also be filed by someone who is entitled to file a request to prosecute in addition to or in place of the aggrieved person.

Revenue authorities:

Tasks comparable to those of the public prosecution office are performed by the revenue authorities in the fiscal criminal proceedings: If the revenue authority conducts the investigation independently in accordance with section 386 (2) of the Fiscal Code (Abgabenordnung, AO), it has the same rights and obligations as the public prosecutor's office has in an investigation (section 399 (1) of the Fiscal Code).

## Greece

**(General Comment):** Deputy Prosecutors and members of the prosecution (is the first degree after graduation from the National School of Judges) have related duties to prosecutors.

## Hungary

**(2022):** According to the Criminal Procedure Code a victim may act as a private prosecutor and a substitute private prosecutor in criminal proceedings, but private prosecutors and substitute private prosecutors are not part of the administration of justice.

## Ireland

**(General Comment):** For completeness, it should be noted that Section 8 (2) of the Garda Síochána Act 2005 provides that any member of the police service (An Garda Síochána) may institute and conduct prosecutions in a court of summary jurisdiction (the District Court which is the court of first instance in criminal prosecutions) in the name of the Director of Public Prosecutions. The DPP has issued a number of general directions concerning the institution and conduct of prosecutions by members of the police service (Gardaí) who are required by Section 8 (3) of the 2005 Act to comply with such directions in deciding whether to institute and in instituting or conducting a prosecution. The number of Gardaí in the police service for 2018 was 14300. In this jurisdiction also, there are a number of specialised investigating authorities in relation to certain particular categories of crime or offending, including breaches of the tax code, provisions for safety and welfare at work, and company or competition law. Many investigative agencies have the power to prosecute summarily (in the District Court) without reference to the DPP.

**(2022):** Please see Guidelines for Prosecutors (5th edition, 2019), paragraphs 1.5 and 2.13 to 2.15. (<https://www.dppireland.ie/app/uploads/2023/01/Guidelines-for-Prosecutors-5th-Edition-eng.pdf>).

**(2020):** Please see Guidelines for Prosecutors (5th edition, 2019), paragraphs 1.5 and 2.13 to 2.15.

**(2016):** There are 32 State Solicitors contracted to provide a solicitor service to the Director of Public Prosecutions in cases to be heard outside Dublin. Serious criminal offences, with the exception of certain criminal matters having an international dimension, are prosecuted in the name of the DPP. Much of the work of the DPP is carried out by barristers in private practice rather than by barristers in the employment of the State. Therefore, there is no equivalent to the salaried official known as a public prosecutor in other member states.

## Italy

**(General Comment):** In Italy, lay magistrates, known as "Vice Procuratori Onorari," play a unique role as members of the public prosecution system. Following a period of training, they are authorized to support professional public prosecutors in a range of capacities. These responsibilities include:

- **Representation in Court:** Lay magistrates can represent the public prosecution office during hearings related to misdemeanor criminal cases.
- **Legal Research and Analysis:** They engage in the study of jurisprudence and case-law, contributing to a deeper understanding of legal precedents.
- **Procedural Assistance:** Lay magistrates provide valuable assistance to professional public prosecutors in drafting procedural documents and acts.

**(2020):** In Italy this figure is called "Vice Procuratore Onorario". After a period of training, they can assist the public prosecutors. They can be employed in a variety of different tasks: hearings of misdemeanor criminal cases, jurisprudence studies, preparation of the request to discontinue cases, etc.

**(2018):** In Italy this figure is called "Vice Procuratore Aggiunto". After a period of training, they can assist the public prosecutors. They can be employed in a variety of different tasks: hearings of misdemeanour criminal cases, jurisprudence studies, preparation of the request to discontinue cases, etc.

## Malta

**(General Comment):** Police have the authority to investigate and initiate prosecutions before the Court of Magistrates. The Office of the AG prosecutes trials by jury and appeals therefrom and also files and prosecutes appeals from the decisions of the Court of Magistrates. Following the reform in 2020 in which the Office of the AG became Chief Prosecutor, a number of cases previously prosecuted by the police are being gradually handed over to the lawyers working at the Office of the AG.

**(2018):** Police have the authority to initiate prosecutions and to prosecute cases before the Court of Magistrates. If cases are serious enough to go to trial by jury (theoretically any case liable by imprisonment for more than 2 years can go to trial by jury, but cases in which trial by jury is mandatory are those in which the charge is liable to imprisonment for 12 years or more. In practice, most trials by jury deal with these kind of serious offences). The prosecution from the Office of the Attorney General prosecute trials by jury and appeals therefrom and also files and prosecutes appeals from the decisions of the Court of Magistrates.

**(2016):** In Malta, the police have the authority to prosecute a case in court, unless the nature of the offence is serious enough to merit prosecution in the higher courts by the lawyers working at the Office of the AG. The figure presented above reflects the number of Police Inspectors and Police Superintendents whose duties include prosecution in court.

## Netherlands

**(General Comment):** Assistant -Public prosecutor, since 2018, the function of assistant-public prosecutor has been introduced.

**(2020):** Assistant-Public prosecutor  
Since the previous cycle, the function of assistant - public prosecutor has been introduced.

## Poland

**(2022):** The above figures show the status as at 31.12.2022 and also include assessors in the Military Affairs Departments, of which there are 14 in total.

The provisions concerning prosecution assessors are set out in Section V of the Act - Law on the Public Prosecutor's Office. Pursuant to Article 173 of the Act - Law on the Public Prosecutor's Office, the Public Prosecutor General may entrust an assessor of the public prosecutor's office, for a specified period of time, not exceeding 3 years, with the performance of prosecutorial activities without the right to:

- 1) participation in the proceedings before the court of appeal and in the proceedings before the district court, with the exception of proceedings at first instance in cases in which he has conducted pre-trial proceedings;
- 2) to appear before the Supreme Court, to draw up appeals and motions to the Supreme Court.

An assessor of the public prosecutor's office who is not authorised to perform prosecutorial activities may act as a public prosecutor in cases in which an investigation has been conducted.

In addition, the provisions relating to public prosecutors (pursuant to Article 174 § 1 of the Act - Law on Public Prosecution) apply accordingly to prosecution assessors.

**(2020):** Pursuant to Article 173 § 1 of the Act on the Public Prosecutor's Office of 28 January 2016 (Journal of Laws of 2021, item 66), the Public Prosecutor General may entrust an assistant prosecutor (assessor) for a fixed period, not exceeding 3 years, with the performance of prosecutorial activities without the right:

- 1) to participate in proceedings before the Court of Appeal and in proceedings before the Circuit Court, with the exception of proceedings at first instance in cases where he or she has conducted the pre-trial proceedings;
- 2) appearing before the Supreme Court, preparing appeals and applications to the Supreme Court.

**(2018):** Pursuant to art. 173 § 1 of the Law on Prosecution Act of 28th January 2016 (published in the Journal of Laws 2017, item 1767 and later amendments), Public Prosecutor General can entrust prosecution's assessor (for a specified period of time, not exceeding 3 years) with performance of prosecutor's activities, without the right to:

- 1) participation in the appeal proceedings, as well as participation in proceedings before the District Court - except for proceedings of a first instance, in cases related to preparatory proceedings conducted by this court;
- 2) act before the Supreme Court, as well as prepare appeals and motions to the Supreme Court.

## Portugal

**(General Comment):** Article 74, n.2, from the Prosecutors Statute was repealed by Law n.º 68/2019, of 27/08. According to the new Statute of Public Prosecutors (Article 81), prosecutors shall be replaced in their absences and impediments by magistrates of the same judicial district or administrative and tax jurisdiction area, preferably by magistrate exercising functions in the same area of specialization, in the order established by the regulations of the district public prosecutor's office or by determination of the magistrate coordinator of the judicial district.

## Slovak Republic

**(2022):** Judicial assistants of the prosecutor's office and assistant prosecutors.

**(2020):** Other persons with similar duties as prosecutors are the legal attendants of the prosecutor's office and the assistant prosecutors. As for the different answer in the previous cycle, in that time the institute of assistant prosecutors did not yet exist yet.

## Spain

**(General Comment):** Police officers can present a police report directly to the Criminal Investigation Courts.

## Question 060

## **Austria**

**(2022):** Staff in charge of different administrative tasks and of the management of the prosecution offices

Technical staff

Trainees (including trainees for Bezirksanwälte) and staff representation

## **Belgium**

**(2020):** V: 1694

M: 730

## **Bulgaria**

**(2022):** number of full-time positions for judicial officers in the general and specialized administration in all prosecutor's offices of the Republic of Bulgaria – 2901 /as of December 31, 2022/

- number of full-time employees in specific positions for judicial officers in the educational centers of the Prosecutor's Office of the Republic of Bulgaria – 55 /as of December 31, 2022/

**(2021):** The decrease in the number of staff (non-public prosecutors) in the prosecutor's offices is due to the closing of the majority of the first-instance prosecutor's offices and their merger with those in the regional centers. Thus, the managing and duplicating positions in the closed prosecutor's offices were cut.

**(2014):** For 2014, the number of actually working servants in the Prosecutors office at 31 December 2014 (2918,5) includes also 66 servants working in the field of recreational craft. The main source of this data is the establishment plan of the Prosecutors office of the Republic of Bulgaria for the number of prosecutors and investigators and a reference for the number of employees in the Prosecutors office of the Republic of Bulgaria at December 2014.

**(2012):** For 2012, the number of actually employed servants in the Prosecutors Office at 31 December 2012 (2989,5) includes 177 servants in the recreation department.

## **Croatia**

**(2022):** The data refer to civil servants and employees employed for an indefinite period.

The number does not include those:

- who are on unpaid leave
- who have a dormant employment status
- who have a dormant status of employment until the third year of the child's life
- who are part-time in accordance with the Act on maternity and parental benefits
- who work part-time to care for a child with special needs
- who are on maternity leave
- who are on parental leave
- who are on paternity leave
- who are removed from service
- who are sent to work in another state body or outside the state service (Ministry of Justice, Judicial Academy, State Judicial Council, international missions and international institutions)

## **Cyprus**

**(2021):** In 2021, a significant number of public prosecutors were appointed, as new posts have been approved and vacant posts have been filled.

**(2020):** trainees are not included

## **Denmark**

**(General Comment):** In Denmark, the staff attached to the public prosecution service (non-public prosecutors) are shared between the police and the prosecution offices (first instance level).

**(2022):** In the response from 2020, all employees of the prosecution, i.e. also prosecutors, were for unknown reasons included. In the 2021 data the number is 747 in relation to non-public prosecutors. And this year the number is 605 people. The decrease is due to, among other things, that police personnel employed by the prosecution were also included, and due to an organizational change in the public prosecution services.

**(2021):** The number is the actual number of employees in full-time equivalent as of December 2021. Full-time equivalents are allocated on the 1st of the month, and it is therefore not possible to draw a precise number for 31 December. The number is therefore drawn for 1 December 2021 and scaled up to a full year. The actual numbers of full-time equivalents are calculated as digital numbers which is not possible to add in the questionnaire.

**(2020):** In 2020, lawyers and police personnel attached to the Prosecution Service are included in the figures.

**(2018):** The staff attached to the public prosecution service (non-public prosecutors) are shared between the police and the prosecution offices (first instance level).

### **Estonia**

**(2020):** More males have been hired.

### **Finland**

**(2022):** Prosecutor's secretaries and other specialist staff

**(2021):** In 2021, more staff was hired.

**(2018):** More staff has been recruited.  
The number of males has increased.

### **France**

**(2022):** This figure encompasses legal assistants and specialized aides working within the prosecutor's office. It does not account for deputy prosecutors.

**(2021):** 359 = legal assistants and specialised assistants  
Source DSJ

**(2016):** It should be recalled that court staff are assigned to the services of judges and public prosecutors, and details of this breakdown are not available. For very specific staff, the data are nevertheless known: 60 specialised assistants and 49 legal assistants.

**(2014):** Staff assisting the public prosecution office are comprised in the whole of the registry staff under the direction of a registry director. The latter works closely with the chairman of the court and the public prosecutor at the court. Therefore, data on staff of the public prosecution office are, to this date, indistinct from those of court staff (question 52). Moreover, some very specialised public prosecution services can be assigned to specialised assistants, sometimes from other jurisdictions, to help them deal with the most complex proceedings. These specialised assistants are at number 44 (including 23 women) in 2014.

### **Germany**

**(2022):** Figures include official solicitors ("Amtsanwälte") referred to in question 57.

**(2021):** This figure includes:

- The number of associate prosecutors (i.e. officials of the public prosecution office with a right of audience only before the Local Courts – in German: "Amtsanwälte"), the staff at the public prosecution offices and associate prosecutors' offices based at the Regional Courts as well as the staff at the public prosecution offices based at the Higher Regional Courts (full-time equivalent staff as of 31. December 2021)
- The staff (222 in total, 140 female) at the Office of the Federal Prosecutor General (headcount as of 31. December 2021).

**(2020):** This figure includes:

- The number of associate prosecutors (i.e. officials of the public prosecution office with a right of audience only before the Local Courts – in German: "Amtsanwälte" – see question 57), the staff at the public prosecution offices and associate prosecutors' offices based at the Regional Courts as well as the staff at the public prosecution offices based at the Higher Regional Courts (full-time equivalent staff as of 31. December 2020)
- The staff (207 in total, 135 female) at the Office of the Federal Prosecutor General (headcount as of 31. December 2020).

**(2018):** This figure indicates the number of full-time equivalent staff (not the number of individuals).

- It includes the number of associate prosecutors (i.e. officials of the public prosecution office with a right of audience only before the Local Courts – in German: "Amtsanwälte" – see question 57).
- It covers the public prosecution offices and associate prosecutors' offices based at the Regional Courts (1st instance), the public prosecution offices based at the Higher Regional Courts (2nd instance), and the Office of the Federal Prosecutor General (in this case: number of individuals).

**(2016):** This figure indicates the number of full-time equivalent staff (not the number of individuals).

- It includes the number of associate prosecutors (i.e. officials of the public prosecution office with a right of audience only before the Local Courts – in German: "Amtsanwälte" – see question 57).
- It covers the public prosecution offices and associate prosecutors' offices based at the Regional Courts (1st instance), the public prosecution offices based at the Higher Regional Courts (2nd instance), and the Office of the Federal Prosecutor General (in this case: number of individuals).

**(2014):** According to 2014 data, the indicated figure reflects job shares (not a number of heads). The data submitted relate to the cut-off date of 31 December 2013. No figures are available that are more up-to-date. The number refers to the staff of the public prosecutor's offices and the offices of associate public prosecutors at the local courts (courts of first instance), of the public prosecutor's offices at the higher regional courts (courts of second instance), and of the office of the federal prosecutor (Public Prosecutor General at the Federal Court of Justice; in the latter case, the figure reflects the number of heads).

## Greece

**(2022):** The majority is the category of Secretaries, the other categories are court bailiffs, typists, clerks and two public prosecutor's offices have one security clerk each.

**(2021):** The modified response came after the cooperation of the Directorate of judicial officials with Juststat.

**(2020):** The above figures include civil servants, permanent and those with a private law relationship of indefinite duration.

## Hungary

**(2022):** The above data include junior prosecutors, trainee prosecutors, officers doing semi-prosecutorial tasks, officers, clerks and blue-collar employees.

## Ireland

**(2022):** The non-public prosecutors include specialists in the following areas: Human resources and organisational development, finance, ICT, facilities, media and communications, corporate governance, procurement, strategic management including risk management, Freedom of Information, quality assurance and internal audit. There is a Policy and Research Unit supported by knowledge management and research function and librarian. All legal sections are supported by a team of administrative staff who are considered to be generalist.

**(2018):** There were 95.25 fulltime equivalent (fte) administrative/technical staff (headcount 102) on the payroll of the Office of the Director of Public Prosecutions at 31 December 2018 – 54.85 fte (61 headcount) of these were female and 40.40 fte (41 headcount) were male.

**(2016):** Of the staff complement in the Office of the Director of Public Prosecutions at the end of the reference year, 77 were administrative grades.

**(2014):** In the frame of the 2014 exercise, parts of Full Time Equivalents were counted in decimal figures and have been rounded up or down as appropriate.

## Italy

**(2021):** The number of staff has increased due to the hiring of new personnel through public competition.

## Latvia

**(2022):** Total number of staff working at the Prosecution Office is 377 (268 male employees, 109 female employees). Of this number, qualified (judicial) support for prosecutors in the performance of their functions, such as assistance during the hearing, helping to draft the decisions (category 2 of the question 52) is provided only by 14 employees. Prosecution Office has 105 prosecutor assistants who provide only technical assistance, they do not provide qualified (judicial) assistance (the functions of prosecutor assistants correspond to those described under category 3 of the question 52). There are also 159 employees that perform different administrative and management tasks. Therefore, the total number of employees in charge of administrative and management tasks is 264. And finally, we have 99 employees that perform technical duties. Changes on proportion of gender of employees are connected with the changes in the number of employees.

**(2021):** Total number of staff working at the Prosecution Office is 357 (103 male employees, 254 female employees): 187 employees (35 male and 152 female) are staff in charge of administrative functions and management of Prosecution Office. 75 employees (40 male and 35 female) perform technical duties. 95 employees are prosecutor assistants (28 male and 67 female). We would like to emphasize that in Latvia assistant prosecutors do not perform the functions of drafting procedural documents. Main duties of assistant prosecutors are preparation of criminal case material copies; drawing up of the case list documents, sewing and numbering of the case materials; preparation of materials to be issued to the process participants; certification of the correctness of document derivatives; delivery of the prepared materials to the addressees and reception of the documents.

**(2014):** The 2014 data encompasses the administrative director, deputies of the administrative director and other staff of the administrative director office – staff of the Chancellery, interpreters, IT specialists, personal specialists, car drivers, auditors (in total 318 employees, among which 232 women), as well as prosecutors' assistants (in total 74 assistants, among which 55 women). Assistants to prosecutors have no prosecutorial procedural powers. Their competence and jurisdiction are strictly limited. For example, an assistant is entitled to receive visitors, to take action in connection with the preparation of the case (prepare copies of criminal case materials, to produce the list of documents) etc.

**(2012):** The 2012 data encompassed the administrative director, deputies of the administrative director and other staff of the administrative director office - staff of the Chancellery, interpreters, IT specialists, personal specialists, car drivers, auditors (in total 321 employees, among which 234 woman), as well as prosecutors' assistants (in total 72 assistants, among which 53 women). Prosecutors' assistants have no prosecutorial procedural powers. Their competence and jurisdiction are strictly limited. For example, an assistant is entitled to receive visitors, to take action in connection with the preparation of the case (prepare copies of criminal case materials, to produce the list of documents) etc.

## Lithuania

**(2022):** The number of women in staff (non-public prosecutors) attached to the public prosecution services tends to be higher. Total number of staff changed due to natural changes in human resources and as a result of the optimisation processes within the Public Prosecutor's Office.

**(2021):** The decrease in staff numbers is due to:

- natural rotation of human resources (various reasons: career, dissatisfaction with salary or duties, etc.);
- implementation of changes in work organisation;
- a higher number of persons left the institution than were recruited.

**(2020):** Number of staff does not include trainee prosecutors, only assistants, specialists and other employees. A person, who has been admitted to the service as prosecutor, must complete an assigned traineeship of up to two years. During the traineeship, the trainee prosecutor performs all duties of a prosecutor, but is obliged to coordinate draft procedural decisions and resolutions with the internship supervisor.

**(2016):** The provided data on the number of prosecution staff includes assistants and lawyers who work directly with prosecutors (total 363: 81 males and 282 females).

## Luxembourg

**(2022):** The staff of the judicial and administrative authorities has experienced sustained growth in recent years, as provided for by the amended law of 7 March 1980 on judicial organization, as we had previously explained during the evaluation period of 2020-2022. The variation in total non-judicial staff numbers between 2020 and 2022 is 25.33%. An increase of 9% was observed between 2021 and 2022.

**(2020):**

"The staff of the judicial and administrative jurisdictions has grown steadily in recent years, as provided for by the amended law of March 7, 1980 on judicial organization. This explains the significant variations observed between 2018 and 2020 at the judicial and non-judicial personnel.

In 2018, the FIU was administratively attached to the Parquet Général du Luxembourg. Due to the FIU's functional independence, analysts (13 positions) and administrative staff (6 positions) are no longer counted among the staff of the public prosecutor's office."

**(2018):** Le personnel des juridictions judiciaires et administratives a connu une croissance soutenue ces dernières années, tel que prévu par la loi modifiée du 7 mars 1980 sur l'organisation judiciaire. Ceci explique les variations importantes observées entre 2016 et 2018 au niveau du personnel de la magistrature et du personnel non-juge. En 2018, la CRF a été rattachée administrativement au Parquet général du Luxembourg. En raison de l'indépendance fonctionnelle de la CRF, les analystes (8 postes) et le personnel administratif (5 postes) ne sont dorénavant plus comptés parmi le personnel du ministère public. L'effectif du Parquet d'arrondissement reste toutefois inchangé, par rapport à 2017, suite à la création des nouveaux postes remplaçant les postes auparavant affectés à la CRF auprès du Parquet.

**(2012):** The methodology of presentation of data changed between 2010 and 2012 which partly explained the considerable increase observed for this period. Besides, in 2012, there was a general increase of the number of public servants at all levels.

## Malta

**(2022):** Like in previous evaluations, the number of non-judge staff includes legal procurators working at the Office of the Attorney General.

**(2016):** This data relates specifically to the staff working in the Office of the AG.

**(2014):** The number of non-public prosecutors staff declared for 2014, is categorised as follows: supporting paralegal clerical staff – 17 (6 Male/11 Female); civil lawyers acting as attorneys – 13 (11Female/2 Male), legal prosecutors – 3 Female.

## **Poland**

**(2022):** The table provides data on the actual employment of clerks, assistant prosecutors and other employees in the common organisational units of the public prosecutor's office.

**(2020):** The table presents information available at the National Public Prosecutor's Office Human Resources Office [Biuro Kadr] and contains the numbers of persons actually employed in universal prosecutorial bodies of the public prosecution services, without conversion into full-time equivalents.

The Human Resources Office does not have detailed data on the number of employees in the universal prosecutorial bodies of the public prosecution service who are employed on an indefinite or fixed-term basis. Organisational units of the public prosecution service provide the Human Resources Office with data on employees of the public prosecution service (military part is provided separately) in the following groups:

1)FTE [full time employment] limits,

2)use of the FTE limits (not counted in full-time equivalents and not broken down between men and women) rounded to two decimal places, the actual number of employees (broken down into male and female employees).

The data provided doesn't include trainee prosecutors.

**(2018):** In the table, were presented total numbers of employees. Personnel's Office does not have detailed data connected with differentiation the number of workers per part time or full-time basis. The Personnel's Office also does not have detailed data connected with the number of workers employed in general organizational units of the prosecution office, for an unspecified or specified period of time.

## **Romania**

**(2022):** Out of the total of 2089 filled in positions in the prosecution offices country wide, 1761 are occupied by clerks and the rest of

328 are procedural agents (who accomplish activities such as delivering summons, other courier activities etc.) and other staff such as drivers.

**(2020):** Out of the total of 2408 filled in positions in the prosecution offices country wide, 1997 are occupied by clerks and the rest of 411 are procedural agents (who accomplish activities such as delivering summons, other courier activities etc.) and other staff such as drivers.

**(2018):** Out of the total of 2468 filled in positions in the prosecution offices country wide, 2044 are occupied by clerks and the rest of 424 are procedural agents (who accomplish activities such as delivering summons, other courier activities etc.) and other staff such as drivers.

**(2016):** The numbers include the clerks, forensics, auxiliary staff, public servants and contract staff

## **Slovak Republic**

**(2022):** The discrepancy ratio was caused mainly by the resolution of the Government of the Slovak republic, which ordered the state authorities to reduce the number of state employees by 10 %.

**(2020):** Staff increased for natural recruitment procedure

**(2012):** In 2012, the increase of the number of non-prosecutor staff resulted from the organisational changes in the prosecution services in the year 2011. In that year, the military prosecution services (which were administrated by the Ministry of Defence) were abolished and all the staff was assigned to the prosecution services.

## Slovenia

**(General Comment):** The information is in FTE. Staff attached to the public prosecution service are civil servants at state prosecutor's offices (state prosecutorial personnel). Staff includes the director general, directors, judicial advisors, trainees, administrators, registrars and other civil servants from state prosecutor's offices. Trainees typically do not perform a significant amount of work as their role is to learn; however they participate in hearings and drafting of court decisions in some cases.

**(2022):** The number is reported in FTE format. The total gross number of staff is 309.

**(2021):** Before 2021, data was reported in gross numbers. For 2021 data, the FTE format is observed.

**(2020):** The information is in form of gross data. According to the methodology used for reporting judges and court staff (FTE) – by which part-time employees are converted to full-time time by the calculation of working hours, the number amounts to 298, as a number of staff are not working full time.

**(2016):** The information is in form of full-time equivalent.

**(2014):** The substantial increase of employments in state prosecutor's offices in 2014 is a result of Government's decision to strengthen the fight against corruption and other fields of criminality defined in the Prosecution Policy. In the year 2014, 40 Senior Judicial Advisers took up their post, as well as 7 other types of civil servants. In the year 2015 the employment procedures were concluded for admitting 15 trainees.

## Question 132

### Austria

**(2022):** Judges/prosecutors are first placed into a certain pay grade according to their position within the judiciary system (e.g. regional courts, supreme court, administrative courts, etc.), where they receive the according base salary (§ 66 RStDG / § 190 RStDG). Every four years the salary increases by a fixed amount up until a certain maximum. Judges and public prosecutors in certain senior positions, such as the head of a district court, the vice president or president of a court of first instance or the head of a senior public prosecutor's office/public prosecutor's office, are entitled to a service allowance (between EUR 171.90 and EUR 1332.30 as at 31 Dezember 2022). The service allowance is part of the monthly salary. The service allowance is part of the monthly payment together with the salary.

In principle, it could be stated that the salary covers all additional work performed by judges and public prosecutors in terms of quantity and time. Administrative Courts:

First instance professional judge at the beginning of his/her career: Gross annual salary: EUR 78545

Net annual salary: EUR 49400

Judge of the Administrative Supreme Court: Gross annual salary: approx. EUR 142000

**(2021):** Administrative Courts:

First instance professional judge at the beginning of his/her career: Gross annual salary: EUR 75700

Net annual salary: EUR 46900

Judge of the Administrative Supreme Court: Gross annual salary: EUR 133000

**(2020):** Administrative Courts:

First instance professional judge at the beginning of his/her career: Gross annual salary: EUR 75000

Net annual salary: EUR 46600

Judge of the Administrative Supreme Court: Gross annual salary: EUR 130000

**(2019):** Administrative Courts - First instance professional judge at the beginning of his/her Career:

Gross annual salary, in €: 72.900 Net annual salary, in €: 45.100

**(2018):** Gross annual Salary in € on 31 Dec 2018 First instance professional judge at the beginning of his/her career 53 865  
Judge of the Supreme Court or the Highest Appellate Court : 131 227,88  
Public prosecutor at the beginning of his/her career: 57 158,80  
Public prosecutor of the Supreme Court or the Highest Appellate Instance : 131 227,88  
Administrative court:  
first instance professional Judge at the beginning of his/her Career: 69 600,00  
Judge of the Supreme Court or the Highest Appellate Court: 126 000

**(2016):** Because of the requirement of numerical values the numerical values in the table above are rounded. the correct and exact answer is:

Gross annual Salary in € on 31 Dec 2016 (= Gross annual Salary in local currency on 31 dec 2016):  
First instance professional judge at the beginning of his/her career: 59 962,40  
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President): 126 594,16  
Public prosecutor at the beginning of his/her career: 55 139  
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Public prosecutor General): 126 594,16

**(2014):** For 2014, the numerical values in the table are rounded. The correct and exact reply concerning the gross annual salary in Euros on 31 December 2014 is: first instance professional judges at the beginning of their career: 50 402,80 Euros; judges of the Supreme Court or the Highest appellate Court: 121 651,25 Euros; public prosecutors at the beginning of their career: 53 485,60 Euros; public prosecutors of the Supreme Court or the Highest appellate instance: 121651,25 Euros.

## Belgium

**(General Comment):** Remuneration is subject to financial seniority, with an increase every three years. The calculation of net salary depends on individual parameters (based on the situation of the person concerned, married, number of dependent children etc.) and therefore cannot be described in general terms. The following deductions are made from gross salary: health insurance contributions, survivor's pension contributions, special social security contribution, withholding tax.

**(2019):** Judge at the court of first instance or deputy king's prosecutor, with three years of seniority (beginning of career) married and two dependent children.

Advisor to the Supreme Court with 24 years of seniority, married and no dependent children.

Advocate General at the Supreme Court, with 24 years of service and no dependent children.

**(2016):** Judge at the Court of First Instance or Deputy Crown Prosecutor, with three years seniority (beginning of career) married and two dependent children

Councillor at the Court of Cassation with 24 years seniority, married, no dependent children

Advocate General at the Court of Cassation, with 24 years seniority, no dependent children

## Bulgaria

**(2022):** Data, provided by the Supreme Judicial Council. The increase of gross salaries (respectively net salaries) compared to the previous assessment cycle (2020-2022) is due to the increase in labour remuneration - 10% in 2021 and 10% in 2022, as well as the funds provided in the budget of the judiciary for additional remuneration in connection with Art. 233, paragraph 6 of the Judiciary System Act.

Comment from the Supreme Court of Cassation: The amount of maximum basic monthly remuneration of judges shall be determined by the Plenum of the Supreme Judicial Council. Judges shall receive additional remuneration for long service and professional experience, determined in relation to the basic remuneration at the rate of up to 40% (2% – for 1 calendar year for acquired service and professional experience in a judicial authority; 1.5% – for 1 calendar year for acquired service and professional experience outside a judicial authority, but in the same time, similar or the same nature of work, position or profession; 1% – for 1 calendar year for acquired service and professional experience outside a judicial authority and in another specialty). The maximum amount of 40% is set by the Judiciary System Act, in force since 11.08.2007. Judges who reached a higher percentage before the amendment of the law shall retain the percentage reached in accordance with the decision of the Supreme Judicial Council under Protocol No.29/21.09.2007. In the Supreme Court of Cassation, 14 judges receive additional remuneration in excess of 40%. Judges don't get a 13th salary or bonuses paid regularly to everyone, regardless of their personal circumstances. By a decision of the Plenum of the Supreme Judicial Council, an additional remuneration may be paid to judges, but its receipt is not mandatory and unconditional. The entitlement to receive an additional remuneration is defined in the Rules for Determination and Payment of Additional Remuneration (adopted by a decision of the Plenum of the Supreme Judicial Council under Protocol No. 29/22.11.2018, amended and supplemented by a decision under Protocol No. 13/13.06.2019, amended and supplemented by a decision under Protocol No. 28/21.11.2019, amended and supplemented by a decision under Protocol No. 18/12.05.2022 and the Rules for Determination and Payment of Additional Remuneration to Judges pursuant to Article 233, paragraph 6, the first sentence of the Judiciary System Act (adopted by the Judicial Collegium of the Supreme Judicial Council by Decision under Protocol No. 24/22.06.2021, amended by Decision under Protocol No. 41/17.11.2021). In 2022 additional remuneration in the amount of 11,220 BGN or 5,736.69 EUR was paid to the judges of the Supreme Court of Cassation in accordance with the decision of the Plenum of the Supreme Judicial Council on the application of the Rules for Determination and Payment of Additional Remuneration. (Gross annual salary, in €= basic salary+ additional remuneration for seniority)

**(2021):** In the data for Q 132, the line "Prosecutor at the beginning of his/her career" is correct, but refers to the salaries of a district (first instance) prosecutor at the beginning of his/her career. The data for judges and prosecutors is calculated from the salary report collected and summarized by the Judiciary as of December 2021. The gross salary of the lowest judicial/prosecutor level, i.e. district judge and district prosecutor, is calculated. The system also has the position of "junior judge", but at the beginning of their career, they work in second-instance courts (regional courts), and based on the Questionnaire, information is requested about the lowest position in the first instance. The salary of a district judge and a district prosecutor according to "Table No. 1 of the SJC for Determining the Maximum Basic Monthly Salaries of Judges, Prosecutors and Investigators" is the same.

The data for question 132, line "Prosecutor of the Supreme Court or the Highest Appellate Instance" for the supreme judges and supreme prosecutors is calculated from the salary report provided by the supreme judicial bodies as of December 2021. The gross salary of a magistrate in the supreme judicial body was calculated. According to "Table No. 1 of the SJC for Determining the Maximum Basic Monthly Salaries of Judges, Prosecutors, and Investigators", the determined remuneration of a supreme judge and a supreme prosecutor is the same.

**(2020):** In 2019, with a decision of the Plenum of the SJC under item 6 of Protocol № 2 / 24.01.2019, an updated Table № 1 of the SJC was approved to determine the maximum basic monthly salaries of judges, prosecutors and investigators pursuant to Art. 218, para 2 and para 3 of the JSA with an increase of 10%, as of 01.01.2019. With the same decision the ranks for magistrates were increased by BGN 100 per rank, as of 01.03.2019.

In 2020, with a decision of the Plenum of the SJC under item 2 of Protocol № 2 / 30.01.2020, an updated Table 1 of the SJC was approved for determining the maximum basic monthly salaries of judges, prosecutors and investigators on the grounds of Article 218. , para 2 and para 3 of JSA with an increase of 10%, as of 01.01.2020. With the same decision the ranks for magistrates were increased by BGN 50 per rank, as of 01.03.2020.

**(2018):** The sums shown do not include the amount of the social security contributions, in order to be made comparable to the data given in the previous assessment cycle when they were not included either in the amount of the gross salary for the relevant position. The source of the data was information summarized and analyzed in the “Financial planning and analysis” Department of Supreme Judicial Council of Bulgaria

**(2016):** Under the provisions of Art. 218 (2) of the Judiciary System Act, the basic monthly remuneration for the lowest judicial, prosecutorial or investigating magisterial position shall be set at the double amount of the average monthly salary of employees in the public-financed sphere according to data of the National Institute of Statistics.

The increase in the salaries of the magistrates that occupy the lowest position is in line with the increase of the average monthly salary of the employees in the public-financed sphere, according to data of the National Statistical Institute and the financial resources of the budget of the judiciary.

Under the provisions of Art. 218, (3) of the Judiciary System Act, the remuneration of the other positions, including judges and prosecutors in the Supreme Court / Supreme Prosecution Office in the bodies of the judiciary, shall be determined by a decision of the SJC Plenum and taking into account the financial possibilities on the budget of the judiciary.

**(2014):** For 2014, the indicated amounts do not include the insurance contributions for the purpose of data comparability in respect of the previous evaluation scheme, when these amounts have not also been taken into consideration.

**(2012):** For 2010, the basis for assessment were the data from Table 1 of the Supreme Judicial Council determining the maximum amount of the monthly salary of judges, prosecutors and investigators, while for 2012, the basis for assessment were the data from the Information for the funds for salaries from the establishment plans and the average salary by positions, which is prepared by all the bodies of the judiciary and is summarized in the SJC. This information file reflects the actually received gross salaries, which include the basic salary and additional remuneration for grade and service.

## **Croatia**

**(2021):** Salaries of judges and other judicial officials are determined by multiplying the base for calculating the salary by the coefficient for a particular official, which are proscribed by the Judges' and other Judicial Officials' Salaries Act (Official Gazette No. 10/99, 25/00, 01/01, 30/01, 59/01, 114/01, 116/01, 64/02, 153/02, 154/02, 17/04, 08/06, 142/06, 34/07, 134/07, 146/08, 155/08, 39/09, 155/09, 14/11, 154/11, 12/12, 143/12, 100/14, 147/14, 120/16, 16/19). Determined salaries are increased by 0.5% for each completed year of service, by a maximum of 20%.

**(2020):** Salaries of judges and other judicial officials are determined by multiplying the base for calculating the salary by the coefficient for a particular official, which are proscribed by the Judges' and other Judicial Officials' Salaries Act (Official Gazette No. 10/99, 25/00, 01/01, 30/01, 59/01, 114/01, 116/01, 64/02, 153/02, 154/02, 17/04, 08/06, 142/06, 34/07, 134/07, 146/08, 155/08, 39/09, 155/09, 14/11, 154/11, 12/12, 143/12, 100/14, 147/14, 120/16, 16/19). Determined salaries are increased by 0.5% for each completed year of service, by a maximum of 20%.

**(2012):** Due to the different calculation of tax rates and changes in the amounts of tax reliefs, there is a difference between calculation of salaries in 2010 and 2012.

## **Czech Republic**

**(2022):** the impact of exchange rate

**(2020):** the salaries have risen generally + exchange rate

**(2012):** In 2012, the salary of public prosecutors was increased in order to bring it closer to the judges' salary.

## **Denmark**

**(General Comment):** We are not able to inform the net salary. The Danish tax system is progressive. That means that the percentage of tax depends on the income and the municipal tax varies from municipality to municipality.

**(2022):** Regarding prosecutor: The employment of a new public prosecutor is covered by the collective agreement. In addition to the amount stated above, the public prosecutor in the beginning of his/her career is paid an annual supplement of 17.174 kr./€ 2.304. This supplement covers the prosecutor's participation in The Local Prosecution Service's shift schedule (b-vagt). The public prosecutor is paid a basic salary, which is decided centrally in the collective agreement, based on years of working experience, qualifications, work assignments and responsibility in the specific position. In addition to the basic salary, the public prosecutor can be paid a locally negotiated supplement. The supplements depend on the qualifications and specific responsibilities in the position as a prosecutor. Public prosecutors are entitled to an annual salary negotiation. The Prosecution Service's Remuneration Policy states a maximum annual salary for the public prosecutors. The maximum annual salary for any Senior Prosecutor/Special Prosecutor, including the prosecutors at The Supreme Court Unit with the Director of Public Prosecutions is 714.000 DKKR/€ 95.829. The maximum annual salary for any Deputy State Prosecutor within the Danish Prosecution Service, including the Deputy State Prosecutor at The Supreme Court Unit with the Director of Public Prosecutions, is 942.000 DKKR/€ 126.430. The amounts are stated without pension as well as without remuneration for participation in shift schedules etc. Civil servants receive 16,8 % of the total salary as a pension contribution, and employees under the collective agreement receive 17,1 %. However, the pension contribution for the availability supplement (rådighedstillæg) is 12,5 %.

**(2021):** The annual salaries are specified without pension. The annual salary for a Public prosecutor of the Supreme Court or the Highest Appellate is specified based on the average salary for Senior Prosecutors, Special Prosecutors and the Deputy State Prosecutor at The Supreme Court Unit with the Director of Public Prosecutions.

## **Estonia**

**(2020):** Since 2010 the salary of prosecutors depends of the salary of the President and is indexed by 1 April of each calendar year. In 2018 the salary system of public prosecutors changed and with that the smallest salaries increased the most.

**(2019):** Since 2010 the salary of prosecutors depends of the salary of the President and is indexed by 1 April of each calendar year. In 2018 the salary system of public prosecutors changed and with that the smallest salaries increased the most.

**(2012):** The salary of judges was increased on 1 January 2013.

## **Finland**

**(2022):** In Finland, there are several salary categories for judges. The salary depends also on the years of work experience. At the end of 2022 first instance judge is in a salary category T11 in which the gross salary is from 4944,63 €/month to 6428,019€/month depending on his/her experience. A permanent first instance judge T13 has usually at least nine years of work experience which means the salary is 6036,7065 €/month. In Finland, the taxation is progressive so the information on net salary varies from person to person and is not available.

Prosecutors salaries are based on three components: task-specific , personal component and component based on the years of employment. At the start of the career prosecutors usually start at the lower levels of task-specific paylevels, as well as the component based on years of employment is lower. By your own capability you can rise your own personal component. Experienced professionals usually have higher levels in all three components.

**(2020):** Prosecutors in Finland are not bound on Court instances.

**(2016):** In Finland there are several salary categories for judges. The salary depends also on the experience. A first instance judge has a category of T 11 for which the gross salary is from 4501,79 €/month to 5627,24 €/month depending on his/her experience. A permanent 1st instance judge has usually at least 9 years experience which means the salary is 5177,06 €/month. In Finland we have progressive taxation so the information on net salary is not available.

## France

**(General Comment):** First-instance professional judge (civil and criminal courts) at the beginning of his/her career: judge at the 3rd step of the second grade - lump-sum compensation: 35% - flexible bonus 12%.  
Public prosecutor at the beginning of his/her career: prosecutor of the Public Prosecutor's Office at the 3rd step of the second grade - lump-sum compensation: 38% - flexible bonus 12%.  
Judge of the Court of Cassation: President of Chamber CC (F: 1369) - flexible bonus 14%.  
Prosecutor at the Court of Cassation: First Advocate General CC (F: 1369) - flexible bonus 14%.

**(2022):** According to the administrative court judges' annual salary, it amounts to 57,400 euros gross and 48,700 euros net. As for the Council of State judges, their annual remuneration stands at 190,000 euros gross and 161,000 euros net.

**(2021):** The data filled in the table are those of the civil and criminal justice, source DSJ. Concerning the administrative justice, the data are as follows: professional judge of first instance, beginning of career: 50 200, 41 300; judge of the Supreme court or of the last instance of appeal: 95 100, 76 900. Source – Council of State

**(2020):** "The completed table concerns only magistrates of the judicial order. For the administrative order: -gross annual salary in euros of a professional judge of 1st instance at the beginning of his career: 47,100 euros  
-gross annual salary in euros of a Supreme Court judge: 94,000 euros  
-net annual salary in euros of a professional judge of first instance at the beginning of his career: 38,700 euros  
-net annual salary in euros of a supreme court judge: 76,000 euros.  
sources DSJ and CE."

**(2014):** In 2014, the annual gross salary of administrative judges was 42,615€ and the annual net salary was 36,318€. At the State Council, the annual gross salary was 108,881€.

## Germany

**(General Comment):** The salaries of judges and public prosecutors are determined by remuneration laws ("Besoldungsgesetze") which exist in each federal state as well as on the federal level. These laws define the remuneration based on different pay-groups, pay-grades and experience levels. Judges and public prosecutors belong to pay-group "R" that has several pay-grades ("R1", "R2", "R3"...). The allocation to the pay-grades depends on the kind of court, position at the court and size of the court. The number of available pay-grades and the details of allocation differ among the remuneration laws. In simplified terms, judges at local courts, regional courts, labour courts, social courts and administrative courts are allocated to pay-grade "R1" according to the remuneration laws of the federal states. Judges at higher regional courts, regional labour courts, regional social courts, regional administrative courts and finance courts as well as judges with an outstanding position (e.g. director, presiding judge) at the courts mentioned for pay-grade "R1" are allocated to pay-grade "R2" according to the remuneration laws of the federal states. Higher pay-grades according to the remuneration laws of the federal states are reserved for judges in outstanding positions (e.g. presidents, presiding judges). Pay-grades R1 and R2 have several experience levels. Generally, judges will climb to the next experience level after a period of two years from the beginning of their career and then climb further every two or three years (details may differ among the federal states and also with regard to the Federal Courts). The Federal Remuneration Law applies to judges and public prosecutors at the federal courts. With regard to the Federal Remuneration Law, judges at the Federal Patent Court and Military Disciplinary Courts are allocated to pay-grade "R2". Judges at the highest federal courts (Federal Court of Justice, Federal Labour Court, Federal Social Court, Federal Administrative Court, Federal Finance Court) are allocated to pay-grade "R6", presiding judges to pay-grade "R8". Federal Public Prosecutors at the Federal Court of Justice are allocated to pay-grade "R6".

**(2022):** First instance judge or public prosecutor at the beginning of their career:

Data represents average base-salaries of judges and public prosecutors according to the remuneration laws ("Besoldungsgesetze") of the federal states. The average was calculated unweighted. The monthly base-salaries of the federal states were added up and divided by the number of federal states, regardless of how many judges and prosecutors with the respective pay-grades work in a federal state (number unknown).

Judge of the Supreme Court or Highest Appellate Court:

The calculation method was changed in comparison to previous years, causing high discrepancies. Data represents the base-salary of presiding judges at the Federal Court of Justice, Federal Administrative Court, Federal Labour Court, Federal Social Court and Federal Finance Court according to the Federal Remuneration Law ("Bundesbesoldungsgesetz"). This is the highest base-salary that a judge can achieve (excluding the court presidents and judges at the Federal Constitutional Court).

Public Prosecutor of the Supreme Court or Highest Appellate Court:

The calculation method was changed in comparison to previous years, causing high discrepancies. Data represents the base-salary of the Federal Public Prosecutors at the Federal Court of Justice according to the Federal Remuneration Law ("Bundesbesoldungsgesetz"). This is the highest base-salary that a public prosecutor can achieve (excluding the Federal Prosecutor General).

Judges and public prosecutors are entitled to additional payments depending on 1) their individual familial situation (married/partnership, children); 2) their position and function at the court (eg. judges with administrative tasks)

Calculations were made on the following basis:

- 1) judge/public prosecutor at the beginning of their career: pay-grade "R1" (remuneration laws of the federal states) , lowest level of experience, unmarried, no children, no special tasks
- 2) judges at the supreme courts: pay-grade "R8" (Federal Remuneration Law), unmarried, no children, no special tasks.
- 3) public prosecutors at the supreme court: pay-grade "R6" (Federal Remuneration Law), unmarried, no children, no special tasks

**(2021):** Data represents average base-salaries of judges and public prosecutors according to the remuneration laws ("Besoldungsgesetze") of the Länder. Judges and public prosecutors may be entitled to additional payments depending on - their individual familial situation (married/partnership, children)

- position and function at the court (eg. judges with administrative tasks)

The conditions and amount of any additional payments are determined by the remuneration laws of the Länder.

**(2020):** Data represents average base-salaries of judges and public prosecutors according to the remuneration laws ("Besoldungsgesetze") of the Länder. Judges and public prosecutors may be entitled to additional payments depending on - their individual familial situation (married/partnership, children)

- position and function at the court (eg. judges with administrative tasks)

The conditions and amount of any additional payments are determined by the remuneration laws of the Länder.

**(2016):** The salaries calculated were based on the following assumptions:

Outset of the career (judge / public prosecutor): remuneration pursuant to R1, salary bracket 1, single, no children

The average was formed as a simple average of the Länder, without weighting the numbers based on the number of judges active in them, since the corresponding data are not known. The figure given as the salary of a judge or public prosecutor of the Supreme Court is the basic salary R6 without any allowance for working at one of the highest federal courts and without family allowance.

No information on annual net salary is available on the basis of the personal circumstances of judges and public prosecutors.

**(2014):** The salaries calculated for 2014 were based on the following assumptions: outset of the career (judge/public prosecutor): remuneration pursuant to R1, salary bracket 1, single, no children. The figure given as the salary of a judge or public prosecutor of the Supreme Court is the basic salary R6 without any allowance for working at one of the highest federal courts and without family allowance.

**(2012):** The figure given for 2012 as the salary of a judge or public prosecutor of the Supreme Court is the basic salary R6 without any allowance for working at one of the highest federal courts and without family allowance.

## Greece

**(2016):** Data on net annual salaries of judges and prosecutors is not available. In fact, after subtracting from the gross salary the insurance contribution, the amount is still subject to further taxation (22%-35%), depending on the family status of each judge and prosecutor.

**(2012):** The decrease between 2010 and 2012 of the annual salaries (gross and net) of judges and public prosecutors at the Supreme Court level was a result of a fiscal policy due to the economic crisis.

## Hungary

**(2022):** During the career/career progression of prosecutors, salaries are determined as follows.

The prosecutor's salary consists of a basic salary and the supplement determined in the Prosecution Employment Status Act Based on Article 66 (2) of Act XC of 2021 on the Central Budget of Hungary for 2022 and pursuant to Article 59 (3) of Act CLXIV of 2011 on the Status and Career Path of the Prosecutor General, Prosecutors and other Prosecution Employees, the basic salary of a prosecutor in 2022 was HUF 566660.

The basic salary of the prosecutor shall be determined on the basis of the length of service calculated in accordance with this Act, multiplied by the salary base and the multiplying factors specified in this Act for each grade.

Prosecutors who do not yet have any service time upon their appointment or whose accepted service time upon their appointment does not exceed three years shall be classified into pay grade 1. Prosecutors shall proceed one pay grade up on the scale upon the completion of every three years of service time. The length of service shall be calculated from the date of appointment of the prosecutor. However, time spent as a prosecutor before the appointment in the prosecution service and in the judiciary, as well as the time spent in other legal employment or activities requiring a completed bar exam or requiring a completed bar exam according to the rules applicable by the person exercising the employer's rights upon authorization by law shall be taken into account as time included in the length of service.

According to the Prosecution Employment Status Act, the basic salary of a prosecutor is 1.25 times the salary base in grade 1 of the prosecutor's salary scale, and 2.10 times the salary base in grade 14, which is the highest grade.

Prosecutors shall be entitled to a position supplement monthly, the amount of which is

a) twenty per cent of the pay base in the case of prosecutors working in district prosecution offices (113332 HUF in 2022), b) forty per cent of the pay base in the case of prosecutors working in chief prosecution offices (226664 HUF), c) seventy per cent of the pay base in the case of prosecutors working in appellate chief prosecution offices (396662 HUF), d) hundred and twenty per cent of the pay base in the case of prosecutors working in the Office of the Prosecutor General (679992 HUF).

In general, judges' salaries increase automatically with length of service after every 3 years. In addition, they receive a surplus allowance at all levels of jurisdiction (higher bonus on higher levels), and court executives also receive a management bonus. In addition, there are various allowances which may be granted to eligible judges (e.g. language allowance). From 1 January 2020, judges' salaries increased by an average of 32 percent. In 2021 by another 12 percent of the salary base and by a further 13 percent in 2022.

**(2020):** At its December 2019 session, the National Assembly passed a law increasing the salaries of judges by 32 percent and that of prosecutors by 21 percent.

**(2018):** The reason for the increase of judicial salaries is the increase of the base salary of judges by 15% in 2017-2018.

## Ireland

**(2022):** The judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court as at 31 December 2022.

Statutory deductions such as PAYE, USC, pension contributions will vary according to personal circumstances. In every case these will be charged in accordance with the relevant statutory provisions.

Judges appointed post 1 January 2017 are placed on a three-point pay scale.

Reason for Discrepancy: The question asked in this year's survey is slightly different than the one asked in the previous survey. This means that the replies should not be compared directly. The 2021 survey asked for "Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President) as at 31 December 2020".

The figure provided for this in 2021 – €208,854.00 – corresponded to the salary for a newly appointed Judge with less than 1 year of experience in the Supreme Court.

The current survey asked for the salaries of judges and public prosecutors on 31 December 2022, specifically, the salary for "Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)".

The figure provided in this year's survey – €257,872.00 – corresponded to the highest salary point on the scale for Judge of the Supreme Court.

It should further be noted, that since 2020, the members of the judiciary had a number of pay increases in Ireland which included the restoration of pay to pre-austerity levels on 1 July 2022.

The salary of the Director of Public Prosecutions (the most senior person in the Irish Prosecution service ) is linked to Irish Civil Service Secretary General Grade II. This salary is currently €243,600. As with all civil service salaries, this is subject to pension (individual and spouse and dependent contributions) and tax related deductions such Income Tax, Universal Social Charge and Pay Related Social Insurance.

**(2021):** The information you are seeking has been retrieved from sources which are available to the public. For figures relating to judicial remuneration please see Association of Judges Ireland and for figures relating to the salaries of other civil servants which includes prosecutors see publicjobs.ie

**(2020):** The judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court as at 31 December 2020.

Statutory deductions such as PAYE, USC, pension contributions will vary according to personal circumstances. In every case these will be charged in accordance with the relevant statutory provisions. Prosecuting in the Superior Courts is not necessarily linked to grade

**(2019):** The judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court as at 31 December 2019.

Statutory deductions such as PAYE, USC, pension contributions will vary according to personal circumstances. In every case these will be charged in accordance with the relevant statutory provisions. Prosecuting in the Superior Courts is not necessarily linked to grade

**(2018):** The judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court as at 31 December 2018.

Statutory deductions such as PAYE, USC, pension contributions will vary according to personal circumstances. In every case these will be charged in accordance with the relevant statutory provisions. Prosecuting in the Superior Courts is not necessarily linked to grade

**(2016):** The judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court as at 31 December 2016.

**(2014):** The Judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court at December 2014 who were appointed to that courts on or after 1 January 2012. It is noteworthy that following a constitutional amendment in 2011, legislation was passed to allow for the reductions in the remuneration of judges. The Financial Emergency Measures in the Public Interest legislation refers.

**(2013):** There is no equivalent of a public prosecutor of the Supreme Court and so a summary of all lawyer grade salaries are provided below: Director of Public Prosecutions ( €176,350); Deputy Director of Public Prosecutions ( €156,380); Head of Directing Division (€142,199 (modified scale)); Professional Officer Grade II (€119,572); Professional Officer Grade III (€81,080); Professional Officer Grade IV (€67,434); Chief Prosecution Solicitor (€149,499); Principal Prosecution Solicitor (€85,127); Senior Prosecution Solicitor (€79,401); Prosecution Solicitor AP1 (€67,434); Prosecution Solicitor (€30,218 (new entrant from 1 January 2013)).

**(2012):** The Judicial salary reflects that of a judge of the District Court and a judge of the Supreme Court at December 2012. Salary for prosecutor reflects the salary of a new entrant solicitor and the salary of a principal Prosecution Solicitor. In line with the Government's fiscal policy the salary or remuneration of public service staff and office holders has been reduced since the 2010 statistics. Following a constitutional amendment, legislation was passed to allow for the reductions in the remuneration of judges. The Financial Emergency Measures in the Public Interest legislation refers.

## Italy

**(General Comment):** It is noteworthy that the salaries of judges and public prosecutors do not depend on the position held but rather on the experience (i.e. years of service). This means that the salary of a judge working in the lowest courts can be the same as the salary of a judge working in the Supreme Court of Cassation.

## Latvia

**(General Comment):** The salary of Supreme Court judges or prosecutors does not depend on the judge's / prosecutor's seniority in the Supreme Court or Prosecutor Office. All judges of the Supreme Court, with the exception of the chairman of the court and the Chairperson of a department of the Supreme Court, receive the remuneration as stipulated in the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

**(2022):** Data on net annual salary, in EUR for first instance professional judges differs from previous period due the raise of gross annual salary.

**(2020):** Prosecutors shall be entitled to a supplement for the ranking of the public prosecutor, depending on the degree of office assigned. The ranking of a public prosecutor shall be assigned according to the position, professional knowledge, qualifications and experience of work.

Question 132 indicates the minimum gross and net public remuneration.

Discrepancies with data from the previous cycle are connected with changes in the Law On Remuneration of Officials and Employees of State and Local Government Authorities. Between 2019 and 2020 a gradual increase in salary has been introduced, the gross salary has been increased per EUR 1764 and the net annual salary increase per EUR 1203. The salaries for judges are reviewed annually according to the law.

**(2019):** Discrepancies with data from the previous cycle are connected with changes in the Law On Remuneration of Officials and Employees of State and Local Government Authorities.

Comments on salaries of prosecutors: The increase in salaries is related to changes in the regulatory framework for prosecutors remuneration, which entered into force on 01.01.2019. The discrepancies in the section of salary for public prosecutor at the beginning of his or her career is connected to that in previous cycle the maximum salary was indicated which first instance prosecutor could get, but now it is indicated the salary at the beginning of the career.

**(2018):** The changes are related to the Law On Remuneration of Officials and Employees of State and Local Government Authorities, which increased the judge's monthly salary to EUR 1966, and the salaries of judges increased significantly in 2018 compared to 2016. Same for prosecutors.

Comment for prosecutors: Prosecutors shall be entitled to a supplement for the ranking of the public prosecutor, depending on the degree of office assigned. The ranking of a public prosecutor shall be assigned according to the position, professional knowledge, qualifications and experience of work. Question 132 shows the maximum gross and net public remuneration.

**(2016):** Prosecutors, depending on the grade assigned, are provided with an allowance for a post of prosecutor from 7 to 35 percent of the monthly salary. The position of a prosecutor is assigned according to the occupation, professional knowledge, qualification and work experience.

In above stated amount special additional payment to judges depending of their time of service (starting from 7% after 3 years of service, until 35% - after 20 years of service) is already included.

**(2012):** During the economic crisis, starting from 01.07.2009, the salaries of judges were reduced by 15% and starting from 01.01.2010, they were reduced by 27 %. Starting from 01.01.2011, the determination of the salaries of judges and prosecutors is a part of the unified remuneration system for the officials and employees of the State and local government institutions. Besides, as the consequences of the crisis diminished, the salaries of judges increased.

## **Lithuania**

**(2022):** The Law on Judges' Remuneration of the Republic of Lithuania establishes, that the salary of judges of general competence and specialized courts consists of:

- 1) official salary;
- 2) supplement for length of service to the State of Lithuania (one percent of the official salary of a judge for each year of service to the State of Lithuania, but not more than 30 percent);
- 3) payment for work and duty on rest days and holidays, substitution;
- 4) premium for increased workload (the amount of the premium for the increased workload, but not more than 30 percent of his official salary, is determined by the president of the court in accordance with the procedure established by the Judicial Council).

**(2020):** From the 1 January 2019 the official salary ratio of district court judges was increased. In 2019 and in 2020 a higher base amount of official salary (salary) was also applied, which is used to calculate the remuneration of judges and public prosecutors (2018 - 132,5; 2019 - 173, 2020 - 176)

**(2019):** From 2019 January 1 the salaries of district court judges increased due to an increase in their official salary coefficients (the official salary ratio of the president of the court increased from 0.5 to 1.5 basic amounts; deputy chief judge - from 1.2 to 1.9 basic amounts, judge - by 2 basic amounts).

From 2019 January 1 the basic amount of the official salary, which is used to calculate the salaries of both prosecutors and judges, was also increased: in 2018 this basic amount was 132.5 euros, in 2019 - 173 euros.

**(2018):** In 2017 prosecutors' salaries were increased.

**(2016):** The salary of public prosecutors at the beginning of the carrier was increased.

## **Luxembourg**

**(2022):** As a starting treatment for early career (professional judge or prosecutor), we consider the salary of justice attachés after their initial appointment. The magistrate's salary scale provides for a base of 380 index points, with potential professional experience that may be added but is not taken into account in our calculations.

For the theoretical maximum treatment of a judge or prosecutor at the Court of Appeal, we consider grade M6, step 7, which corresponds to 647 points; an additional 25 points are added for managerial functions. To calculate the annual treatment, these points must be multiplied by the value of each index point. Between January and March 2022, the value was set at £20.6831871 per index point; after April 1st, 2022 it increased to £21.2002547 per index point. Taking these indices into consideration yields an annual gross payment equivalent to £96,084 for a professional judge at first instance and up to a maximum payment of £169,916 for a judge or prosecutor at Supreme Court level.

These figures do not include any potential bonuses or allowances that may supplement the basic payment according to each individual magistrate's circumstances."

For further details on calculating civil servant payments applicable also to magistrates' Grade M careers can be found on Public Service website: <https://fonction-publique.public.lu/fr/carriere/parcours-remuneration/fonctionnaire/traitement.html>

**(2021):** As a starting salary (professional judge of first instance or prosecutor) we consider the salary of the "attachés de justice" after their first appointment. The salary scale of the magistrates provides for 380 index points as a basis, a possible professional experience can be added to it but is not taken into account by our calculations.

As a theoretical basic salary for a judge or prosecutor at the Court of Appeal we consider the grade M4, level 4, which corresponds to 455 points and to the average seniority of a magistrate appointed to the Court (Court and General Prosecutor's Office). However, it should be taken into account that this salary is strongly influenced by the family situation of the person concerned.

To calculate the annual salary, these points must be multiplied by the value of the index point. Between January and September 2021, the value of the index point for a civil servant was 20.17893; after 1 October, the value of the index point was 20.6831871. Taking into consideration these elements, a 12-month salary corresponds to 92 591€ for a first instance professional judge, respectively a salary of 110 865€ for a judge or prosecutor at the Supreme Court. These figures do not include any bonuses, allowances or benefits that may be added to the basic salary depending on the magistrate concerned. More explanations on the calculation of civil servants' salaries, which also apply to the M career of magistrates, can be found on the civil service website (<https://fonction-publique.public.lu/fr/carriere/parcours-remuneration/fonctionnaire/traitement.html>).

**(2020):** "As a starting salary (professional judge of first instance or prosecutor) we consider the salary of the judicial attachés after their first appointment. The salary scale of the magistrates provides for 380 index points as a basis, a possible professional experience can be added to it but is not taken into account by our calculations.

As a theoretical basic salary for a judge or prosecutor at the Court of Appeal we consider the grade M4, step 4, which corresponds to 455 points and to the average seniority of a magistrate appointed to the Court (seat and General Prosecutor's Office). However, it should be taken into account that this salary is strongly influenced by the family situation of the person concerned.

To calculate the annual salary, these points must be multiplied by the value of the index point. In December 2020, the value of the index point for a civil servant was 20.17893, which corresponds to a 12-month salary of 92.016€ for a professional judge of first instance, respectively a salary of 110.177€ for a judge or prosecutor at the Supreme Court. These figures do not include any bonuses, allowances or benefits that may be added to the basic salary depending on the magistrate concerned. More explanations on the calculation of civil servants' salaries, which also apply to the M career of magistrates, can be found on the civil service website (<https://fonction-publique.public.lu/fr/carriere/parcours-remuneration/fonctionnaire/traitement.html>)."

**(2019):** As a salary at the beginning of the career (first instance professional judge or prosecutor) we consider the salary of the "attachés de justice" after their first appointment. The salary scale for judges and prosecutors is based on 380 points, any professional experience can be added but is not taken into account in our calculations. To calculate the annual salary, these points must be multiplied by the value of the index point. In December 2019, the value of the index point of a civil servant was 20,17893, which corresponds to a salary of €92,016 over 12 months. In 2016, this figure corresponded to €84,185 and in 2018 to €89,771. More explanations on the calculation of civil servants' salaries, which also apply to the M career of magistrates (judges and prosecutors), can be found on the civil service website: <https://fonction-publique.public.lu/fr/carriere/parcours-remuneration/fonctionnaire/traitement.html>.

**(2016):** The salary are those of the Court President and the Prosecutor General as no average salary can be calculated.

## Malta

**(2022):** Following the newly signed collective agreement the Office of the Attorney General, the new salary package commensurate to the different positions within the Office have changed since those provided in previous submissions. The salary package provided above within the field 'Public prosecutor at the beginning of his/ her career' refers to the salary package of Lawyer III.

**(2020):** Wages for the lawyers of the AG were improved following a revision of salaries.

**(2019):** Public prosecutor at the beginning of his/her career: Actually there was an increase in the gross annual salary which is also reflected in the net annual salary. The difference in the net annual salary is then due to the different tax brackets that apply.

**(2018):** In 2018, following discussions with the Judiciary Association, the Ministry substantially increased the wage package of the members of the judiciary across all grades (Magistrates, Judges and Chief Justice). The agreement saw an increase in the basic salary and allowances received by the judiciary, with further increases planned over the coming 3 years. This improvement in the wage package reflects the commitment of the current administration to improve the working conditions of the judiciary, and continues to build on the reforms already brought into effect by the Constitutional Reforms (Justice Sector) Act of 2016.

**(2014):** The 2014 figures include the allowances over and above the 'basic' wage. A Magistrate has competence to hear all civil cases up to a value of €11,650 and criminal cases up till an imprisonment of 10 years whilst Judges hear all the other cases. The data provided relates to the salary of a Magistrate (in respect of first instance professional judge) and a Judge (in respect of Judge of the Supreme Court). The Net Annual Salary varies according to the Income Tax Bands announced, from time to time, and therefore it is not possible to indicate the amounts. The figures provided for as net income were calculated on the salary above-indicated for a married person.

**(2012):** In terms of the Judges and Magistrates Salaries Act, the gross annual salary of the Chief Justice for 2012 was €46 456, this of a judge was €40 221, whilst this of Magistrates was €34 188. A Magistrate has competence to hear all civil cases up till a value of €11,650 and criminal cases up till an imprisonment of 10 years whilst Judges hear all the other cases. The figure mentioned relates to the initial salary of Judge, though the beginning of one's career in the judicial field is as a Magistrate. The Net Annual Salary varies according to the income tax bands announced, from time to time, and therefore it is not possible to indicate the amounts. The figures provided for as net income were calculated on the salary above-indicated for a married person.

## Netherlands

**(General Comment):** Numbers include a vacation stipend (8%) and 13th month (8.3%). Please refer to legislation (<https://wetten.overheid.nl/BWBR0008365/2021-07-01>) on this subject.

Salary of a judge / prosecutor 'at the beginning of their career': the salary used is the one for a starting judge/prosecutor, after finishing a training period of several years. During the training there is a fixed salary, which is lower than the salary of a fully functional judge/prosecutor.

**(2022):** Discrepancy comment: In 2021 we needed to look for a different methodology to calculate the net annual salary for a public prosecutor. This year, we believe we have found a reliable simulation method, and using this, we came to this answer. Using this methodology, answers for previous years would be:

2020: 84.058 (B) en 49.185 (N)

2021: 85.195 (B) en 50.175 (N)

2022: 87.637 (B) en 51.555 (N)

**(2021):** Public prosecution: Numbers are including a vacation stipend and 13th month. There is no new collective labour agreement as of yet, so these numbers are the same as last year. As soon as a new agreement is reached, the salary may change retroactively.

Concer

Courts: Salary of a judge / prosecutor 'at the beginning of career': the salary used is one for a starting judge / prosecutor, after finalizing a training period of several years. During the training, there is a fixed salary, lower than the salary of a fully functional judge/prosecutor. Salary includes a holiday stipend, as well as a 13th month.

Supreme Court: the above amount is the average gross salary (11.163,63 euro per month) for a regular Supreme Court judge and includes a holiday allowance (8% of annual salary) and a so-called 13th month (8.3% of annual salary). Please refer to legislation (<https://wetten.overheid.nl/BWBR0008365/2021-07-01>) on this subject as well as the salary scheme (<https://nvvr.org/uploads/documenten/Salaristabellen-RM-juli-2021.pdf>).

**(2020):** Public prosecutor at the beginning of his / her career: The recent salary table RM of the end of 2020 is used (Scale 9, first step). On top of this the holiday stipend and end of year stipend is calculated. The 42.900 is a rough estimate of the net annual salary, after taxes, pensions etc.

**(2016):** The discrepancy of the answers for gross salary is not clarified.

## Poland

**(General Comment):** Judges: The basic salary of a judge is determined in rates, the amount of which is determined using multipliers of the basis for determining basic salary. The rates of basic salary in particular judge's positions and multipliers, used for determination of basic salary of judges in particular rates, are specified in the appendix to the Act.

A judge is entitled to a function-related allowance in connection with the performance of his duties.

Judges' remuneration is also differentiated by a long service bonus, amounting, beginning with the sixth year of service, to 5% of basic salary and increasing after each year by 1% until it reaches 20% of basic salary. No social security contributions are payable on judges' salaries. Prosecutors:

The base salary for public prosecutors of universal prosecutorial bodies of the public prosecution services shall be determined based on the table of base salary scale for public prosecutors of universal prosecutorial bodies of the public prosecution services Pursuant to Article 123 of the Act on the Public Prosecutor's Office of 28 January 2016, the basis for determining the base salary of a public prosecutor in a given year is the so-called base amount, i.e. the average salary in the second quarter of the previous year, announced in the Official Journal of the Republic of Poland "Monitor Polski" by the President of the Main Statistical Office "Statistics Poland" [GUS]. At the same time, according to Article 124 § 11 of the quoted Act on Public Prosecutor's Office, a public prosecutor is entitled to an supplement for long-time service amounting to 5% of the base salary currently received by the public prosecutor, beginning from the 6th year of his/her employment, and increasing after each successive year of his/her employment by 1% of this salary, until reaching 20% of the base salary. After 20 years of service the long-service supplement shall be paid, irrespective of the length of service beyond that period, at the rate of 20% of the public prosecutor's current base salary.

Supreme court and Main Public Prosecutor Office: Pursuant to Article 124 § 1 of the above-mentioned Act, the base salary of public prosecutors of the National Public Prosecutor's Office is equal to the base salary of judges of the Supreme Court.

Pursuant to Article 48 of the Act on the Supreme Court [Ustawa o Sądzie Najwyższym] of 8 December 2017 (Journal of Laws of 2021, item 154, as amended), the remuneration of a judge of the Supreme Court is determined at either the basic rate or the promotion rate. The promotion rate is 115% of the base rate. Upon taking up his/her post, a judge of the Supreme Court receives base pay at the basic rate. After 7 years of service in the Supreme Court, the base salary of a judge of the Supreme Court shall be increased to the promotion rate.

**(2022):** The salary increase for judges and prosecutors at the beginning of their careers was 4.4% by 2021.

**(2021): Judges:** The basic salary of a judge is determined in rates, the amount of which is determined using multipliers of the basis for determining basic salary. The rates of basic salary in particular judge's positions and multipliers, used for determination of basic salary of judges in particular rates, are specified in the appendix to the Act.

A judge is entitled to a function-related allowance in connection with the performance of his duties.

Judges' remuneration is also differentiated by a long service bonus, amounting, beginning with the sixth year of service, to 5% of basic salary and increasing after each year by 1% until it reaches 20% of basic salary. No social security contributions are payable on judges' salaries. Prosecutors:

The base salary for public prosecutors of universal prosecutorial bodies of the public prosecution services shall be determined based on the table of base salary scale for public prosecutors of universal prosecutorial bodies of the public prosecution services Pursuant to Article 123 of the Act on the Public Prosecutor's Office of 28 January 2016, the basis for determining the base salary of a public prosecutor in a given year is the so-called base amount, i.e. the average salary in the second quarter of the previous year, announced in the Official Journal of the Republic of Poland "Monitor Polski" by the President of the Main Statistical Office "Statistics Poland" [GUS]. At the same time, according to Article 124 § 11 of the quoted Act on Public Prosecutor's Office, a public prosecutor is entitled to an supplement for long-time service amounting to 5% of the base salary currently received by the public prosecutor, beginning from the 6th year of his/her employment, and increasing after each successive year of his/her employment by 1% of this salary, until reaching 20% of the base salary. After 20 years of service the long-service supplement shall be paid, irrespective of the length of service beyond that period, at the rate of 20% of the public prosecutor's current base salary.

Supreme court and Main Public Prosecutor Office: Pursuant to Article 124 § 1 of the above-mentioned Act, the base salary of public prosecutors of the National Public Prosecutor's Office is equal to the base salary of judges of the Supreme Court. Pursuant to Article 48 of the Act on the Supreme Court [Ustawa o Sądzie Najwyższym] of 8 December 2017 (Journal of Laws of 2021, item 154, as amended), the remuneration of a judge of the Supreme Court is determined at either the basic rate or the promotion rate. The promotion rate is 115% of the base rate. Upon taking up his/her post, a judge of the Supreme Court receives base pay at the basic rate. After 7 years of service in the Supreme Court, the base salary of a judge of the Supreme Court shall be increased to the promotion rate.

**(2020): Judges:** The basic salary of a judge is determined in rates, the amount of which is determined using multipliers of the basis for determining basic salary. The rates of basic salary in particular judge's positions and multipliers, used for determination of basic salary of judges in particular rates, are specified in the appendix to the Act.

A judge is entitled to a function-related allowance in connection with the performance of his duties.

Judges' remuneration is also differentiated by a long service bonus, amounting, beginning with the sixth year of service, to 5% of basic salary and increasing after each year by 1% until it reaches 20% of basic salary. No social security contributions are payable on judges' salaries. Prosecutors:

The base salary for public prosecutors of universal prosecutorial bodies of the public prosecution services shall be determined based on the table of base salary scale for public prosecutors of universal prosecutorial bodies of the public prosecution services Pursuant to Article 123 of the Act on the Public Prosecutor's Office of 28 January 2016, the basis for determining the base salary of a public prosecutor in a given year is the so-called base amount, i.e. the average salary in the second quarter of the previous year, announced in the Official Journal of the Republic of Poland "Monitor Polski" by the President of the Main Statistical Office "Statistics Poland" [GUS]. At the same time, according to Article 124 § 11 of the quoted Act on Public Prosecutor's Office, a public prosecutor is entitled to an supplement for long-time service amounting to 5% of the base salary currently received by the public prosecutor, beginning from the 6th year of his/her employment, and increasing after each successive year of his/her employment by 1% of this salary, until reaching 20% of the base salary. After 20 years of service the long-service supplement shall be paid, irrespective of the length of service beyond that period, at the rate of 20% of the public prosecutor's current base salary.

Supreme court and Main Public Prosecutor Office: Pursuant to Article 124 § 1 of the above-mentioned Act, the base salary of public prosecutors of the National Public Prosecutor's Office is equal to the base salary of judges of the Supreme Court. Pursuant to Article 48 of the Act on the Supreme Court [Ustawa o Sądzie Najwyższym] of 8 December 2017 (Journal of Laws of 2021, item 154, as amended), the remuneration of a judge of the Supreme Court is determined at either the basic rate or the promotion rate. The promotion rate is 115% of the base rate. Upon taking up his/her post, a judge of the Supreme Court receives base pay at the basic rate. After 7 years of service in the Supreme Court, the base salary of a judge of the Supreme Court shall be increased to the promotion rate.

**(2019):** The base salary for public prosecutors of common organisational units of the prosecutor's office is determined on the basis of the table of base salary for prosecutors of common organisational units of the prosecutor's office and the Institute of National Remembrance - Commission for the Prosecution of Crimes against the Polish Nation, and the multipliers used to determine this salary, which constitutes appendix no. 1 to the Regulation of the Council of Ministers of 29 February 2016 on the base salary of the prosecutors and the amount of functional allowances to which the prosecutors are entitled. The above table sets out the rates of base salary for different prosecutorial positions and the corresponding multiplier, which is used to determine the base salary for this position.

Pursuant to Article 123 of the Act of 28 January 2016 – The Prosecutor's Office Law, the basis for determining the base salary of a prosecutor in a given year is the so-called base amount, i.e. the average salary in the second quarter of the previous year, published in the Official Journal of the Republic of Poland "Monitor Polski" by the President of the Central Statistical Office. Pursuant to Article 124 § 1 of the abovementioned Act, the base salary of prosecutors of the National Prosecutor's Office is equal to the base salary of the Supreme Court judges. Pursuant to Article 48 of the Act of 8 December 2017 on the Supreme Court (Journal of Laws of 2018, item 5, as amended), the salary of a judge of the Supreme Court is determined at the base rate or the promotion rate. The promotion rate is 115% of the base rate. A judge of the Supreme Court, taking up a position, receives the base salary at the base rate. After 7 years of service in the Supreme Court, the base salary of a Supreme Court judge is increased to the promotion rate.

At the same time, pursuant to Article 124 § 11 of the quoted Act – The Prosecutor's Office Law, a prosecutor is entitled to an allowance for long-term work amounting to, starting from the 6th year of work, 5% of the base salary currently earned by the prosecutor and increasing after each consecutive year of work by 1% of this salary, until 20% of the base salary is reached. After 20 years of work, the allowance is paid, irrespective of the length of service beyond that period, in the amount of 20% of the base salary currently earned by the prosecutor.

Moreover, pursuant to Article 124 § 10 of the quoted Act – The Prosecutor's Office Law, in connection with the function of a prosecutor, the prosecutor is entitled to a functional allowance, which results from appendix no. 2 Table of functions and multipliers used to determine the amount of functional allowances to the Ordinance of the Council of Ministers of 29 February 2016 on the base salary of the prosecutors and the amount of functional allowances to which the prosecutors are entitled.. Additionally, pursuant to Article 111 § 2 and 4 of the abovementioned Act, due to the nature of work and the scope of tasks performed, a special bonus may also be granted to the prosecutor of the National Prosecutor's Office, in the amount not exceeding 40% of the total base salary and the functional allowance. The allowance shall be granted for a fixed period, and in justified cases - also for an indefinite period.

**(2018):** Base salary for prosecutors related to general organizational units of the prosecution office is determined by virtue of the Table regarding rates, connected with the base salary for prosecutors related to general organizational units of the prosecution office and for prosecutors related to the Nation's Memory Institute - Commission for the Prosecution of Crimes against Polish Nation. The aforementioned table also includes multipliers used for determining the aforementioned salary and it constitutes Schedule No 1 enclosed to the Regulation of the Council of Ministers of 29th February 2016 on the base salary for prosecutors and the amount of extra duty allowance for prosecutors. The aforementioned table determines rates of the base salary related to particular prosecutor's position and appropriate multiplier used for determining the amount of base salary connected with this position. Pursuant to art. 123 of the Law on Prosecution Act of 28th January 2016 (published in the Journal of Laws 2017, item 1767 and later amendments), the basis of the prosecutor's base salary in a given year shall be - so called - base amount, that is average salary related to second quarter of the previous year, published in the Official Journal of the Republic of Poland by the Chairman of the Central Statistics Office.

Pursuant to art. 124 § 1 of the aforementioned Act, base salary for prosecutors related to the National Public Prosecutor's Office is equal to base salary for the Supreme Court judges.

Pursuant to art. 48 of the Supreme Court Act of 8th December 2017 (published in the Journal of Laws 2018, item 5 and later amendments) salary for the Supreme Court judge is determined at the basic rate or promotion rate. The amount of a promotion rate constitutes 115% of a basic rate. The Supreme Court judge, while taking over the post, acquires base salary related to the basic rate. After seven years of duty connected with the Supreme Court, base salary for the Supreme Court judge is raised up to the promotion rate. At the same time, pursuant to art. 124 § 11 of the aforementioned Law on Prosecution Act, prosecutor is entitled to allowance connected with a long-term service. This allowance constitutes, starting with the 6th year of service, 5% of the base salary currently received by the prosecutor and it rises - after each following year of service - by 1% of the base salary, until it reaches the level of 20% of the base salary. After twenty years of service, the allowance constitutes, independently on the period of service exceeding this time, 20% of the base salary currently received by the prosecutor.

What is more, pursuant to art. 124 § 10 of the aforementioned Law on Prosecution Act, in connection with certain position, prosecutor is entitled to extra duty allowance, which stems from Schedule No 2 of the Table regarding positions and multipliers used for determining the amount of extra duty allowance, enclosed to the Regulation of the Council of Ministers of 29th February 2016 on the base salary for prosecutors and the amount of extra duty allowance for prosecutors.

Additionally, pursuant to art. 111 § 2 and 4 of the aforementioned Act, the National Public Prosecutor - due to the character of service and the scope of duties - can be entitled to the special allowance as well. The amount of the special allowance shall not exceed 40% of base salary and extra duty allowance altogether. The special allowance is granted for a specified period of time or - under particularly justified circumstances - for an unspecified period of time. Salaries of judges and public prosecutors of the Supreme Court or the Highest Appellate Instance - we indicated average salary which contains base salary, allowance connected with a long-term service and allowance connected with occupying post.

## Portugal

**(General Comment):** The net annual salary depends on various factors: personal tax situation; other personal revenues. It would not be accurate to provide a number under this category.

**(2020):** Source of data: Directorate-General for the Administration of Justice and the High Council for the Judiciary  
The increase of salaries resulted from the revision of the statute of judges and prosecutors.

**(2019):** The increase of the Public Prosecutors' salary in the Supreme Court was due to the revision of the Statute of Judicial Magistrates

## Romania

**(2016):** The increase between 2014 and 2016 is resulting from legislative changes, including the way in which specific legislation is applied in the light of the jurisprudence of the Constitutional Court. The calculation method did not change, but the base of the monthly salaries has grown during the last two years, according to the legislation concerning the public remuneration, as it was interpreted by the Constitutional Court and the ordinary courts of law. Currently, the differences between salaries in the judicial system are eliminated. Since 2000 to the present, the magistrates' salaries have risen steadily, including the latest law on salaries in the public domain (Law no. 153/2017) has set a salary level for magistrates well above the average of the budgetary staff. This law will have its full effect until 2022.

**(2012):** The 2012 data was based on the Law regarding the unitary remuneration of personnel paid from public funds, no.284/2010, with subsequent amendments and additions.

### **Slovak Republic**

**(General Comment):** The stated sums represent the basic gross salary of judges/prosecutors without bonuses and supplements. According to the Act on Judges (No. 385/2000 Coll.) the average monthly salary of the judge equals the monthly salary of the Member of Parliament. The monthly salary of the judge at the beginning of the career is 90% of this salary. The monthly salary of the judge of the Supreme Court is 130 % of the monthly salary of the Member of Parliament. The judge is entitled to have 2 additional monthly salaries (in May and in November) unless he/she do not meet the conditions stipulated in law. The sum of annual average salary stated in this questionnaire counts 14 months salaries. All bonuses and supplements are stipulated by law. Specific supplement belongs to the judges of the Specialized Criminal court and to the judges of the Supreme court deciding on the remedies against the decisions of that court. The value of the net salary depends on several individual criteria, e. g. the number of children, the voluntary pension security scheme etc. Similar rules govern the salaries of prosecutors (Act on Prosecutors and Trainee Prosecutors No.154/2001 Coll.). The average salary of the prosecutor equals the average salary of the judge. The salary of the beginning prosecutor is 85% of this salary, the salary of the prosecutor at the General Prosecutors office is equal to the salary of the Supreme Court judge. Prosecutors are also entitled to 2 additional monthly salaries. Supplements for the heads of the prosecutor offices are similar to supplements of the court presidents at the same level. The prosecutors of the Special Prosecutor's Office are entitled to same supplement as the judges of the Specialized Criminal Court.

**(2019):** The stated sums represent the basic gross salary of judges/prosecutors stipulated by law without supplements (methodology comparable to previous years data in the questionnaire). See general comment for details.

**(2018):** The stated sums represent the basic gross salary of judges/prosecutors stipulated by law without supplements. See general comment for details.

**(2014):** The salaries of judges and prosecutors in 2014 were at the same level as in 2012. The adjustments of salaries for all State officials (Members of Parliament, Government, judges) were stopped in the years 2013 and 2014 due to State expenditures restrictions.

### **Slovenia**

**(General Comment):** The basic salary for judges and prosecutors is regulated by law, as well as promotion. The salary of the prosecutor is determined on the same basis, with the same supplements and in the same way as the salary of the judge. All employees in the country (including judges and public prosecutors) are also entitled to the supplement for the period of employment. As the calculation of the average pay would be too complicated, we report figures calculated from above criteria. Please note all figures reported include the supplement for the period of employment.

Judge/prosecutor at the beginning of the career: starting salary for local court judge and for local state prosecutor (without promotion), including the supplement for the period of employment (5 years) - approx. 1-2% of the reported amount.

Judge/Prosecutor at the highest instance: salary of a supreme court judge and supreme state prosecutor – counselor (not president of the Supreme Court or State Prosecutor General) including the supplement for the period of employment (44 years) - approx 15% of the reported amount.

### **Spain**

**(General Comment):** Judicial and Prosecutorial careers - The regulation of the remuneration system for members of the judicial and prosecutorial careers is contained in Law 15/2003 of 26 May regulating the remuneration system of the judicial and prosecutorial careers and is based on the principles of objectivity, fairness, transparency and stability. The remuneration system for judicial and prosecutorial careers is generally made up of a fixed component and a variable component based on objectives, the quantification elements of which are detailed in the law.

The fixed component rewards the category and seniority in the judicial career, as well as the objective characteristics of the positions held. Fixed remuneration is divided into two categories: basic remuneration and additional remuneration. The basic salary is made up of salary (it remunerates the category held within the judicial career and is fixed) and seniority (it is remunerated by a successive increase of five per cent of the initial salary corresponding to the category of entry for every three years of active service or in other administrative situations in which time is recognised for this purpose). Salaries and seniority objectively reflect the category within the judicial career and the successive proportional increase on the initial salary, fixed at five per cent every three years. Judges and magistrates are entitled to two additional payments per year, each equal to one month's salary and recognised seniority, and, if applicable, a proportional amount for the destination allowance under the conditions established by law for the entire State public sector, paid in June and December.

The additional remuneration is made up of the allowance for each post and the specific allowance. The allowance corresponding to each post of judge or magistrate is quantified according to the following criteria: The population group to which it belongs; the objective conditions of representation linked to the position held and other specific circumstances linked to the post. The amount of the special allowance for each post of judge or magistrate is set out in Annex II to the Act. The special allowance compensates for the special conditions of certain posts of particular responsibility, complexity or difficulty. The posts benefiting from the special allowance and the amount of the special allowance are listed in Annex III to the Act. The variable remuneration based on objectives is based specifically on the individual performance of each judge in the performance of his or her judicial and professional duties, as certified by the system of dedication modules. The objective for each assignment in the judicial career is set by the General Council of the Judiciary in accordance with the modules of dedication or other technical criteria it deems appropriate. The variable remuneration works by modulating the amount of the fixed remuneration in parallel with the performance of the previous six-month period. If the members of a court achieve a particularly noteworthy individual performance, i.e. if they exceed the objective assigned to the post by 20 percent, an increase of between five and 10 percent of the fixed remuneration is applied. In cases where, for reasons directly attributable to the judge, the individual performance is insufficient and does not reach 80 percent of the target, the fixed remuneration is automatically reduced by five percent of its amount. Under no circumstances can variable remuneration for targets be consolidated.

The following shall have the status of special remuneration: those corresponding to the performance of on-call duties; those derived from the performance of extraordinary duties without relief from judicial functions; those corresponding to substitutions involving the joint performance of another function, provided that they are in all cases compatible with the other remuneration concepts regulated by law and that their accrual and amount are adapted to the regulatory scheme approved by the Government.

*Final comment: Special mention should be made of the recent update of the amounts of the representation allowance for*

**(2022):** In addition to salary, other concepts must be taken into account: - Remuneration for objectives: Prosecution 3.462.886,71 euros, Judges 6.889.266,33 euros.

- Professional substitutions. Prosecution 1.014.132,71 euros, Judges 10.489.137,61 euros.

**(2021):** In addition to salary, other concepts must be taken into account: - Remuneration for objectives: Prosecution 3.391.688,99 euros, Judges 6.719.737,10 euros.

- Professional substitutions. Prosecution 596.210,59 euros, Judges 7.666.770,44 euros.

**(2020):** In addition to salary, other concepts must be taken into account: - Remuneration for objectives: Prosecution 3.364.701,68 euros, Judges 6.760.485,89 euros.

- Professional substitutions. Prosecution 624.438,54 euros, Judges 8.852.605,61 euros.

**(2019):** Other two concepts have to be taken into account:

- Remuneration for objectives. (For 2019, Judges 6.560.790,81, Prosecutors 3.298.733,53)

- Professional substitutions. (For 2019, Judges 6.028.864,05; Prosecutors 726.720,41)

Remuneration according to objectives can be considerable in both cases. Substitution refers to cases in which, according to the law, one judge substitutes another, thereby accruing an increase in remuneration, depending on the circumstances and duration of that substitution.

**(2018):** Other two concepts have to be taken into account:

- Remuneration for objectives. (For 2018, Judges 6.474.050,91, Prosecutors 3.220.851,03)

- Professional substitutions. (For 2018, Judges 3.220.851,03; Prosecutors 646.740,23)

### Question 133

## **Austria**

**(General Comment):** Judges at Administrative Courts get the same benefits as functionaries (e.g. anniversary reward, child allowance, possibly cost of living bonus, travel fees of transportation allowance)

**(2018):** Judges at Administrative Courts get the same benefits as functionaries (e.g. anniversary reward, child allowance, possibly cost of living bonus, travel fees of transportation allowance)

**(2016):** Judges at Administrative Courts get the same benefits as officials (i.e. anniversary reward, child allowance, possibly costs of living Bonus, travel fees or Transportation allowance).

## **Belgium**

**(General Comment):** The magistrates are subject to a specific pension scheme (with a retirement age limit of 67 years + preferential fraction).

**(2022):** The magistrates are subject to a specific pension scheme (with a retirement age limit of 67 years + preferential pension fraction).

**(2021):** Judges and prosecutors have a specific pension scheme (age limit at 67 + preferential rate).

**(2020):** Magistrates have a specific pension scheme (age limit at 67 + preferential rate).

## **Bulgaria**

**(2022):** On the basis of Art. 223 of the Judiciary System Act - judges and prosecutors can use housing from the departmental housing fund of the bodies of the judiciary.

**(2021):** Pursuant to Article 223 of the Judiciary System Act, judges and prosecutors may use dwellings from the institutional housing stock of the judiciary.

**(2020):** Pursuant to Article 223 of the Judiciary System Act, judges and prosecutors may use dwellings from the institutional housing stock of the judiciary

**(2019):** Pursuant to art. 223 of the Judiciary System Act, judges and prosecutors may use housing of the departmental housing fund of the judicial authorities.

## **Croatia**

**(2019):** Additional benefits was recently introduced by the Law amending the Law on Salaries of Judges and Other Judicial Officials (Official Gazette 16/19).

## **Czech Republic**

**(2018):** Judges and prosecutors are entitled to obtain housing only if they are temporarily transferred to another court/prosecution office.

**(2016):** Judges and prosecutors are entitled to obtain housing only if they are temporarily transferred to another court/prosecution office.

## **Denmark**

**(2022):** However, professional judges are employed as "civil servants" who receive a lifelong pension.

## Estonia

**(2012):** On the occasion of the 2012 evaluation, it has been stressed that the salary of judges was increased on 1 January 2013. On the same time, the special pension was abolished for judges who are appointed to office after 30 June 2013, while judges appointed to office before 1 July 2013 retain their special pension.

## France

**(2020):** Pursuant to the provisions of the order of April 5, 2017, establishing the lists of functions of the State services of the Ministry of Justice provided for in Articles R. 2124-65 and R. 2124-68 of the General Code of the Property of Public Persons that may give rise to the granting of a concession of housing by absolute necessity of service or of a precarious occupation agreement with penalty, certain heads of courts and jurisdictions benefit from a precarious occupation agreement with penalty. \_x000D\_

A fee is charged to the beneficiary of this agreement. It is equal to 50% of the real rental value of the occupied premises. \_x000D\_

## Greece

**(2021):** judges, except salary, receive two allowances (Article 30 of N.3205/2003), the faster processing allowance and attendance costs. These are not taxed. Article 6, paragraph 6 subparagraph 4, of the decision numbered A.1275 (B '6375/31.12.2021) indicating what is not included in the certificates of remuneration( page 81063 of the decision). However, if we are to be legally precise, the correct answer to the Cepej question is no. It is not a reduced taxation, but for sums granted, as to other classes of wage-earners, and they face expenses to which they are subjected for the exercise of their work.

## Ireland

**(2022):** Judges receive an annual allowance as well as travel (mileage) and subsistence (hotels).

## Lithuania

**(2019):** no other financial benefit.

## Malta

**(General Comment):** Act 44 Constitutional Reforms (Justice Sector) Act of 2016 also enhanced the independence of the judiciary through the introduction of an adequate pension scheme that respects the service that has been offered by the retired judiciary, as well as their widows/ widowers.

The special pension was introduced in 2016 for the judiciary, so it was not present in the previous cycles and it is not applicable to the lawyers working in the Office of the Attorney General.

**(2022):** In respect of 'Special Pension' for Public Prosecutors, The Pensions Ordinance, Chp 93 of the Laws of Malta, stipulates a special pension for the Attorney General only.

**(2020):** In respect of 'Special Pension' for Public Prosecutors, The Pensions Ordinance, Chp 93 of the Laws of Malta, stipulates a special pension for the Attorney General only.

**(2018):** Act 44 Constitutional Reforms (Justice Sector) Act of 2016 also enhanced the independence of the judiciary through the introduction of an adequate pension scheme that respects the service that has been offered by the retired judiciary, as well as their widows/ widowers.

The special pension was introduced in 2016 for the judiciary, so it was not present in the previous cycles and it is not applicable to the lawyers working in the Office of the Attorney General.

**(2016):** Act 44 Constitutional Reforms (Justice Sector) Act of 2016 also enhanced the independence of the judiciary through the introduction of an adequate pension scheme that respects the service that has been offered by the retired judiciary, as well as their widows/ widowers.

The special pension was introduced in 2016 for the judiciary, so it was not present in the previous cycles and it is not applicable to the lawyers working in the Office of the Attorney General.

## Netherlands

**(2021): SC:** Other financial benefits for a regular Supreme Court judge would be a tax free monthly allowance for expenses of 1.502 euro. Please refer to the legislation (<https://wetten.overheid.nl/BWBR0008365/2021-07-01>) and regulation (<https://wetten.overheid.nl/BWBR0031765/2021-01-23>) on this subject.

## Poland

**(General Comment):** 1. A judge/prosecutor who retires or is retired due to age, illness or physical incapacity is entitled to an emolument equal to 75 percent of the basic salary and seniority allowance received at the most recent post.

2) Financial support. A judge/prosecutor may be granted financial support, in the form of a loan, to satisfy their residential needs.

3) Paid health leave. A judge/prosecutor may be granted paid health leave to undergo the prescribed treatment if the treatment requires to refrain from carrying out service. The health leave cannot exceed six months ..

3) Annual additional leave. A judge/prosecutor is entitled to annual additional leave of:

–six business days – after ten years of work,

–twelve business days - after fifteen years of work.

4) Jubilee award. A judge/prosecutor is entitled to a jubilee award . 5) If a judge/prosecutor is posted to a locality other than the locality in which the judge's place of work is located, which is not the judge's place of permanent residence, the judge posted during the period of posting, as an employee on a business trip, is entitled to the following dues, compensating for the inconveniences resulting from the posting outside the permanent place of service: 1) the right to accommodation, free of charge; ; - a monthly lump sum - in an amount not exceeding 78% of the judge's basic salary; - reimbursement of costs of the first journey from the place of permanent residence to the place of secondment, reimbursement of costs of the last journey from the place of secondment to the place of permanent residence and reimbursement of the costs of journeys made not more often than once a week to the place of permanent residence and back under conditions' - a lump sum to cover the costs of travel by means of local transport, - reimbursement of costs incurred for the use of vehicles owned by the employee for business purposes, - reimbursement of costs of daily commuting to the place of delegation;

**(2021):** 1. A judge/prosecutor who retires or is retired due to age, illness or physical incapacity is entitled to an emolument equal to 75 percent of the basic salary and seniority allowance received at the most recent post.

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**(2020):** 1. A judge/prosecutor who retires or is retired due to age, illness or physical incapacity is entitled to an emolument equal to 75 percent of the basic salary and seniority allowance received at the most recent post.

2) Financial support. A judge/prosecutor may be granted financial support, in the form of a loan, to satisfy their residential needs.

3) Paid health leave. A judge/prosecutor may be granted paid health leave to undergo the prescribed treatment if the treatment requires to refrain from carrying out service. The health leave cannot exceed six months ..

3) Annual additional leave. A judge/prosecutor is entitled to annual additional leave of:

–six business days – after ten years of work,

–twelve business days - after fifteen years of work.

4) Jubilee award. A judge/prosecutor is entitled to a jubilee award . 5) If a judge/prosecutor is posted to a locality other than the locality in which the judge's place of work is located, which is not the judge's place of permanent residence, the judge posted during the period of posting, as an employee on a business trip, is entitled to the following dues, compensating for the inconveniences resulting from the posting outside the permanent place of service: 1) the right to accommodation, free of charge; ; - a monthly lump sum - in an amount not exceeding 78% of the judge's basic salary; - reimbursement of costs of the first journey from the place of permanent residence to the place of secondment, reimbursement of costs of the last journey from the place of secondment to the place of permanent residence and reimbursement of the costs of journeys made not more often than once a week to the place of permanent residence and back under conditions' - a lump sum to cover the costs of travel by means of local transport, - reimbursement of costs incurred for the use of vehicles owned by the employee for business purposes, - reimbursement of costs of daily commuting to the place of delegation;

#### **(2019): retirement**

Pursuant to Article 127 § 1 of the Act of 28 January 2016 – The Prosecutor's Office Law in connection with Article 69 -71 and Article 100 of the Act of 27 July 2001 - Law on the system of common courts (Journal of Laws of 2020, item 365, as amended), the prosecutor shall retire when they reach the age of 65, unless, not later than six months and not earlier than twelve months before reaching this age, they declare to the General Prosecutor their willingness to continue holding the position and present a certificate stating that they are able, due to their health condition, to perform their prosecutorial duties, issued on the terms specified for a candidate for the prosecutor's position. A prosecutor shall, at their request, retire, with the right to the emolument referred to in Article 100 § 2 - in the amount of 75% of the base salary and the length of service allowance earned on their last position - after the age of 55 for a woman, if she has worked for not less than 25 years in the position of a judge or a prosecutor, and the age of 60 for a man, if he has worked for not less than 30 years in the position of a judge or a prosecutor. A prosecutor who is a woman shall, at her request, retire after reaching the age of 60, regardless of the period of service as a prosecutor or judge. A prosecutor who retires or is retired due to age, illness or loss of ability shall be entitled to an emolument of 75% of the base salary and the length of service allowance earned on their last position. The emolument shall be increased in accordance with changes in the base salary of active prosecutors. In addition, a retired prosecutor shall be entitled to a one-time severance payment of six months' salary.

Judges and prosecutors are not given housing, but have, for example, the possibility to apply for financial support - in the form of a loan - to meet possible housing needs.

**(2016):** A judge who retires or is retired due to age, illness or physical incapacity is entitled to an emolument equal to 75 percent of the basic salary and seniority allowance received at the most recent post.

The emolument is increased in line with changes of the basic salaries of active judges. A judge who retires is entitled to a one-off severance payment in the amount of six months' remuneration.

#### **Romania**

**(2021):** Other financial benefits are essentially related to medical expenses and travel expenses (limited).

**(2020):** Other financial benefits are essentially related to medical expenses and travel expenses (limited).

**(2019):** Other financial benefits are essentially related to medical expenses and travel expenses (limited).

**(2018):** Other financial benefits are essentially related to medical expenses and travel expenses (limited).

#### **Slovak Republic**

**(2020):** The regulation about housing was included in the Decree of the Ministry of Justice of the Slovak Republic no. 293/2019

Coll., which lays down the conditions and scope of reimbursement of increased expenses for traveling of the hosting judge, or the hosting court can offer accommodation for the judge.

**(2019):** The regulation about housing is newly included in the Decree of the Ministry of Justice of the Slovak Republic no. 293/2019 Coll., which lays down the conditions and scope of reimbursement of increased expenses for traveling of the hosting judge, or the hosting court can offer accommodation for the judge.

## Slovenia

**(General Comment):** There is a possibility for judges, public prosecutors and state attorneys (as well as other public servants in judiciary) to apply for a non-profit tenancy in an apartment, owned by the Ministry of Justice. However, the number of available apartments is very low (less than 0,5% of all functionaries and public servants in judiciary).

**(2018):** There is a possibility for judges, public prosecutors and state attorneys (as well as other public servants in judiciary) to apply for a non-profit tenancy in an apartment, owned by the Ministry of Justice. However, the number of available apartments is very low (less than 0,5% of all functionaries and public servants in judiciary).

## Question 146

### Austria

**(2021):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31 December 2021 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)). The data only include lawyers registered in the list of Austrian lawyers, lawyers registered in the list of established European lawyers according to the Lawyers' Directives registered by 31 December 2021. It does not include legal advisors as such a professions/type of service provider does not exist in Austria.

**(2017):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2017 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)).

The data only includes lawyers registered in the list of Austrian lawyers (6.238), lawyers registered in the list of established European lawyers (87) registered by 31st of December 2017. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

**(2016):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2016 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)).

The data only includes lawyers registered in the list of Austrian lawyers (6.132), lawyers registered in the list of established European lawyers (84) registered by 31st of December 2016. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

**(2015):** Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2015 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)). The data only includes lawyers registered in the list of Austrian lawyers (6.057), lawyers registered in the list of established European lawyers (81) registered by 31st of December 2015. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

**(2014):** The 2014 data includes lawyers registered in the list of Austrian lawyers (5940), lawyers registered in the list of established European lawyers (80) and trainee lawyers (2072) registered by 31 December 2014. It does not encompass solicitors or legal advisors as such professions do not exist in Austria.

### Belgium

**(General Comment):** According to the latest "Barometer of the Legal Profession" (2020) conducted by the Order of Flemish Bars in collaboration with Ghent University (UGent) and Louvain University (KUL), as of December 2019, 64.8% of trainee lawyers were women. Conversely, 57.6% of registered lawyers who have completed their training were men. Similarly, as per the most recent "Barometer of the Legal Profession" (2018 – a new barometer is expected to be launched in 2022) carried out by AVOCATS.BE in collaboration with Liège University, aside from indicating an ongoing feminization trend within the profession, it also suggests that this feminization will significantly intensify in years to come. The majority among lawyers under 35 are women.

**(2022):** The total is composed as follows: 11,072 for the Order of Flemish Bars - Orde van Vlaamse Balies and 8,238 for the Order of French-speaking and German-speaking Bars (as of December 1st, 2022). It emerges from the latest barometers organized respectively by the Order of Flemish Bars - Orde van Vlaamse Balies and by the Order of French-speaking and German-speaking Bars that the legal profession is becoming more feminine in Belgium.

**(2021):** The figures are for the Orde Van Vlaamse Balies, 10 973, and for the Order of the French-speaking and German-speaking Bars, 8 188 as of 1 December 2021: a total of 19 161 lawyers. Unfortunately, none of the Bars was able to provide figures by gender. The Bars report a stable annual increase. According to the latest "barometers of the profession" carried out by the Bar Associations (in 2018 and 2020), it seems that the legal profession is becoming more and more feminised, and the age pyramid suggests that this feminisation will increase in the years to come.

**(2020):** For the Order of the French- and German-speaking Bars: 8,160 and for the Orde van Vlaamse Balies (Order of the Flemish Bars) 10715--> total 18,875. According to a recent study (2020), in December 2019, 64.8% of trainee lawyers were women. On the other hand, 57.6% of the lawyers on the roll (who have completed the traineeship) were men. However, if these percentages are compared with those in previous similar studies, it must be concluded that the legal profession in Belgium is becoming more female.

**(2019):** The data correspond to the number of lawyers registered with the Belgian bars on September 1, 2019, therefore at the start of the judicial year 2019-2020. This number fluctuates during the judicial year.  
Number of lawyers registered with Flemish bars: 10,862.  
Number of lawyers registered with French and German speaking bars: 8,043.

**(2018):** 8002 for the French and German-speaking Bar Association  
10656 for the Flemish Bar Association (OVB)

**(2017):** 7 939 lawyers for the French and German-speaking Bar Association on 1 December 2017  
10 665 lawyers at the Flemish Bar (OVB)

**(2016):** 7,930 lawyers for the French- and German-speaking Bar Association on 1 December 2016  
10,602 lawyers at the Flemish Bar (OVB)

**(2015):** As at 1 December 2015, there were 7,882 French-speaking and German-speaking lawyers (avocats.be) and 10,520 Dutch-speaking lawyers (Orde van Vlaamse balies).

## **Czech Republic**

**(2022):** There is no special reason for the increase, the profession is open to everyone regardless of the gender.

**(2020):** Data to: 31.12.2020

**(2018):** Data to: 31.12. 2018

**(2017):** There are 11587 active lawyers and 1496 inactive.

**(2015):** From the above mentioned number of lawyers there are 11011 active practising and 1289 temporary inactive.

**(2013):** In 2013, 10 255 lawyers are practicing in an active manner, while 1 141 lawyers discontinued their practicing.

## Denmark

**(2021):** The figures given above are the number of lawyers at the end of 2021.

**(2013):** The 2013 data corresponds to the statistical data for September 2014.

**(2012):** The 2012 data does not include assistant attorneys.

## Finland

**(General Comment):** As of 2014, only attorneys-at-law, public legal aid lawyers and licenced legal counsels are allowed to represent a client in court. In addition, in-house lawyers can represent their company in court. Lawyers working for trade unions can represent a client in a district court and in the Labour Court in disputes regarding employment relationship. Lawyers working for public authorities can represent the public authority in court. In order to qualify as an attorney-at-law, a lawyer needs to have at least four years of work experience and must pass the demanding three-part professional qualification test known as the bar examination. The titles of attorney-at-law and attorney's office are protected by law and can only be used by lawyers accepted into the Finnish Bar Association. Attorney's offices employ also associate lawyers, that is lawyers who are not yet members of the bar.

**(2022):** The number includes 2255 attorneys (i.e. members of the Bar Association), 1733 licensed trial counsels and 200 public legal aid attorneys. From the public legal aid attorneys 90 were also members of the Bar Association.

**(2021):** The total number of lawyers includes 2230 attorneys-at-law, 1738 licensed legal counsels and 205 public legal aid lawyers. These lawyers can represent a client in court. The title of attorney-at-law is protected by law and can only be used by lawyers accepted into the Finnish Bar Association.

The total number of in-house lawyers, trade union lawyers and lawyers working for public authorities is not available.

**(2020):** In 2020, the total number of lawyers includes 2211 attorneys-at-law, 1664 licensed legal counsels and 212 public legal aid lawyers. These lawyers can represent a client in court. The title of attorney-at-law is protected by law and can only be used by lawyers accepted into the Finnish Bar Association.

The total number of in-house lawyers, trade union lawyers and lawyers working for public authorities is not available.

**(2019):** It is estimated that there are 16.000 people with law degree in Finland – it is no possible to provide an exact number of "legal advisors".

Approx. 4.000 lawyers can represent their clients in Court. These consist of 1631 licensed legal counsels, 2177 members of the Finnish Bar Association (attorneys-at-law) and 214 public legal assistants in state legal aid offices.

The Finnish Bar Association states that 66% are men and 34% women. However, 52% of their new members are women.

**(2018):** In 2018, the total number of 3965 lawyers includes 2143 attorneys-at-law, 1603 licensed legal counsels and 219 public legal aid lawyers. These lawyers can represent a client in court. The title of attorney-at-law is protected by law and can only be used by lawyers accepted into the Finnish Bar Association.

In addition, in-house lawyers can represent their company in court. Lawyers working for trade unions can represent a client in a district court and in the Labour Court in disputes regarding employment relationship. Lawyers working for public authorities can represent the public authority in court. The total number of these in-house lawyers, trade union lawyers and lawyers working for public authorities is not available.

**(2017):** The total number of lawyers 3,846 includes 2,137 members of the Finnish Bar Association, 1,588 licensed lawyers and 228 public legal aid lawyers. 107 legal aid lawyers were also members of the Finnish Bar Association.

**(2016):** The number of lawyers indicated for 2012, 2013 and 2014 refers to members of the Finnish Bar Association who are entitled to use the professional titles advokat (advocate). Law firms (firms owned by members of the Bar) employ also associates. Besides, legal aid offices employ also legal advisers who are not all members of the Bar Association. Till 2014, jurists (persons who have a Master's Degree in law) could offer similar legal services than members of the Bar. From the beginning of the year 2014, only advocates, public legal aid attorneys and counsels who have obtained the license referred to in the Licensed Counsel Act are allowed to represent a client in the court. In 2016, the total number of lawyers 3,791 includes 2,119 members of the Finnish Bar Association, 1,540 licensed lawyers and 229 public legal aid lawyers (97 public legal aid lawyers are also members of the Finnish Bar Association). Only members of the Finnish Bar Association are entitled to use the professional title "advocate".

## France

**(2021):** Source DACS

**(2020):** source DACS

**(2018):** data at the date of 1st of January 2018

**(2017):** Data as at 1 January 2018

**(2016):** data as at 1 January 2017

**(2014):** The 2014 data refers to the number of lawyers on 1 January 2015.

**(2012):** The 2012 data reflects the number of lawyers in January 2012.

## Greece

**(2019):** The number is indicative and constantly changing, in the absence of restrictions on the number of positions. Source: Plenary Session of the Presidents of Hellenic Bar Associations

**(2018):** The number is indicative and constantly changing, in the absence of restrictions on the number of positions. Source: Plenary Session of the Presidents of Hellenic Bar Associations

**(2013):** The 2013 data corresponds to the total number in the end of December 2013.

## Hungary

**(2022):** The number of lawyers in 2022 includes the number of legal advisors.

**(2020):** A new act on the attorneys (Act LXXXVIII of 2017) entered into force on 1 January 2018. [https://njt.hu/translated/doc/J2017T0078P\\_20180101\\_FIN.pdf](https://njt.hu/translated/doc/J2017T0078P_20180101_FIN.pdf)

**(2018):** A new act on the attorneys (Act LXXXVIII of 2017) entered into force on 1 January 2018.  
[https://njt.hu/translated/doc/J2017T0078P\\_20180101\\_FIN.pdf](https://njt.hu/translated/doc/J2017T0078P_20180101_FIN.pdf)

**(2017):** A new act on the attorneys entered into force, as of January 1, 2018. The next year's report will reflect the changes.

**(2016):** A new act on the attorneys will enter into force, as of January 1, 2018. The next year's report will reflect the changes.

## Ireland

**(2022):** The above figures represent members of the Law Library (barristers) and members of the Law Society (solicitors)

**(2021):** As of 31 December 2021, there were 11,316 practicing solicitors in Ireland. 5,319 male, 5971 female and 26 undefined. For the undefined classification, this is due to the Society not being provided with information on the solicitor's gender. These statistics include solicitors with a practicing certificate in the Republic of Ireland, including practicing solicitors employed by the State. Reply from the Law Library: total n: 2118; males 1354; female 764. Please note that the numbers above are as at June 2021 and per our Annual Report <https://www.lawlibrary.ie/about/governance/annual-report/> The figures only relate to barristers who are members of the Bar of Ireland, and do not include barristers operating outside of the Bar of Ireland. The Roll of Barristers, held by the LSRA, contain that list. Further the above does not include solicitor numbers, which are available via the Law Society of Ireland and the LSRA.

**(2020):** The above figure is the sum membership of the Bar of Ireland and the Law Society. Total figure includes 24 lawyers with a gender reported as "Unknown".

**(2019):** This figure represents the current membership of the Bar Council of Ireland and the Law Society of Ireland.

**(2018):** This figure represents the current membership of the Bar Council of Ireland and the Law Society of Ireland.

**(2017):** This figure represents the total number of barristers practising as members of the Law Library/Bar of Ireland and the total number of solicitors who held practising certificates for 2017.

**(2016):** This figure represents the current membership of the Bar Council of Ireland and the Law Society of Ireland.

**(2014):** The number of lawyers comprises Solicitors and Barristers in the end of December 2014.

## Italy

**(2013):** For 2013, the number of practicing lawyers was not available. The provided figure corresponds to the number of lawyers in 2012, assuming that data should be almost the same for both years.

## Latvia

**(2017):** This number includes sworn advocates and assistants to sworn advocates.

**(2013):** There were 1 336 sworn lawyers in Latvia on December 31, 2013, of which 70 - assistants to lawyers and 13 - lawyers from other countries. 116 State legal aid providers have been concluded contracts with the Legal Aid Administration about State-guaranteed legal assistance in civil cases, administrative cases, cross-border disputes and provision of out of court legal assistance. State provided legal assistance in criminal matters in Latvia is provided by sworn lawyers, not by legal aid providers.

## Lithuania

**(2019):** There are also 1008 lawyers' assistants (449 males, 559 females). They can provide some legal service but are not included in the number of lawyers above.

**(2018):** There are also 943 lawyers' assistants. They can provide some legal service but are not included in the number of lawyers above.

**(2017):** The number is provided by the Lithuanian Bar Association (the number of practising lawyers (advocats) - 2207. Also there are 925 lawyers' assistants who provide legal service).

**(2016):** The number is provided by the Lithuanian Bar Association (the number of practising lawyers (advocats). Also there are 870 lawyers' assistants who provide legal service also.

**(2015):** Numbers are taken from the List of Practising Advocates of Lithuania. The list is regulated by the Law on the Bar and administered by Lithuanian Bar Association. The assistants of advocates is not presented in the data.

## Luxembourg

**(2022):** The number of individual lawyers, amounting to 3202, includes those individual lawyers who represent legal entities. The count of corporate lawyers, totalling 207, encompasses the registered law firms listed in the Bar Association's registry. Presently, the Diekirch Bar has 53 individual lawyers and 4 law firms (4 from list V and 1 from list VI) represented by individuals. Therefore, in total there were 3255 individual lawyers in 2022 including those representing the aforementioned legal entities.

An individual (lawyer listed on lists I or IV as an individual) may practice law through a legal entity (listed on lists V or VI) since the entry into force of the Law of December 16th, 2011 concerning the exercise of lawyer profession in form of a legal entity (article 8(10) and (11) of the Law on the Lawyer Profession of August 10th 1991).

**(2021):** The Diekirch Bar did not provide details on the breakdown of the number of lawyers by gender. Among lawyers registered at the Luxembourg Bar, who represent 98% of the lawyers registered at the two Luxembourg Bars, 52% were male and 48% were female.

**(2015):** The number indicated includes the number of lawyers, trainee lawyer, lawyers practising under their home-country professional titles and independent lawyers at September 1st, 2016.

## Malta

**(2021):** The answer to Q146 represents the warranted lawyers who have registered themselves in the Register of Legal Professionals and Law Firms as per Act XIX of 2021. As from this evaluation onwards, the number of lawyers quoted will always be sourced from this official register.

**(2017):** The number of lawyers quoted in this answer refers to the number of warranted lawyers at the end of 2017. This data is based on a list of warranted lawyers practicing in Malta, compiled by the Department of Justice. Work on this list is ongoing but it is important to note that the figure quoted above, reflects a more faithful representation of the number of warranted lawyers in Malta.

**(2016):** The number of lawyers quoted in this answer refers to the number of warranted lawyers who are also members of the Chamber of Advocates, at the end of 2016. Throughout 2016, the Chamber of Advocates has been updating their list of members in order to clear the names of the lawyers who have either retired or have passed away. Furthermore, it is important to note that at present membership with the Chamber of Advocates, which is the sole Bar Association in Malta, is not mandatory. Hence over the past few months, the Department of Justice is drawing up the first complete list of warranted and non-warranted lawyers in Malta. Work is still underway so it is important to note that the figure quoted above, which is less than that submitted in the previous evaluation, reflects a more faithful representation of the number of warranted lawyers in Malta.

**(2015):** The number of lawyers quoted in this answer refers to the number of warranted lawyers on the list of advocates at the end of 2015. It is possible that some of these lawyers have retired so whilst the warrant remains valid, it does not necessarily mean that all 1569 lawyers are practising the profession. At present there does not exist any mechanism wherein lawyers register once they are given the Warrant to practice, and membership with the Chamber of Advocates, which is the sole Bar Association in Malta, is not mandatory to practice as a lawyer.

### **Netherlands**

**(2021):** On 1-1-2021: 17 964 (9 837 male, 8 127 female)

**(2020):** This is the number of lawyers on 1-1-2021

Number of lawyers on 1-1-2020: 17.829 (total), 9867 (males), 7962 (females)

**(2019):** Numbers on 1/1/2020

**(2017):** Annual report NOVA 2017

### **Poland**

**(2022):** Number of advocates: total: 21 447, male- 11 343, female - 10 104

Number of legal counsels: total: 40 107, male - 18 725 , female - 21 382

It is noteworthy that legal advisers have the same powers as advocates.

**(2020):** Number of advocates: total: 19954, male- 10513, female - 8845

Incomplete data: No information on sex of 596 advocates;

Number of legal counsels: total: 37411, male - 17746, female - 19665

It is noteworthy that legal advisers have the same powers as advocates.

**(2019):** It is the total number of legal advisers and advocates.

It is noteworthy that legal advisers have the same powers as advocates.

**(2012):** Since 2010, the part-deregulation (carried out in 2007/2008) of the lawyer's profession has been implemented and resulted in a major change in the number of lawyers.

### **Romania**

**(2020):** There is no official explanation due to legal norms, in principle such fluctuations can be registered within the profession, as long as the total number has not registered significant fluctuations.

### **Slovak Republic**

**(2016):** The number represents all lawyers registered in the list of the Slovak Bar Association.

Out of this number 848 lawyers have their practise suspended.

**(2012):** The number of practising lawyers is increasing constantly.

## Slovenia

(2017): (Male: 939, 798: female).

## Spain

(2022): Lawyers 'census' [Abogacía en datos] (General Bar Association website): Information on practicing and resident lawyers. Percentage of women and men (45 and 55% aprox.)

(2021): The data are obtained through the General Bar Association Annual Report 2021. On practicing and resident lawyers.

(2020): The data are obtained through the General Bar Association Annual Report 2020. On practicing and resident lawyers.

(2017): Resident Lawyers (Memory of the General Bar Association 2017)

(2016): Resident Lawyers (31 December 2016)

(2015): In civil cases, mainly the legal representation is for Procuradores. In criminal cases, lawyers can assume legal representation until a Procurador is appointed for the case. In administrative cases legal representation is mostly assumed by lawyers. Graduados sociales' (consultants on labour and social security matters) may represent the parties in labour law proceedings. The responses above are given is on the basis that lawyers have a monopoly on practising the defence at Court which, in Spain, is not equivalent to "legal representation".

## Question 147

### Austria

(2017): Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2017 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)).

The data only includes lawyers registered in the list of Austrian lawyers (6.238), lawyers registered in the list of established European lawyers (87) registered by 31st of December 2017. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

(2016): Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2016 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)).The data only includes lawyers registered in the list of Austrian lawyers (6.132), lawyers registered in the list of established European lawyers (84) registered by 31st of December 2016. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

(2015): Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2015 (available at [www.rechtsanwaelte.at](http://www.rechtsanwaelte.at)).The data only includes lawyers registered in the list of Austrian lawyers (6.057), lawyers registered in the list of established European lawyers (81) registered by 31st of December 2015. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

### Croatia

(2020): Not applicable

### Cyprus

**(2018):** This figure represents the Lawyers who are registered and have a license for registering practicing advocates

**(2017):** the lawyers who do not renew their license are not included in this number

#### **Czech Republic**

**(2016):** There are no legal advisors (as described in the question above) in the Czech Republic.

#### **Denmark**

**(2019):** License to practice as an "advokat" is mandatory in Denmark.

#### **Finland**

**(2019):** The Association of Finnish Lawyers, which is the only association in Finland for all lawyers, has approximately 16.000 members. 55% of their lawyer members are women, and 57% of the student members are women.  
(<https://www.lakimiesliitto.fi/liitto/jasenet/> )

#### **France**

**(2019):** This category does not exist. The profession of legal adviser was integrated into the legal profession by the law of 31 December 1990. The activity of legal advice is open to certain professionals by virtue of their status but also to other professionals after an approval has been issued by the Ministry of Justice.

#### **Germany**

**(General Comment):** All lawyers in Germany are empowered to plead before court. No distinction is made between different groups of lawyers in Germany, such as between solicitors and barristers. The stated within question 146 include in-house lawyers according to section 46 para. 2 of the Federal Code for Lawyers (Bundesrechtsanwaltsordnung – BRAO).. These are persons, who exercise their profession as salaried employees of persons or companies other than lawyers or patent attorneys or in a company for the joint practice of law or patent law. They shall be deemed to be practising as a lawyer if they are working as a lawyer for their employer under an employment agreement The conditions to be met with regard to the requirement "working as a lawyer" are set out in section 46 para. 3. Compared to lawyers, their powers to provide for legal advice and representation in court are restricted according to section 46 para. 5 (restriction to the employer's legal affairs) and according to section 46c para. 2 BRAO. Like lawyers, in-house lawyers have to be admitted to the legal profession by the competent regional bar association. There are 24 473 in-house lawyers admitted to the legal profession in Germany (see question 148). In addition to lawyers, certain other individuals may also appear in court as legal advisers but there are no statistical data on these individuals.

**(2022):** see General Comment

**(2021):** See the general comments

**(2020):** See the general comments

**(2019):** See the general comments

#### **Greece**

**(2022):** All lawyers can be legal advisers and therefore have the right to be represented in court.

**(2021):** All lawyers can be legal advisers and therefore have the right to be represented in court.

**(2020):** All lawyers can be legal advisers and therefore have the right to be represented in court.

## Hungary

**(General Comment):** Legal advisors (jogtanácsos) facilitate the functioning of the organisation by which they are employed. They conduct legal representation within the organisation, provide legal advice and information; prepare applications, contracts and other documents; participate in organising legal work. As a general rule, legal advisors, in contrast to attorneys, discharge their duties (which are not as extensive as those of attorneys) as employees. Their compensation is based on the regulations concerning employment. Any person entered in the register maintained by the county court in Budapest can become a legal advisor. Besides, applicants must hold citizenship in one of the member States participating in the Agreement on the European Economic Area; have no criminal record; hold a university degree; have passed the Hungarian professional examination in law.

### **(2022):** Types of lawyers in Hungary

In Hungary "attorneys" are those legal professionals who hold a degree in law and have passed the BAR exam and registered by and members of the local bar association. There is no distinction between Hungarian attorneys, such as solicitors and barristers in the UK, any Hungarian attorney can represent a client before the court. An attorney, however, may practise either as an individual attorney, or as a member of a law firm. In other words, he/she can't be an employee. Please see below the number of attorneys practicing in Hungary (i.e., excluding legal advisors, junior lawyers, EU lawyers):

Number of attorneys (i.e., figures excluding legal advisors)

Total: 11,615

Males: 6,440

Females: 5,175

Those lawyers who work as employees of a company are called "legal advisors" (i.e. in-house counsels). They have the right to represent their employers in any proceedings, the limitation is that they can only act on behalf of their employers and can't have any other clients. There is a special category of legal advisors (in-house counsels) who are members of the local bar association as "registered legal advisors".

Moreover, there are "employed attorneys" (whose employer is limited to a lawyer or law firm), European legal counsels (under the EU Directives as implemented by Hungarian legislation), and employed European legal counsels.

All different categories described above are subordinated to the profession of a lawyer and legal advisor.

Monopoly

Lawyers (attorneys), and to a certain extent registered and non-registered legal advisors are the only professionals who are entitled to represent an individual and/or legal entity in legal matters. So, from this point of view there is a monopoly, since no one else is allowed to fulfil the role of legal representative as a professional, for consideration.

There is no general requirement to have legal representation in court or administrative cases, this is only mandatory in certain proceedings, so from this point of view there is no monopoly (please see the detailed list of the cases below, where legal representation is mandatory).

Attorneys have a monopoly of representation of defendants in criminal cases during the whole length of criminal proceedings.

Victims of criminal cases may also be represented by their family members.

In administrative proceedings, legal representation is not mandatory, and in general any person can represent a party who has the mandate to do so (but the limitation still applies that professionally only an attorney can represent parties in these proceedings too). Section 45 of the Code of Criminal Procedure (Act XC of 2017) prescribes the presence of a defence attorney in the following cases:

- a) a criminal offence for which the law prescribes five or more years of imprisonment,
- b) the accused is subject to a coercive measure affecting a person's personal freedom, or in another matter is subject to arrest, preliminary involuntary treatment in a mental institution, or is placed under imprisonment, custodial arrest or educational training;
- c) the accused is deaf, mute, blind or – regardless of his/her legal capacity – mentally incompetent,
- d) the accused does not know the Hungarian language or the language of the proceedings

**(2020):** Legal advisors (jogtanácsos) facilitate the functioning of the organisation by which they are employed. They conduct legal representation within the organisation, provide legal advice and information; prepare applications, contracts and other documents; participate in organising legal work. As a general rule, legal advisors, in contrast to attorneys, discharge their duties (which are not as extensive as those of attorneys) as employees. Their compensation is based on the regulations concerning employment. Any person entered in the register maintained by the county court in Budapest can become a legal advisor. Besides, applicants must hold citizenship in one of the member States participating in the Agreement on the European Economic Area; have no criminal record; hold a university degree; have passed the Hungarian professional examination in law.

## Ireland

**(2022):** Practicing solicitors are entitled to represent their clients in court. More information is available here:

• <https://mcmahonsolicitors.ie/parties/#:~:text=Originally%2C%20only%20barristers%20had%20rights,majority%20of%20Circuit%20Court%20cases>

• <https://www.citizensinformation.ie/en/justice/courtroom/solicitors.html>

**(2021):** Traditionally, solicitors in Ireland could only represent their clients at the District Court and Circuit Court and would be required to engage a barrister to advocate on behalf of their clients at the higher courts. However, this has changed in recent years, and practicing solicitors are now entitled to a rights of audience and may argue cases at all courts. More information is available here:

<https://mcmahonsolicitors.ie/parties/#:~:text=Originally%2C%20only%20barristers%20had%20rights,majority%20of%20Circuit%20Court%20cases>.

<https://www.citizensinformation.ie/en/justice/courtroom/solicitors.html>

## Latvia

**(2017):** According to Advocacy Law of the Republic of Latvia in accordance with the procedures specified by this Law, the following persons may work as advocates in Latvia:

1) sworn advocates;

2) assistants to sworn advocates;

3) citizens of European Union Member States who have obtained the qualification of an advocate in one of the European Union Member States (hereinafter - advocates of European Union Member States).

Foreign advocates, except for advocates of European Union Member States, may practice in Latvia in accordance with the international agreements on legal assistance binding to the Republic of Latvia. Solicitors, in-house counsellors and others is an unregulated profession in Latvia and consequently is not counted, controlled or otherwise supervised.

## Lithuania

**(2015):** Numbers are taken from the List of Practising Advocates of Lithuania. The list is regulated by the Law on the Bar and administered by Lithuanian Bar Association. The assistants of advocates is not presented in the data.

## Netherlands

**(2017):** NA

**(2016):** NA.

## Slovenia

**(General Comment):** Persons entered in the directory of the Bar Association of Slovenia are only lawyers (and not other legal experts, in-house counsellors etc.)

## Question 148

### Bulgaria

**(2019):** With a comment that legal advisors, other legal educated staff at institutions, businesses, legal entities and sole traders who are hired employees represent only their employer in court ("as a client")

**(2018):** With a comment that legal advisors, other legal educated staff at institutions, businesses, legal entities and sole traders who are hired employees represent only their employer in court ("as a client").

### Croatia

**(2020):** Not applicable

#### **Cyprus**

**(2022):** the Cyprus Bar Association regulates the Advocates who have a renewed practicing license.

#### **Czech Republic**

**(2016):** There are no legal advisors (as described in the question 147) in the Czech Republic.

#### **Denmark**

**(2019):** This number include lawyers who have deposited their Danish license to practice as a lawyer. The number is limited to persons born after the 1st of October 1954. Please note that all lawyers have a degree in law (cand.jur), but to practice law in Denmark as an "advokat", lawyers need a license. Lawyers without a license are not included in the number.

#### **Estonia**

**(General Comment):** Data on the number of legal advisors who cannot represent their clients in court is not collected.

#### **Finland**

**(2018):** The exact number of legal advisors who cannot represent their clients in court is not available.

#### **France**

**(2021):** Source DACS

**(2018):** There is no regulated profession in France for lawyers who cannot represent clients in court.

#### **Greece**

**(2022):** All lawyers can be legal advisers and therefore have the right to be represented in court.

**(2021):** All lawyers can be legal advisers and therefore have the right to be represented in court.

**(2020):** All lawyers can be legal advisors therefore they have the right to represent their clients in court.

**(2019):** All lawyers can be legal advisors therefore they have the right to represent their clients in court.

**(2018):** All lawyers can be legal advisors therefore they have the right to represent their clients in court.

**(2016):** All lawyers can be legal advisors therefore they have the right to represent their clients in court.

#### **Ireland**

**(2021):** Solicitors may represent their clients in all court. However, many prefer to engage a barrister to do so on behalf of their client particularly in the higher courts. The Society is not aware of any exact figure of legal advisors who are prevented from representing their clients in court.

## **Latvia**

**(2017):** Solicitors, in-house counsellors and others is an unregulated profession in Latvia and consequently is not counted, controlled or otherwise supervised. Also, for example, Civil Procedure Law provides that in some case categories/the Supreme Court persons can conduct cases by themselves or with the intermediation of an advocate. Due to this it is not possible to count persons who cannot represent their clients in court.

**(2016):** There was a mistake in last cycle. Not all legal advisors can represent their clients in court, for instance, in criminal cases only sworn advocate can represent their clients in court.

## **Malta**

**(General Comment):** This data was not available prior to 2014. It started being collected by the Department of Justice in 2015.

**(2021):** Throughout 2021, 4 new applications have been submitted out of which 3 were accepted.

**(2019):** Throughout 2019, only 5 EU legal professionals were granted the respective certificate of registration with the limitation that they cannot represent their clients in court. Many more applications are pending evaluation.

**(2018):** The figure of 135 legal advisors is derived from the composite of 101 legal advisors at the end of 2017 and 34 new applications throughout 2018. Hence at the end of 2018, there were 135 legal advisors who could practice with an established lawyer in Malta but cannot represent clients in court.

**(2017):** In 2017, there have been 25 newly registered legal advisors.

## **Poland**

**(2019):** "0" in principle, however: 4078 advocates and 10449 legal advisers - because of their non-practition. Non-practitioners who have not lost their qualifications but who are registered on the list of non-practitioners, cannot provide services to clients, including representation in courts.

## **Portugal**

**(2021):** We do not have this figure in Portugal.

**(2020):** We do not have this figure in Portugal.

## **Slovak Republic**

**(2018):** Slovak legal order does not regulate this type of legal advisors.

**(2017):** The Slovak legal system does not recognize this kind of legal advisors.

# **Indicator 8: Mediators and notaries**

**Table 8.1 Evolution of the absolute number of accredited or registered mediators for court related mediation from 2012 to 2022 (Q166)**

States	Number of accredited or registered mediators for court related mediation										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	2 400	2 400	2 456	2 313	2 562	2 234	2 273	1 692	1 741	1 645	1 674
Belgium	1 134	1 157	1 352	1 457	1 454	1 744	2 122	2 399	2 577	2 463	2 736
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	406	406	453	474	549	588	612	632	673	706	824
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	388	442	421	589	620	660	657	589	669	686	712
Denmark	127	124	151	147	143	135	143	142	143	143	138
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	NA	2 435	2 450	2 571	2 940	2 940	1 436	NA	2 542	2 542	2 854
Germany	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Greece	NA	NA	NA	NA	1 665	1 809	1 665	2 553	NA	2 985	3 363
Hungary	12	20	120	160	174	174	153	203	141	150	136
Ireland	35	NA									
Italy	NA	NA	19 266	21 555	23 612	23 932	24 010	23 875	23 804	24 944	23 561
Latvia	NAP	NAP	24	38	43	46	52	48	50	50	48
Lithuania	47	47	109	129	269	366	469	392	552	663	688
Luxembourg	110	130	135	110	173	144	198	227	238	245	270
Malta	69	69	61	61	66	69	67	67	66	71	66
Netherlands	820	927	1 187	1 409	1 466	1 511	1 002	935	865	803	768
Poland	NA		NA		NA	NA	NA	4 120	4 100	4 102	4 200
Portugal	255	250	196	221	514	617	NA	NA	NA	NA	NA
Romania	4 136	10 847	6 833	11 701	5 080	4 739	4 585	11 234	11 259	3 075	4 357
Slovak Republic	633	846	1 068	1 248	1 450	1 664	913	798	877	909	945
Slovenia	347	341	311	292	281	272	276	267	258	245	236
Spain	NA		1 151		NA	5 302	6 939	7 710	8 896	9 921	10 723
Sweden	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
<b>Average</b>	728	1 363	2 097	2 616	2 392	2 576	2 643	3 216	3 303	2 966	3 068
<b>Median</b>	347	406	437	474	585	660	785	715	769	803	824
<b>Minimum</b>	12	20	24	38	43	46	52	48	50	50	48
<b>Maximum</b>	4 136	10 847	19 266	21 555	23 612	23 932	24 010	23 875	23 804	24 944	23 561
<b>% of NA</b>	26%	20%	19%	16%	19%	15%	19%	19%	19%	15%	15%
<b>% of NAP</b>	19%	20%	15%	16%	15%	15%	15%	15%	15%	15%	15%

**Table 8.2 Evolution of the number of accredited or registered mediators for court related mediation per 100 000 inhabitants from 2012 to 2022 (Q166)**

States	Number of accredited or registered mediators for court related mediation per 100 000 inhabitants										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Austria	28,4	28,3	28,6	26,6	29,3	25,4	25,8	19,0	19,5	18,3	18,4
Belgium	10,2	10,4	12,1	12,9	12,8	15,3	18,6	21,0	22,4	21,3	23,4
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	9,5	9,6	10,7	11,3	13,2	14,3	15,0	15,6	16,7	18,2	21,4
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	3,7	4,2	4,0	5,6	5,9	6,2	6,2	5,5	6,3	6,5	6,6
Denmark	2,3	2,2	2,7	2,6	2,5	2,3	2,5	2,4	2,4	2,4	2,3
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	NA	3,7	3,7	3,9	4,4	4,4	2,1	NA	3,8	3,8	4,2
Germany	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Greece	NA	NA	NA	NA	15,4	16,8	15,5	23,8	NA	28,0	31,5
Hungary	0,1	0,2	1,2	1,6	1,8	1,8	1,6	2,1	1,4	1,5	1,4
Ireland	0,8	NA									
Italy	NA	NA	31,7	35,5	39,0	39,6	39,8	39,6	40,2	42,3	40,0
Latvia	NAP	NAP	1,2	1,9	2,2	2,4	2,7	2,5	2,6	2,7	2,5
Lithuania	1,6	1,6	3,7	4,5	9,4	13,0	16,8	14,0	19,7	23,6	24,1
Luxembourg	21,0	23,6	24,0	19,5	29,3	23,9	32,3	36,3	37,5	38,0	40,9
Malta	16,3	16,1	13,9	13,5	14,3	14,5	14,1	13,6	12,8	13,8	12,7
Netherlands	4,9	5,5	7,0	8,3	8,6	8,8	5,8	5,4	4,9	4,6	4,3
Poland	NA	-	NA	-	NA	NA	NA	10,7	10,7	10,8	11,1
Portugal	2,4	2,4	1,9	2,1	5,0	6,0	NA	NA	NA	NA	NA
Romania	19,4	54,4	30,7	59,2	25,9	24,3	23,6	57,9	58,7	16,2	22,9
Slovak Republic	11,7	15,6	19,7	23,0	26,7	30,6	16,8	14,6	16,1	16,7	17,4
Slovenia	16,9	16,5	15,1	14,1	13,6	13,2	13,3	12,7	12,2	11,6	11,1
Spain	NA	-	2,5	-	NA	11,4	14,8	16,3	18,8	20,9	22,3
Sweden	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
<b>Average</b>	9,9	13	12	14,5	14	14,4	15	17,4	17	15,8	17
<b>Median</b>	9,5	10	9	11,3	13	13,2	15	14,3	14	16,2	17
<b>Minimum</b>	0,1	0	1	1,6	2	1,8	2	2,1	1	1,5	1
<b>Maximum</b>	28,4	54	32	59,2	39	39,6	40	57,9	59	42,3	41
<b>% of NA</b>	26%	19%	19%	15%	19%	15%	19%	19%	19%	15%	15%
<b>% of NAP</b>	19%	19%	15%	15%	15%	15%	15%	15%	15%	15%	15%

**Table 8.3 Number of notaries in 2022 (Q1 and Q192)**

States	Notaries					
	Absolute number	per 100 000 inhabitants	Private professionals (without control from public authorities)	Holders of public offices appointed by the State	Civil servants (paid by the State)	Other
Austria	534	5,9	NAP	534	NAP	NAP
Belgium	1693	14,5	NAP	1693	NAP	NAP
Bulgaria	706	10,9	NAP	706	NAP	NAP
Croatia	331	8,6	NAP	331	NAP	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	438	4,0	NAP	438	NAP	NAP
Denmark	NA	NA	NAP	NAP	NA	NAP
Estonia	87	6,5	NAP	87	NAP	NAP
Finland	144	2,6	NAP	NAP	144	NAP
France	17295	25,4	NAP	17295	NAP	NAP
Germany	6658	7,9	NAP	6658	NAP	NAP
Greece	3200	30,0	NAP	3200	NAP	NAP
Hungary	313	3,3	NAP	313	NAP	NAP
Ireland	381	7,4	NAP	381	NAP	NAP
Italy	5120	8,7	NAP	5120	NAP	NAP
Latvia	106	5,6	NAP	106	NAP	NAP
Lithuania	229	8,0	NAP	229	NAP	NAP
Luxembourg	36	5,4	NAP	36	NAP	NAP
Malta	385	74,0	NAP	385	NAP	NAP
Netherlands	3414	19,2	NAP	3414	NAP	NAP
Poland	3949	10,5	NAP	NAP	NAP	3949
Portugal	524	5,0	NAP	524	NAP	NAP
Romania	2757	14,5	NAP	2757	NAP	NAP
Slovak Republic	311	5,7	NAP	311	NAP	NAP
Slovenia	90	4,3	NAP	90	NAP	NAP
Spain	2869	6,0	NAP	2869	NAP	NAP
Sweden	NA	NA	NAP	NA	NAP	NA
Average	2149	12,2	NA	2158	NA	NA
Median	481	7,6	NA	481	NA	NA
Minimum	36	2,6	NA	36	NA	NA
Maximum	17295	74,0	NA	17295	NA	NA
% of NA	7%	7%	0%	4%	4%	4%
% of NAP	4%	4%	100%	15%	93%	93%

**Table 8.4 Number of notaries and their distribution in males and female in 2022 (Q192)**

States	Notaries				
	Total	Men	Women	% of Men	% of Women
Austria	534	451	83	84%	16%
Belgium	1693	1016	677	60%	40%
Bulgaria	706	228	478	32%	68%
Croatia	331	126	205	38%	62%
Cyprus	NAP	NAP	NAP	NAP	NAP
Czech Republic	438	NA	NA	NA	NA
Denmark	NA	NA	NA	NA	NA
Estonia	87	19	68	22%	78%
Finland	144	31	113	22%	78%
France	17295	NA	NA	NA	NA
Germany	6658	5147	1511	77%	23%
Greece	3200	NA	NA	NA	NA
Hungary	313	121	183	39%	61%
Ireland	381	283	98	74%	26%
Italy	5120	3163	1957	62%	38%
Latvia	106	17	89	16%	84%
Lithuania	229	45	184	20%	80%
Luxembourg	36	20	16	56%	44%
Malta	385	143	242	37%	63%
Netherlands	3414	1518	1896	44%	56%
Poland	3949	1487	2462	38%	62%
Portugal	524	107	417	20%	80%
Romania	2757	860	1897	31%	69%
Slovak Republic	311	97	214	31%	69%
Slovenia	90	33	57	37%	63%
Spain	2869	1832	1037	64%	36%
Sweden	NA	NA	NA	NA	NA
<b>Average</b>	2149	797	661	43%	57%
<b>Median</b>	481	143	214	38%	62%
<b>Minimum</b>	36	17	16	16%	16%
<b>Maximum</b>	17295	5147	2462	84%	84%
<b>% of NA</b>	7%	19%	19%	19%	19%
<b>% of NAP</b>	4%	4%	4%	4%	4%

# Indicator 8: The existence and use of alternative dispute resolution methods

comments provided by the national correspondents

## organised by country

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

Question 192. Number and status of notaries in your country.

### Austria

**Q166 (2019):** The list of mediators started in 2004; registration is always limited for a specific period: five years after the initial registration and ten years for continuation of an existing registration. Many mediators registered in 2004, applied for continuation of the registration in 2009 but did not do so in 2019. This explains the significant drop in registered mediators.

**Q166 (2015):** Q166

<http://www.mediatorenliste.justiz.gv.at>

Q168

Sec. 198 – 209 CPC

**Q192 (General Comment):** Civil law notaries are appointed by the Federal Minister of Justice. They are entrusted with official functions but practice within the framework of a liberal profession. The number of notary offices continues to grow in Austria.

**Q192 (2022):** Federal Ministry of Justice

**Q192 (2020):** Ministry of Justice

**Q192 (2018):** Notaries in Austria are public office holders.

### Belgium

**Q166 (General Comment):** An individual may hold qualifications in various fields.

**Q166 (2021):** Data provided by the Federal Mediation Commission: <https://www.cfm-fbc.be/fr>.

The difference (in figures) with the previous cycle is explained in particular by the removal of mediators who are no longer up to date with their continuing training obligation.

Mediation Barometer 2021 (some figures and trends), link:

[https://www.cfm-fbc.be/sites/default/files/content/explorer/slides\\_barometer\\_-\\_fr.pdf](https://www.cfm-fbc.be/sites/default/files/content/explorer/slides_barometer_-_fr.pdf)

A mediator may receive several accreditations. The Federal Mediation Commission determines the criteria for the accreditation of mediators under Articles 1726 and 1727 § 6 of the Judicial Code.

**Q166 (2020):**

"The difference in the number of mediators compared to the previous cycle is explained in particular by the removal of mediators who are no longer up to date with their continuing education obligation.

As of 31/12/2020, 2577 mediators are accredited by the Federal Mediation Commission (CFM) and more than 3400 accreditations with this same CFM (some mediators having in fact several accreditations in family, civil and commercial, social, administrative matters).

The difference (as for the figure) with the previous cycle is explained in particular by the striking off of mediators who are no longer up to date with their obligation of permanent training.

"

**Q166 (2019):** The number of accredited mediators in 2019 was 2,399. The number of approvals (by type of civil litigation) granted to mediators: 3,177, including 2,178 to women and 999 to men.

A mediator can be accredited in family matters as well as in civil and commercial matters. S/he may have one or all of the accreditation (family, civil and commercial, social affairs, mediation with public authorities). So one mediator is not equal to one accreditation.

**Q166 (2018):** 2122 accredited mediators with 2788 accreditations granted, 907 for male mediators and 1881 accreditations for female mediators

**Q166 (2017):** Information on mediation: <http://www.mediation-justice.be>

**Q166 (2016):** Information on mediation: <http://www.mediation-justice.be>

**Q166 (2015):** number of médiateurs at 13/10/2016

**Q166 (2012):** 2012: the competence over the court houses is transferred from the federal level to the authorities.

**Q192 (General Comment):** The notary is a public officer delegated by the state authority to confer authenticity on acts of which he is the author, while ensuring the preservation, probative force and enforceability of such acts. In order to ensure the necessary independence for his activity, the notary practices within the framework of a liberal profession. Notaries: public officers appointed by the State; it is under the jurisdiction of Ministry of Justice (Federal Public Service JUSTICE).

**Q192 (2022):** It is the Ministry of Justice that holds jurisdiction over the appointment procedure.

**Q192 (2016):** The notary is a public official who has received delegation from the State authority to confer authenticity on the acts of which he is the author, while ensuring the conservation, probative force and enforceability of the said acts. In order to ensure the necessary independence of his activity, the notary exercises it within the framework of a liberal profession.

**Q192 (2014):** In 2014, the figure given corresponded to the number of notaries, associated notaries and alternate notaries.

**Q192 (2012):** In 2012, the figure given corresponded to the number of notaries, associated notaries and alternate notaries.

## Bulgaria

**Q166 (2022):** The information about the number of registered court-related mediators is not available (NA). As of June 2023, the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 3463 (for 2022 the number of newly registered is 226).

**Q166 (2021):** The information about the number of registered court-related mediators is not available (NA). As of June 2022 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2929 (for 2021 the number of newly registered is 214).

**Q166 (2020):** The information about the number of registered court-related mediators is not available (NA). As of July 2021 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2767 (for 2020 the number of newly registered is 233).

**Q166 (2019):** The information about the number of registered court-related mediators is not available (NA). At the end of 2019 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2419.

**Q166 (2018):** The information about the number of registered court-related mediators is not available (NA). As of May 2019 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2311 (for 2018 the number of newly registered is 250).

**Q166 (2015):** Number of registered mediators is 1501 up to 31.12.2015.

**Q192 (General Comment):** Notaries and Notarial Practice Act regulates the legal status of notaries and of the Notary Chamber, the organisation of the notarial practice and notarial fees. Notaries are private persons who are entrusted by the State with the performance of notarial acts as provided for in the laws. They are independent in the performance of their duties and comply solely with the law. The Minister of Justice exercises control over the practice of each notary as to the implementation of the law and the Statute of the Notary Chamber of Bulgaria. The Council of Notaries also has the power to monitor compliance with the obligations of the notaries and the assistant notaries, and may take part through its representatives in disciplinary proceedings against such notaries and assistants in the prescribed cases. The notary procedures are stipulated by the Civil Procedure Code (Articles 569-594).

**Q192 (2022):** Ministry of Justice

**Q192 (2020):** According to the current Bulgarian legislation, notaries carry out activities that are explicitly assigned to them through a legal delegation by the state. According to Art. 2, para. 1 of the Law on Notaries and Notarial Activity "the notary is a person to whom the state assigns the performance of the notarial actions provided for in the laws". They are private professionals, who perform their activity independently, with a public function that is given to them by the State. Notaries in Bulgaria are appointed after a national competition organized by the Ministry of Justice and on the basis of an Order of the Minister of Justice. The ministry that is mainly engaged in the procedure is the Ministry of Justice.

**Q192 (2018):** According to the Bulgarian legislation in force, notaries carry out activities that are explicitly assigned to them through a statutory delegation by the state. According to art.2 para 1 of the Notaries and Notarial Activity/Practice Act "A notary is a person, to whom the state assigns the notary activities stipulated by the law."

**Q192 (2012):** The data communicated for 2012 referred to the 2011 statistics according to which there were 647 open positions for notaries but the actually occupied positions were 619.

## **Croatia**

**Q166 (2022):** Judges mediators are determined by the Annual Work Schedule.

**Q192 (2020):** Public notaries in the Republic of Croatia are appointed by the minister competent for judicial affairs.

## **Cyprus**

**Q192 (General Comment):** Cyprus does not have notaries but certifying officers whose competences are to authenticate as true copies of documents.

**Q192 (2020):** We only have certifying officers authenticating documents

## **Czech Republic**

**Q166 (2022):** From the above mentioned number of mediators there are 362 mediators in criminal cases and 350 mediators in non criminal cases (of which there are 307 active mediators).

**Q166 (2021):** From the above mentioned number of mediators there are 359 probate and mediation officials and 327 mediators in non criminal cases.

**Q166 (2020):** From the above mentioned number of mediators there are 356 probate and mediation officials and 313 mediators in non criminal cases.

**Q166 (2019):** From the above mentioned number of mediators there are 347 probate and mediation officials and 242 mediators in non criminal cases.

**Q166 (2018):** From the above mentioned number of mediators there are 429 probate and mediation officials and 228 mediators in non criminal cases. The number of mediators is increasing since the Ministry of Justice supports broader use of other criminal sanctions which are alternatives to imprisonment such as house arrest.

**Q166 (2017):** From the above mentioned number of mediators there are 421 probate and mediation officials and 239 (from this number 211 active and 28 inactive) mediators in non criminal cases. The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

**Q166 (2016):** From the above mentioned number of mediators there are 398 probate and mediation officials and 222 mediators in non criminal cases. The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

**Q166 (2015):** From the mentioned number of mediators there are 381 probate and mediation officials and 208 mediators in non criminal cases.

The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

**Q192 (2012):** In 2012, one notary office was cancelled by the Minister of Justice and one notary had his activity suspended by the Minister of Justice.

## **Denmark**

**Q166 (General Comment):** <https://domstol.dk/alle-emner/retsmaegling/>

**Q166 (2022):** The number of registered attorneys who are appointed to serve as mediators in court mediation in 2022 is 54. The number of registered judges who serves as mediators in court mediation in 2022 is 84.

**Q166 (2021):** The number of registered attorneys who are appointed to serve as mediators in court mediation in 2021 is 53. The number of registered judges who serves as mediators in court mediation in 2021 is 90.

**Q166 (2020):** The number of registered attorneys who are appointed to serve as mediators in court mediation in 2020 is 53. The number of registered judges who serves as mediators in court mediation in 2020 is 90.

**Q166 (2018):** The number of registered judges who serve as mediators in court mediation in 2018 is 86. The number of registered attorneys who are appointed to serve as mediators in court mediation in 2018 is 57.

**Q166 (2017):** In 2017 there are 57 registered attorneys and 78 judges with a special mediation education as of 1st July 2017. There is a different process of appointment. Judge mediators go through a special education, and registered attorneys must file a job application to become mediator. There we have updated numbers for judge mediators. Attorneys are appointed every 4 years and the last appointment window was in 2016. The number of attorneys is therefore the same as last year. Source: <http://www.domstol.dk/saadangoerdu/retsmaegling/Documents/Liste%20over%20advokatmaeglere.pdf>

**Q166 (2016):** The number of registered judges who serve as mediators in court mediation in 2016 is 86. The number of registered attorneys who are appointed to serve as mediators in court mediation in 2016 is 57.

**Q192 (General Comment):** The function of a notary is an integrated function of the district courts. 24 is the number of notarial offices. The notaries are seated in the buildings of the district courts and there are as many notarial offices as district courts. The Danish Court Administration does not have information regarding the total number of notaries employed by the Danish Courts or the gender of the notaries.

## Estonia

**Q192 (General Comment):** A notary is an independent holder of office in public law, to whom the State has delegated the duty of ensuring the security of legal relationships and prevention of legal disputes. A notary executes his/her office as a liberal profession in his/her own name and at his/her own responsibility. Notaries are not proprietors but for accounting and taxation purposes, provisions applying to sole proprietors are applied. Notaries are appointed to office by the Minister of Justice according to the number of notaries and their corresponding territorial jurisdiction determined by the Regulation of the Minister of Justice. The Ministry of Justice supervises the professional activities of notaries.

## Finland

**Q166 (2022):** See comment to 166-1

**Q166 (2019):** In Finland there is no accreditation or a register for court-related mediators. All mediators are trained in a special training program for mediation.

**Q192 (General Comment):** In Finland, the notary system is not similar to some other European countries. Notaries do not work in the courts but in the local register offices.

The law on public notaries applies to them: <https://www.finlex.fi/fi/laki/ajantasa/2014/20140420> (FI) or <https://www.finlex.fi/sv/laki/ajantasa/2014/20140420> (SE)

**Q192 (2016):** In Finland there is not a notary system as in other European countries. Notaries do not work in courts and their competences are limited.

**Q192 (2014):** In 2014, there were 70 notaries public working in 11 local register offices. According to the Act on Notary Public (420/2014), the heads of Local Register Offices and the officers appointed by them as well as the officials appointed by the State Department of Åland are notaries public.

The number of notaries for 2012 and 2014 was provided by local register offices. Possible reasons/ factors explaining the observed decrease of 48% are the new Act on Public Notaries (420/2014) and the reform of local register offices. The number of the latter has decreased since 2014 (currently their number is 9) and the number of branch offices has decreased as well.

**Q192 (2012):** In 2012, there were 136 notaries public working in 11 local register offices.

## France

**Q166 (2021):** 2854 of which 2542 are natural persons, the others are legal persons  
source SADJAV

**Q166 (2020):** "There are also 312 legal persons

These data concern only civil mediation and come from the SADJAV and the DACS. The increase in the number of mediators registered on the lists of mediators established by the second instance courts is indicative of the development of the use of alternative dispute resolution methods and more particularly mediation.

The Ministry of Justice strongly encourages mediators to register on these lists. Registration on the lists of mediators with the second instance courts obeys certain conditions as mentioned in the decree n°2021-95 of January 29, 2021 amending the decrees n°2017-1457 of October 9, 2017 relating to the list of mediators with the second instance court. In addition, the mediator wishing to be registered must provide, in support of his application, supporting documents attesting in particular to his training (decree of January 29, 2021 fixing the list of supporting documents to be provided for registration on the list provided for in article 22-1 A of law n°95-125 of February 8, 1995 relating to the organization of the jurisdictions and to civil, criminal and administrative procedure). A verification of his or her criminal record is also carried out.

These requirements help to ensure the minimum guarantees (training, impartiality, independence and verification of criminal status) required of a mediator recommended by the courts. Finally, the mediators registered on these lists have a better visibility since the litigants are led to go to the lists of the second instance court to find a mediator (<https://www.justice.fr/r%C3%A9gler-litiges-autrement/m%C3%A9diation>).

A mediator recommended by the justice is, moreover, a guarantee of confidence for the litigants. "

**Q166 (2018):** The data are approximate because they have been compiled manually from the lists of mediators at the courts of appeal, published and provided for by article 8 of Act No. 2016-1547 of 18 November 2016 on the modernization of 21st century justice and partial because the service is still waiting for the publication and/or registration of 13 lists, on 05 June 2019. It is recalled that in the French judicial system, the judge remains free to appoint a mediator who does not appear on the lists drawn up by the courts of appeal. Indeed, these lists are intended for the information of the judge.

**Q166 (2016):** Except for the profession of family mediator for which a diploma is required, the profession of mediator in civil and commercial matters is not regulated and there is no national register of mediators. Nevertheless, it is possible to consider as registered: mediators in criminal matters entrusted with tasks by public prosecutors (312), justice conciliators who are volunteers and selected by judicial bodies (1958), and the family mediators empowered by the family allowances funds (670). Data is not presented in full time equivalent.

**Q166 (2015):** Accredited mediators are family mediators, criminal mediators and legal conciliators, who work in courts or are subsidised by the family allowance funds.

Source: Ministry of Justice, General Secretariat, Sub-Directorate of Statistics and Studies, Access to Law and Victim Assistance Unit

**Q192 (General Comment):** As an expert in legal translation, I would rephrase the sentences as follows in British English: "The status of public and ministerial officers of notaries arises from the provisions of Article 1 of Ordinance No. 45-2590 of November 2, 1945 concerning the status of notaries and Article 3 of the amended law dated March 25, Year XI establishing the organization of notaries. Article 1 bis of Ordinance No. 45-2590 dated November 2, 1945 regarding the status of notaries defines various legal forms under which the profession of a notary may be exercised.

**Q192 (2022):** As of 30/04/2023, out of a total of 17,429 notaries, 9,880 were women. As of 31/12/2022, this data is not available.

The status of public officials and ministerial officers for notaries arises from the provisions of Article 1 of Ordinance No. 45-2590 dated November 2nd, 1945 regarding the status of notarial profession and Article 3 of Law dated March 25th Year XI as amended containing organization of notarial profession. Article 1bis of Ordinance No.45-2590 dated November 2nd, 1945 regarding the status of the notariat defines various legal forms in which the profession of notary maybe exercised.

## Germany

**Q166 (General Comment):** Germany does not have a system of accreditation or registration for mediators. In addition, there is no statistical data available on the number of court annexed mediation cases. For these reasons, Germany cannot provide information on the number of accredited or registered mediators who practice judicial mediation.

**Q166 (2022):** see General Comment

**Q166 (2018):** Germany does not have a system of accreditation or registration for mediators. In addition, there is no statistical data available on the number of court annexed mediation cases. For these reasons, Germany cannot provide information on the number of accredited or registered mediators who practice judicial mediation.

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on the number of court annexed mediation cases. For these reasons, Germany cannot provide information on the number of accredited or registered mediators who practice judicial mediation.

**Q166 (2016):** Germany does not have a system of accreditation or registration for mediators. In addition, there is no statistical data available on the number of court annexed mediation cases. For these reasons, Germany cannot provide information on the number of accredited or registered mediators who practice judicial mediation.

**Q192 (General Comment):** The number of appointments as notary is in keeping with the number of notaries required in order to ensure the due and proper administration of the law (section 4 of the Federal Code for Notaries). The applicants are to be identified by advertisement (section 6b of the Federal Code for Notaries). Generally, the notary may not pursue any other profession (section 8 paragraphs (1) and (2) of the Federal Code for Notaries).

**Q192 (2022):** Notaries hold a public office. They are appointed by the Ministry of Justice of the respective state ("Land"), cf. sec. 12 Federal Code for Notaries.

**Q192 (2020):** Notaries hold a public office. They are appointed by the Ministry of Justice of the respective state ("Land"), cf. sec. 12 Federal Code for Notaries

## Greece

**Q166 (2021):** Of the 2985 mediators active are 2963.

**Q166 (2020):** There is no relevant information regarding the data.

**Q166 (2019):** The interest of people to acquire the status of mediator increased in 2019 without any special or official reason.

**Q192 (General Comment):** Notaries are professionals appointed by the state and in particular, by the Minister of Justice after successful participation in certain public competition. They are considered by our Constitution as public servants without receiving any salary from the State and they practice their profession as in private sector.

**Q192 (2020):** 2813 active notaries in a total of 3500 organic positions

**Q192 (2018):** Notaries are professionals appointed by the state and in particular, by the Minister of Justice after successful participation in certain public competition. They are considered by our Constitution as public servants without receiving any salary from the State and they practice their profession as in private sector.

## Hungary

**Q166 (2016):** There is a continuous training for court secretaries and judges in the field of mediation so that is the reason for the increasing number. To be registered as a court mediator one must finish this training (organized by the National Office for the Judiciary).

**Q166 (2014):** The increase in the number of judicial mediators between 2013 and 2014 is a result of constant training organized by the National Office for the Judiciary.

**Q166 (2013):** Registered mediator can be any natural or legal person, who complies with the legal requirements (concerning university degree, mediation training etc.). According to the relevant legislation (Act LV of 2002 on Mediation) mediators established in other EEA Member States (i.e. living in the European Economic Area) can act in a current case in Hungary. The foreign mediator should inform the Ministry of Justice, which shall specify the rights for one year.

**Q192 (General Comment):** .

**Q192 (2022):** In Hungary due to the official nature and constitutional status of a civil law notary in exercising public authority a notary may only assume office as a result of a successful application procedure and the appointment of the Minister of Justice. The appointment is the sole event when the notary is commissioned by the State to fulfil tasks forming part of the justice system upon the formal request of clients. The number of notaries and their tariffs is governed by a regulation of the Minister of Justice.

The total number of the Hungarian notarial seats is 313. This is a numerus clausus. In the near future, this number is expected to be reduced by 3. Concerning the difference between the total of the notarial seats (313) and the added number of the male and female notaries (304), the following has to be remarked. On the seats which are vacant (generally because on the given seat a notary retired and the selection procedure is still ongoing or the newly appointed notary has not taken up the activity yet) , the notarial services are fulfilled by another notaries or deputy notaries who act as 'substitute notaries'. As this is a temporary status, their number based on genders isn't included in our calculations.

**Q192 (2020):** Act XLI of 1991 on Civil Law Notaries

**Q192 (2014):** According to 2014 data, notaries are appointed by the Minister of Justice for indefinite term. The number of notary positions is regulated by ministerial decree in such a way as to facilitate the access to notarial services in the whole country and to ensure the sustainability of all notarial offices. Civil law notaries are supervised by regional chambers and the Hungarian National Chamber, which is also obliged to provide various supporting IT-systems and to manage the notarial archives. The Minister of Justice has judicial supervisory competence over civil law notaries. The president of the competent Budapest or county court for the seat of the notary public has legal supervision over the actions of the notary, as part of that, he/she may order that the activities of the notary shall be reviewed by the chamber and may also initiate disciplinary proceedings.

Civil law notaries exercise as part of the State judicature official legal authority in accordance with the legal rules of their competence. Therefore, they have public authority. This is the reason why only Hungarian citizens can be appointed public notaries and this is why some elements of the notaries' obligations are similar to those of judges. Namely, the appointment is only possible as a result of an open selection procedure, and it is restricted to the jurisdiction of the local court; in case of notary's absence, a substitute may only be assigned by the local notaries' chamber; the notary is to act personally, impartially, in accordance with the acts regulating his/her competence; the notary is obliged to cooperate which means that he/she can refuse to proceed only if permitted by law, the form of the refusal shall be a writ; in order to facilitate an impartial procedure, the notary, in accordance with the requirement to provide equal opportunities, is obliged to inform the parties of their rights and obligations; the notary is only subject to legal rules; the notary is entitled to use the arms of the country; the rules on the liability and exclusion of judges are also applicable to notaries; the remuneration of civil law notaries is fixed by law.

## Ireland

**Q166 (2014):** 2014: Reforms are also under consideration. Legislation is being prepared to promote mediation as a viable, effective and efficient alternative to court proceedings thereby reducing legal costs, speeding up the resolution of disputes and relieving the stress involved in court proceedings. It is anticipated that a Mediation Bill will be published in 2015 with a view to enactment of the legislation quickly thereafter.

**Q192 (General Comment):** Notaries in Ireland are recognised in other countries.

## Italy

**Q166 (2018):** The above figures refer to public mediators who deal with civil and commercial mediation procedures. Therefore these figures do not include mediators in family matters (818) nor in consumer cases.

**Q166 (2016):** The number of accredited mediators is destined to grow. Probably at a lower growth rate.

**Q192 (General Comment):** The Notary as existing in Italy belongs to the "Latin (roman) notarial system". The Latin notary is a public officer and a specialized counselor; his/her expertise must cover estate contracts, loans and mortgages, company law, family law, wills law, the relevant sections of fiscal law. The Latin notary also performs other judicial duties as a judicial auxiliary/assistant. Notaries as public officers are professionals who perform public functions. They are vested by the State with public authority and faith, which allows them to draw authentic deeds (or public deeds). Put differently, a notary can be defined as a public officer to whom the State delegates a specific public power, the power to assert (to affirm) the authenticity of a document. The profession of notary is characterized by the qualities of independence and impartiality. A full description of the responsibilities of the notary can be found at the following link: <http://www.notariato.it/en/italian-notaries/who-we-are/responsibilities-of-the-notary.html>

## Latvia

**Q166 (2021):** Source for question no.166 – website of Council of Certified Mediators <https://sertificetimediatori.lv/mediatori/>

**Q166 (2020):** Data are available only about certified mediators. According legislation there can be practicing mediators and certified mediators. The former is a natural person selected freely by the parties who have agreed to conduct mediation while the latter, is a mediator who, in accordance with the procedures laid down in the laws and regulations, has acquired mediation and received a certificate which gives him/her the right to be included in the list of mediators.

**Q166 (2019):** Data are available only about certified mediators. According legislation there can be practicing mediators and certified mediators. The former is a natural person selected freely by the parties who have agreed to conduct mediation while the latter, is a mediator who, in accordance with the procedures laid down in the laws and regulations, has acquired mediation and received a certificate which gives him/her the right to be included in the list of mediators.

**Q166 (2015):** Variation of the number of mediators is constant since every year new mediators pass the exam and become certified mediators

**Q192 (General Comment):** In respect of their official duties, sworn notaries are equivalent to State officials, belonging to the court system.

**Q192 (2018):** The number of professional notaries (98) is indicated based on the number of actually practising notaries. Previously, there was indicated the number of the work positions, what is according to the regulation of the Cabinet of Ministers.

## Lithuania

**Q166 (General Comment):** On 29 June, 2017 new regulation for mediation and becoming mediator was adopted which entered into force from 2019-01-01. The amendments that have been made set new requirements to improve the quality of mediation services. Also, the establishment of mediation as a professional activity (with the exception of judicial mediation by judges) is approved, part of such activity is paid by state. These factors as well as the overall promotion of mediation in the country and the development of the application of mediation might have impact on the significant increase of the number of people that gained the status of mediator.

Till 1st January, 2019 National Courts Administration have been maintained the list of court mediators which included judges and other persons (not judges). Due to a change in legal regulation (from 1st January, 2019), National Courts Administration maintains only the list of Judges who have been granted the status of mediators (Article 5 (2) of the Law on Mediation of the Republic of Lithuania) and transmits this data to the State Guaranteed Legal Aid Service. The latter maintains the common list of mediators and decides on the status of mediator for persons who are not judges. The mentioned list is published on the website of the The State Guaranteed Legal Aid Service (Article 5 (6) of the Law on Mediation). It is to notice that court-related mediation in practice is more often executed by mediators judges however the mediators who are not judges are also allowed to mediate at this stage when they are appointed by the State Guaranteed Legal Aid Service.

**Q166 (2021):** from 2021 January 1 all mediators registered in the list of mediators of the Republic of Lithuania have the right to conduct judicial mediation in both civil and administrative cases.

**Q166 (2020):** In 2020 the list contained 438 mediators not judges (of which 100 males and 338 females), and 114 mediators judges (of which 27 males and 87 females).

The Ministry of Justice of the Republic of Lithuania, implementing the project co-financed by the European Union Structural Funds No. 10.1.4-V-922-01-005 "Development of the Conciliation Mediation System", taking into account the expansion of the Institute of Mediation and the consequent increased need for mediators, initiated the organization of training for mediators, during which a total of 420 persons (320 people were trained in the training of 40 academic hours, 100 people took part in the training of 24 academic hours).

This training took place in May – October, 2019. All participants signed a contract for the provision of training services, one of the conditions of which was the obligation to register to take the qualification exam for mediators and to come to take it. Due to the fact that the Training Participants' Agreement did not provide for the obligation to pass the mediators' qualification examination but to come to take it, the Ministry of Justice did not collect information on the proportion of trainees who passed the mediators' qualification examination, but the persons who took part in this training were very active in applying for the qualification examination for mediators. There were also cases when those who did not pass the mediator qualification exam for the first time registered to take the exam again six months later.

October – November in 2020 specialized training for mediators on the topic "Mediation in family disputes in the presence of signs of domestic violence" was organized on the order of the Ministry of Justice. A total of 60 mediators participated in the training. These training were intended to improve the qualification of mediators in disputes where are possible signs of domestic violence, therefore only mediators registered in the list of mediators of the Republic of Lithuania and having signed agreements with the State Guaranteed Legal Aid Service on the provision of compulsory mediation services could participate in.

It is noteworthy that the organized training, which were free of charge for their participants, increased the number of mediators in both 2019 and 2020. In this context, it would not be appropriate to compare the increase between 2019 and 2020 .

**Q166 (2019):** On 29 June, 2017 new regulation for mediation and becoming mediator was adopted which entered into force from 2019-01-01. The amendments that have been made set new requirements to improve the quality of mediation services. Also, the establishment of mediation as a professional activity (with the exception of judicial mediation by judges) is approved, part of such activity is paid by state. These factors as well as the overall promotion of mediation in the country might have impact on the significant increase of the number of people that gained the status of mediator.

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It is to notice that court-related mediation in practice is more often executed by mediators judges however the mediators who are not judges are also allowed to mediate at this stage when they are appointed by the State Guaranteed Legal Aid Service.

**Q166 (2018):** On 29 June, 2017 new regulation for mediation and becoming mediator was adopted which entered into force from 2019-01-01. The amendments that have been made set new requirements to improve the quality of mediation services. Also, the establishment of mediation as a professional activity (with the exception of judicial mediation by judges) is approved, part of such activity is paid by state. These factors as well as the overall promotion of mediation in the country might have impact on the significant increase of the number of people that gained the status of mediator.

**Q166 (2017):** The number of the mediators could increase due to the more effective spread of the information about the judicial mediation.

**Q166 (2016):** Judicial mediation is becoming more popular, efforts made by the judiciary and the National Courts Administration, as well as the legislator, resulted in an increased number of mediators.

**Q166 (2015):** National Courts Administration, data of the Activities report of 2015 of the Commission of the Judicial Mediation (<http://www.teismai.lt/data/public/uploads/2016/03/teismines-mediacijos-komisijos-2015-m.-veiklos-apibendrinimas.pdf>)

The main reforms that have been implemented over the last two years in judicial mediation:

From the 1st January 2015 the judicial mediation is available in all the courts of general jurisdiction. Before it was only available in courts, who participated in the pilot project. It is only available in civil cases. The judicial mediation is free of charge and parties may choose the judicial mediator from the List of Judicial Mediators (the List of Judicial Mediators is available at website <https://e.teismas.lt/lt/public/teismin%C4%97-mediacija/>). Judges, assistants of judges, lawyers, psychologists and other persons of different background are on the List of Judicial Mediators.

The peculiarity is that judges can also have the status of judicial mediator. The parties may choose the judge, who deals with the case (if she/he has the status of judicial mediator) to act as judicial mediator. If a peaceful agreement is reached in such a case he/she has also the power to validate it.

Parties may also choose the judge of the Court of Appeal, the Supreme Court of Lithuania to deal with their dispute, which is heard by the court of lower instance, i.e. the dispute, which arose in the court of first instance, can be dealt with by the judge of the higher court.

In order to secure the impartiality of a judge, the judge, who was dealing with the dispute as judicial mediator has an obligation to opt out from the case at later stage.

In order to promote the peaceful settlement of disputes, the Judicial Council has also decided, that judges in every case should decide on suitability of the case for judicial mediation. It was also decided to set at least 4 hours of trainings on judicial mediation in the training programmes of judges.

National Courts Administration has implemented the EU project on e-services in administration of justice in 2015. During the project, management of the process of judicial mediation was created in the Information System of Lithuanian Courts LITEKO. Parties have a possibility to make a statement in the claim or other document on judicial mediation, the judicial mediator can access the case via electronic means, can arrange the judicial mediation session via electronic means, the parties can discuss on a peaceful agreement, can sign and deliver it to the court via electronic means, i.e. E-Service Portal of Lithuanian Courts (<https://e.teismas.lt/en/public/home/>).

**Q166 (2014):** One of the reasons explaining the increase of the number of judicial mediators in 2014 is that from 1st January, 2015 new regulations on judicial mediation came into force, which set stricter requirements for candidates to judicial mediators (requirement for longer trainings (32 hours instead of 16 hours), requirement to attend the meetings of the Judicial Mediation Commission). Therefore persons, who wished to act as judicial mediators hurried to deliver their documents before the 1st. January, 2015, so that their request would be considered under rules, which were valid before 1st. January, 2015.

**Q192 (2020):** The Ministry of Justice.

## Luxembourg

**Q166 (General Comment):** The figures provided represent the total number of accredited mediators as of 31.12. of the reference year (in civil, commercial and criminal matters) without taking into account mediators who have ceased their activity. Source: Ministry of Justice

**Q166 (2022):** While no detailed analysis has been conducted on this matter, the use of mediation has emerged in recent years as a preferable alternative for resolving minor cases, such as disputes between neighbours. The increase observed since 2020 in the number of criminal cases where parties agree to initiate mediation could be attributed to positive experiences with the mediation centre, particularly with a view to avoiding such matters being referred to already burdened courts, notably following the health crisis.

**Q166 (2020):** The increase in the number of mediators is the consequence of a political decision to focus on alternative methods of dispute resolution. This political decision has been translated in particular by a strengthening of the mediation offer.

**Q166 (2019):** The figures provided represent the total number of accredited mediators (in civil, commercial and criminal matters) without taking into account mediators who have ceased their activity.

**Q166 (2016):** There are 92 mediators for criminal matter and 81 in civil and commercial matter.

**Q192 (2022):** Ministry of Justice (<https://mj.gouvernement.lu/fr/professions-droit/le-notaire.html>)

Chamber of Notaries (<http://www.notariat.lu/trouver-un-notaire/annuaire-des-notaires/>)"

**Q192 (2020):** Ministère de la justice (<https://mj.gouvernement.lu/fr/professions-droit/le-notaire.html#:~:text=Le%20nombre%20des%20notaires%20est,pour%20l'ensemble%20du%20pays>)

Chambre des notaires (<http://www.notariat.lu/trouver-un-notaire/annuaire-des-notaires/>)

**Q192 (2014):** In 2014, there were in total 36 notaries with a hybrid status of regulated liberal profession and public officer.

## Malta

**Q166 (2017):** The data regarding the number of mediators was provided by The Malta Mediation Centre, quoting the number of mediators duly accredited and registered in terms of the provisions of the Mediation Act, 2004 (Cap. 474 of the Laws of Malta).

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**Q192 (General Comment):** The Notary is a Public Officer and as such is an emanation of the State. At the same time he/she is a free professional with his/her own personal office, independent of the State and of the parties. This dual-nature ensures the right balance between the legal-fiscal functions for which the Notary is the ultimate reference point. Conveyance (property sales, purchase, leasing, etc.), financing collateral (hypothecation of immovable), succession (wills, trusts, etc.) and matters pertaining to civil status (matrimonial regimes, personal separations, etc.) are all within the ambit of the profession and form the portfolio of a notary's day-to-day work. It is only through a notarial act that most transactions related to the above are given legal effect and this adds certainty and improves efficiency. Being a necessary passage at Law, the notarial requirement makes for a very cost-effective way of crystallizing a state of certainty in that notarial tariffs are stipulated by law and the citizen is all the more protected. The notarial intervention is thus imposed by law to safeguard legality and ensuring at all times that the autonomy of the private citizen never goes beyond what is legally and statutorily permitted.

**Q192 (2020):** All Public Notaries are appointed by the state even if they practice in their professional capacity. In previous evaluations we used to list the notaries as 'Public officials' but as from this evaluation, following changes in this question, we are marking them as 'Holders of public offices appointed by the State'.

**Q192 (2018):** The full list of practising Notaries is published in the Government Gazette every year in January. The above number of Notaries has been derived from the publication issued on the 31st January 2019 accessible at (<https://www.gov.mt/en/Government/DOI/Government%20Gazette/Documents/2019/01/Government%20Gazette%20-%2031st%20January.pdf>)

## Netherlands

**Q166 (2018):** In campaigns to promote mediation, many people have been trained to become a mediator, and were accredited. Therefore, we observe that there are more people that want to be professional mediators than there is demand for the mediation services. The decrease of the number of mediators was discussed in the news media. The explanation given for the decrease was that the fee for being registered went up substantially. Many mediators who did hardly have cases to mediate, gave up.

**Q166 (2015):** In the frame of the 2015 exercise the number of mediators has increased, especially since the increase of the own financial contribution in divorce cases. Lawyers practice more often judicial mediation, which is less expensive.

**Q166 (2014):** In the frame of the 2014 exercise, it has been explained that the number of mediations has increased, especially since the increase of the own financial contribution in divorce cases. Lawyers practice more often judicial mediation, which is less expensive.

**Q166 (2012):** The number provided for 2012 refers to accredited judicial mediators. In 2010 there were 4 015 mediators registered at the Dutch Mediation Institute (NMI).

The number provided for 2012 refers to accredited judicial mediators. The number of accredited mediators in general was 2 949. The decrease observed between 2010 and 2012 was due to new registration directives of the Dutch Mediation Institute.

**Q192 (2022):** These are numbers on January 1st 2022.

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

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

**Q192 (2020):** The count of notaries includes the so-called "candidate"-notaries; they do not hold the full professional status, and a notary with full professional status remains responsible for the work of the candidate. People can remain a 'candidate' for many years, even a life time. Notaries are entrepreneurs, work in/ as private enterprises, and are formally appointed by the King; their profession is regulated by law. There are also 'added notaries' (toegevoegde notarissen): they have full responsibility like a notary, but they are not entrepreneurs, they are employees.

**Q192 (2018):** The count of notaries includes so-called 'candidates'. They do not hold the full professional status and a notary with full professional status remains responsible for the work of a candidate. People can remain 'candidate' for many years, or even a life time.

Notaries can work in private enterprises, but are formally appointed by the King, and their profession is regulated by Law.

**Q192 (2014):** In 2014, there were 1 336 notaries and 1 631 junior notaries. Notaries are private professionals under the authority (control) of public authorities. Dutch notaries are civil law notaries, meaning that they are fully qualified legal professionals. A notary is not only a sworn official but also an entrepreneur. As of 1 January 2013, it is also possible to become a public official without being an entrepreneur: the assigned notary. To become an assigned notary may be an alternative for junior notaries who do not have entrepreneurial ambition. Other than that the assigned notary has the same competences as the notary entrepreneur. An assigned notary has an employment contract with the notary to whom he/she is assigned and thus he/she is not an entrepreneur; is entitled to sign notarial acts within the protocol of the notary to whom he/she is assigned; acts under the authority of the notary to whom he/she is assigned; is by law the regular replacement of the notary to whom he/she is assigned.

**Q192 (2012):** In 2012, there were 1 399 notaries and 1 807 junior notaries. The number of junior notaries decreased because of the decreasing number of real estate and mortgage deeds.

## Poland

**Q166 (2021):** \*2020 data

**Q166 (2019):** The Ministry of Justice is currently working on the project "Dissemination of alternative dispute resolution methods by raising the competence of mediators, establishing the National Register of Mediators (KRM) and information activities.". The National Register of Mediators (KRM) will be a public register containing information on persons practicing the profession of mediator. The functioning of KRM will allow for ordering and increasing the ministry's control over the activity and number of mediators in Poland.

**Q166 (2017):** The central register of mediators in Poland is not maintained. There are two separate list of registered mediators maintained by each regional courts – a list of permanent mediators created by the president of a regional court and a list of mediators created by mediation organisations. There is no possibility to account number of registered mediators because mediators are repeated on both lists and in different courts also.

**Q166 (2016):** The central register of mediators in Poland is not maintained. There are two separate list of registered mediators maintained by each regional courts – a list of permanent mediators created by the president of a regional court and a list of mediators created by mediation organisations. There is no possibility to account number of registered mediators because mediators are repeated on both lists and in different courts also.

**Q192 (General Comment):** The profession of notary is governed in Poland by the Law of 14 February 1991 on notary (OJ 2020, Item 1192, rev.).

The Polish legislator conferred the power to appoint notaries solely on the Minister of Justice. The decision on this matter shall be the decision of the administrative authority on a case-by-case basis, is taken under the provisions of the Code of Administrative Conduct and is discretionary. The Minister of Justice has the competence to select candidates to practice the profession of notary, as well as the designation of their office. Before a decision is taken, the provisions only provide for the obligation to consult the board of the competent board of the notary chamber. The Minister of Justice issues an administrative decision under Article 10 of the Law on notary, is not bound in any way by the content of this opinion, which is assessed like any other evidence. The scope of the discretion granted to the Minister of Justice under Article 10(1) of the Act is limited only by the provisions of articles 10(3) and 11 to 13 of the act. The candidates for notaries, when applying for the appointment of a notary and the appointment of a registry, make an autonomous choice as to the path of life, as well as the place where the profession is to be performed. It is their responsibility only to decide on the specific location of the office. In this respect, the Minister of Justice is bound by the content of the proposal. The law provisions - the notarial law also doesn't make the creation of another office dependant on the non-exceeding of a specified number of registries in a given registry. There is no numerical restriction of access to the profession of notary in Poland (numerus clausus).

Notariat in Poland belongs to the group of Latin-type notariats, however the status of notaries is not uniform. On the one hand, notaries conduct their activities at their own risk, and the service nature of this activity can be considered to fall within the scope of freedom of economic activity. In its resolution of 23 March 2016 (III CZP 4/16), the Supreme Court stated, that the notary is an entrepreneur within the meaning of Article 431 of the Civil Code. On the other hand, the notary is a person of public trust who guarantees security of commerce and shall ensure that the rights of the parties to the acts and of third parties are duly safeguarded. Notaries play an important role in the structure of the bodies responsible for applying the law and building the trust of citizens in the state, its institutions and legal trading entities.

A notary shall be appointed to carry out the acts which the parties are obliged or willing to give a notarial form (notarial activities) acts as a public trust person within the scope of these powers, by exercising the protection of public officers (Article 1(1) and Article 2(1) of the Law of 14 February 1991 on notary). The notarial acts, made by a notary in accordance with the law, are authentic (Article 2(2) of the Law - notary Law). When performing notarized activities, the notary collects taxes and court fees related to the notary activity of the parties, which is then transferred to the account of the competent institution. The notary is remunerated for the notarized activities, determined by agreement with the parties. However, the maximum rates of remuneration are determined officially by means of a regulation of the Minister of Justice, issued in agreement with the minister responsible for financial institutions (OJ of 2020, item 1473, rev.).

The notary is responsible for the damage caused in the performance of the notarial procedure and in this respect, is subject to compulsory civil liability insurance. In addition, a notary may be held liable for disciplinary action. Disciplinary courts are called upon to rule on disciplinary matters – at first instance, disciplinary courts of notary chambers, At second instance, a higher disciplinary Court at the National Notarial Council. The appeal of the Court of first Instance is also served by a surety against the Supreme Court. Disciplinary proceedings shall be open, however, the most severe disciplinary penalty is that the law of the

**Q192 (2018):** Notaries are appointed by Minister of Justice.

## Portugal

**Q166 (2022):** There is a national registry managed by the Ministry of Justice, on private mediators and also a national registry on public mediators, but one can not determine who among them practice court- related mediation. Besides, since the registration of private mediators is not mandatory, there are also some mediators that are not registered and may practice court-related mediation

**Q166 (2020):** There is a national registry on private mediators and also a national registry on public mediators, but one can not determine who among them practice court- related mediation. Besides, since the registration is not mandatory, there are also some mediators that are not registered and may practice court-related mediation.)

**Q166 (2018):** There is a national registry on private mediators and also a national registry on public mediators, but one can not determine who among them practice court- related mediation. Besides, since the registration is not mandatory, there are also some mediators that are not registered and may practice court-related mediation.)

**Q166 (2017):** this number includes mediators of the Ministry of Justice registered public systems mediation and mediators of the Peace Courts. Unlike previous data (before 2016), the 2016 and 2017 data also include accredited conflict mediators in accordance with Law n.29/2013 of 19 April (Mediation Law).

The slight increase in the number of accredited mediators between the years of 2016 and 2017 is due to the increased number of applications for inclusion on the list organized by the Ministry of Justice submitted by private mediators.

**Q166 (2016):** this number includes mediators of the Ministry of Justice registered public systems mediation and mediators of the Peace Courts. Unlike previous data, it also includes accredited conflict mediators in accordance with Law n.29/2013 of 19 April (Mediation Law).

**Q166 (2015):**

The given number in question 166 includes the mediators of the Ministry of Justice' registered public systems mediation and mediators of the Peace Courts. In addition to this number there are 234 accredited conflict mediators in accordance with article 9 (1) (e) of Law No. 29/2013, of 19 April (Mediation Law), regulated by Ministerial Ordinance No. 344/2013, of 27 November.

Please acknowledge that registered public system mediators and mediators of the Peace Courts can also be accredited conflict mediators but not the other way around.

**Q192 (General Comment):** In 2004, a new status of the notarial profession was approved. Since, the notaries are private professionals under the authority (control) of public authorities. They compete for licenses and take office before the Minister of Justice and the president of the Chamber of Notaries. As a transition period is still running, some notaries work as public agents (before 2004, notaries were exclusively public officials). Since 2018, with Decree Law 115/2018, 21st December, "public notaries" ceased to exist and were transferred to the special career of registrar.

**Q192 (2022):** The increase in the number of notaries was due to the takeovers that took place during 2021 and 2022. Specifically, we refer to the grant of licenses for the installation of notary offices, awarded under the 8th Competition (Notice 4822/2022, of March 8) and the competitions for the award of the title of notary (Notice 3552/2021, of February 26 and Notice 3251/2022, of February 17).

## Romania

**Q166 (2022):** The data is provided by the Mediation Council, reflecting the pace of the authorization process as a mediator by the Mediation Council (which may register fluctuations from year to year), of the persons who meet the conditions provided by law.

**Q166 (2021):** The data were communicated by the Mediation Council, reflecting the pace of the authorization process as a mediator by the Mediation Council (which may register fluctuations from year to year), of persons who meet the conditions provided by law. The decrease in the number of mediators is caused by withdrawals or suspensions of mediators' authorizations (possibly because of the low number of requests for mediation).

**Q166 (2020):** The data were communicated by the Mediation Council, reflecting the pace of the authorization process as a mediator by the Mediation Council (which may register fluctuations from year to year), of persons who meet the conditions provided by law.

**Q166 (2019):** The number of mediators accredited annually by the Mediation Council registers fluctuations, from year to year, being related most of the times to the legislative amendments brought to the mediation law, which can determine the increase in the number of persons requesting the accreditation as mediator, after the training courses required by law.

**Q166 (2016):** Regarding the variation registered in the number of authorizations granted to the mediators during the period 2014-2016, we mention that this was due to the legislative changes in the field of mediation occurred during that period.

**Q166 (2013):** The increase of the number of mediators in 2012 and 2013 comparing to 2010 is a result of the legislative reforms, stimulating the ADR.

**Q166 (2012):** The increase of the number of mediators in 2012 and 2013 comparing to 2010 is a result of the legislative reforms, stimulating the ADR.

**Q192 (2018):** Notaries public are not differentiated by gender within the records of the Ministry of Justice.

## Slovak Republic

**Q166 (2021):** In criminal matters is mediation provided by the 84 Probation officers located on District Courts.

**Q166 (2020):** In criminal matters is mediation provided by the 81 Probation officers located on District Courts.

**Q166 (2019):** In criminal matters is mediation provided by the 81 Probation officers located on District Courts.

**Q166 (2018):** In previous cycles the number of registered mediators provided by the Ministry of Justice included all persons listed in the register of mediators, including those who has been stroke out of a list or suspended. For this evaluation cycle we can provide the number of active registered mediators.

**Q166 (2012):** In 2012, all disciplinary proceedings against lawyers were initiated on the basis of alleged breach of professional obligations laid down by the Act on the Legal Profession or the Code on Professional Conduct for Lawyers. A criminal offence committed by a lawyer (who was found guilty by the criminal court in final judgment) is the reason for suspension or disbarment under the Act on the Legal Profession. However, it is not an issue of disciplinary proceedings.

**Q192 (General Comment):** The Act n. 323/1993 Col. on Notaries and Notarial Activities, regulates the status and activities of notaries. A notary is a person appointed and empowered by the State to practice as a notary and carry out other activities in accordance with the law. A notary is appointed by the Minister of Justice on the basis of selection procedure, as a general rule to hold office within the geographical jurisdiction of a court of first instance. Notary is holding public office until the age of 67. He/she is not part of state bureaucracy; he/she is not bounded by any instructions, but is subject to State supervision, performed by the Minister of Justice. State is thus entitled to issue legislation regulating the activities of the notaries, self-governance of the notaries, as well as designate the number of notarial offices within the district of Court of first instance. A notary is impartial and independent in the performance of his/her duties. He/she is bound only by the Constitution, laws and other general implementing legislation. The office of a notary is incompatible with entrepreneurial activities or other gainful activity, except for the management of the notary's own assets and those of his/her minor children, and academic, publishing, pedagogical, interpreting and artistic activity. A notary may not act as an expert in cases where he/she acts as a court commissioner.

**Q192 (2022):** Ministry of Justice of the Slovak republic.

## Slovenia

**Q166 (2021):** The procedures for listing (and un-listing) individual mediators are led by individual courts.

**Q192 (General Comment):** A notary is a legal official who has been entrusted by the public authority with the safeguarding of the freedom of consent and the protection of the rightful interests of individuals. The presence of the notary confers authenticity to legal acts. As a guarantor of legal security, the notary has an important role to play in limiting subsequent litigation. Thereby, he/she is a major actor in preventive justice.

## Spain

**Q166 (2022):** The figure provided is the number of mediators (natural and legal persons) registered in the Registry of Mediators.

This Registry is not compulsory, so the number of persons that act as mediators may be higher.

**Q166 (2021):** The figure provided is the addition of number of mediators (natural persons), Institutions of mediation, Mediators in insolvency cases and Mediators in insolvency cases (legal persons); all of them registered in the Registry of Mediators. This Registry is not compulsory for civil cases, so the number of persons that act as mediators may be higher.

**Q166 (2020):** The figure provided is the number of mediators (natural and legal persons) registered in the Registry of Mediators.

This Registry is not compulsory, so the number of persons that act as mediators may be higher.

Mediation does not have a long tradition in Spain. However, it has good legislative support, and broad institutional support (for example, from the General Council of the Judiciary).

The Draft Law on Procedural Efficiency Measures contains rules that will enhance it (such as providing that the attempted solution be a prior procedural requirement).

**Q166 (2019):** The figure indicated is the sum of [Mediators + Insolvency mediators + Institutions of Mediation + Legal Persons Insolvency

mediators] registered in the Registry of Mediation of the Ministry of Justice.

The registry is not compulsory and there are other Registries in Autonomous Regions.

**Q166 (2018):** The figure indicated is the sum of [Mediators + Insolvency mediators + Institutions of Mediation + Legal Persons Insolvency mediators] registered in the Registry of Mediation of the Ministry of Justice.

The registry is not compulsory and there are other Registries in Autonomous Regions. Therefore, the figure is not a complete and perfect national data.

**Q166 (2017):** The data indicates the number of natural persons registered as Mediators and Mediators on Insolvency, in the Registry of Mediators and Mediation Institutions. (Registration is not compulsory).  
Moreover, there are 123 Institutions of Mediation, and other 132 legal persons registered as Mediators on Insolvency. Law 5/2012 on mediation in civil and commercial matters regulated mediation. The Royal Decree 980/2013, develops the previous Law and creates the Register of Mediators and Mediation Institutions. Registration in the Register is voluntary, therefore, its figures are still indicative. But in general the regulation offers a better structuring of the Mediation Institution and a progressive improvement of the quality of the data. Moreover, Mediation is being developed and implemented more and more, both by public initiatives and by professional Associations.

**Q166 (2016):** In the Registry of the Ministry of Justice there are 1160 private mediators registered who work in the whole territory. The mediation takes place out of Courts. The Court during the first hearing informs to the parties about the possibility of going to mediation, and can suspend the procedure if the parties decide to try the mediation.  
The registry mentioned is voluntary (not mandatory), so the figure is a posible approximation. The number of Institutions of Mediation is 66.

**Q166 (2015):** The approval in 2012 of the Act on mediation in civil and commercial matters could have influence on the increase in the number of mediators.

**Q192 (General Comment):** "The Notaries' regulation (Decree of 2 June 1944) states in article 1 that "notaries are both civil servants and legal professionals, corresponding to this double character the organization of Notaries. As officials, they exercise notarial public faith, which has and protects a double content:

- a) In the field of facts, the accuracy of what the notary sees, hears or perceives through his senses.
- b) And in the sphere of Law, the authenticity and probative force of the declarations of will of the parties in the public instrument drawn up in accordance with the laws.

As legal professionals, they have the mission of advising those who claim their ministry and advise them of the most appropriate legal means to achieve the lawful ends that they intend to achieve.

The Notary will enjoy full autonomy and independence in its function, and in its hierarchical organization it reports directly to the Ministry of Justice and the General Directorate of Registries and Notaries".

# Indicator 8: The existence and use of alternative dispute resolution methods

comments provided by the national correspondents

organised by question no.

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

Question 192. Number and status of notaries in your country.

## Question 166

### Austria

**(2019):** The list of mediators started in 2004; registration is always limited for a specific period: five years after the initial registration and ten years for continuation of an existing registration. Many mediators registered in 2004, applied for continuation of the registration in 2009 but did not do so in 2019. This explains the significant drop in registered mediators.

**(2015): Q166**

<http://www.mediatorenliste.justiz.gv.at>

Q168

Sec. 198 – 209 CPC

### Belgium

**(General Comment):** An individual may hold qualifications in various fields.

**(2021):** Data provided by the Federal Mediation Commission: <https://www.cfm-fbc.be/fr>.

The difference (in figures) with the previous cycle is explained in particular by the removal of mediators who are no longer up to date with their continuing training obligation.

Mediation Barometer 2021 (some figures and trends), link:

[https://www.cfm-fbc.be/sites/default/files/content/explorer/slides\\_barometer\\_-\\_fr.pdf](https://www.cfm-fbc.be/sites/default/files/content/explorer/slides_barometer_-_fr.pdf)

A mediator may receive several accreditations. The Federal Mediation Commission determines the criteria for the accreditation of mediators under Articles 1726 and 1727 § 6 of the Judicial Code.

**(2020):**

"The difference in the number of mediators compared to the previous cycle is explained in particular by the removal of mediators who are no longer up to date with their continuing education obligation.

As of 31/12/2020, 2577 mediators are accredited by the Federal Mediation Commission (CFM) and more than 3400 accreditations with this same CFM (some mediators having in fact several accreditations in family, civil and commercial, social, administrative matters).

The difference (as for the figure) with the previous cycle is explained in particular by the striking off of mediators who are no longer up to date with their obligation of permanent training.

"

**(2019):** The number of accredited mediators in 2019 was 2,399. The number of approvals (by type of civil litigation) granted to mediators: 3,177, including 2,178 to women and 999 to men.

A mediator can be accredited in family matters as well as in civil and commercial matters. S/he may have one or all of the accreditation (family, civil and commercial, social affairs, mediation with public authorities). So one mediator is not equal to one accreditation.

**(2018):** 2122 accredited mediators with 2788 accreditations granted, 907 for male mediators and 1881 accreditations for female mediators

**(2017):** Information on mediation: <http://www.mediation-justice.be>

**(2016):** Information on mediation: <http://www.mediation-justice.be>

**(2015):** number of médiateurs at 13/10/2016

**(2012):** 2012: the competence over the court houses is transferred from the federal level to the authorities.

## **Bulgaria**

**(2022):** The information about the number of registered court-related mediators is not available (NA). As of June 2023, the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 3463 (for 2022 the number of newly registered is 226).

**(2021):** The information about the number of registered court-related mediators is not available (NA). As of June 2022 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2929 (for 2021 the number of newly registered is 214).

**(2020):** The information about the number of registered court-related mediators is not available (NA). As of July 2021 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2767 (for 2020 the number of newly registered is 233).

**(2019):** The information about the number of registered court-related mediators is not available (NA). At the end of 2019 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2419.

**(2018):** The information about the number of registered court-related mediators is not available (NA). As of May 2019 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2311 (for 2018 the number of newly registered is 250).

**(2015):** Number of registered mediators is 1501 up to 31.12.2015.

## **Croatia**

**(2022):** Judges mediators are determined by the Annual Work Schedule.

## **Czech Republic**

**(2022):** From the above mentioned number of mediators there are 362 mediators in criminal cases and 350 mediators in non criminal cases (of which there are 307 active mediators).

**(2021):** From the above mentioned number of mediators there are 359 probate and mediation officials and 327 mediators in non criminal cases.

**(2020):** From the above mentioned number of mediators there are 356 probate and mediation officials and 313 mediators in non criminal cases.

**(2019):** From the above mentioned number of mediators there are 347 probate and mediation officials and 242 mediators in non criminal cases.

**(2018):** From the above mentioned number of mediators there are 429 probate and mediation officials and 228 mediators in non criminal cases. The number of mediators is increasing since the Ministry of Justice supports broader use of other criminal sanctions which are alternatives to imprisonment such as house arrest.

**(2017):** From the above mentioned number of mediators there are 421 probate and mediation officials and 239 (from this number 211 active and 28 inactive) mediators in non criminal cases. The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

**(2016):** From the above mentioned number of mediators there are 398 probate and mediation officials and 222 mediators in non criminal cases. The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

**(2015):** From the mentioned number of mediators there are 381 probate and mediation officials and 208 mediators in non criminal cases. The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

## Denmark

**(General Comment):** <https://domstol.dk/alle-emner/retsmaegling/>

**(2022):** The number of registered attorneys who are appointed to serve as mediators in court mediation in 2022 is 54. The number of registered judges who serves as mediators in court mediation in 2022 is 84.

**(2021):** The number of registered attorneys who are appointed to serve as mediators in court mediation in 2021 is 53. The number of registered judges who serves as mediators in court mediation in 2021 is 90.

**(2020):** The number of registered attorneys who are appointed to serve as mediators in court mediation in 2020 is 53. The number of registered judges who serves as mediators in court mediation in 2020 is 90.

**(2018):** The number of registered judges who serve as mediators in court mediation in 2018 is 86. The number of registered attorneys who are appointed to serve as mediators in court mediation in 2018 is 57.

**(2017):** In 2017 there are 57 registered attorneys and 78 judges with a special mediation education as of 1st July 2017. There is a different process of appointment. Judge mediators go through a special education, and registered attorneys must file a job application to become mediator. There we have updated numbers for judge mediators. Attorneys are appointed every 4 years and the last appointment window was in 2016. The number of attorneys is therefore the same as last year. Source: <http://www.domstol.dk/saadangoerdu/retsmaegling/Documents/Liste%20over%20advokatmaeglere.pdf>

**(2016):** The number of registered judges who serve as mediators in court mediation in 2016 is 86. The number of registered attorneys who are appointed to serve as mediators in court mediation in 2016 is 57.

## Finland

**(2022):** See comment to 166-1

**(2019):** In Finland there is no accreditation or a register for court-related mediators. All mediators are trained in a special training program for mediation.

## France

**(2021):** 2854 of which 2542 are natural persons, the others are legal persons  
source SADJAV

**(2020):** "There are also 312 legal persons

These data concern only civil mediation and come from the SADJAV and the DACS. The increase in the number of mediators registered on the lists of mediators established by the second instance courts is indicative of the development of the use of alternative dispute resolution methods and more particularly mediation.

The Ministry of Justice strongly encourages mediators to register on these lists. Registration on the lists of mediators with the second instance courts obeys certain conditions as mentioned in the decree n°2021-95 of January 29, 2021 amending the decrees n°2017-1457 of October 9, 2017 relating to the list of mediators with the second instance court. In addition, the mediator wishing to be registered must provide, in support of his application, supporting documents attesting in particular to his training (decree of January 29, 2021 fixing the list of supporting documents to be provided for registration on the list provided for in article 22-1 A of law n°95-125 of February 8, 1995 relating to the organization of the jurisdictions and to civil, criminal and administrative procedure). A verification of his or her criminal record is also carried out.

These requirements help to ensure the minimum guarantees (training, impartiality, independence and verification of criminal status) required of a mediator recommended by the courts. Finally, the mediators registered on these lists have a better visibility since the litigants are led to go to the lists of the second instance court to find a mediator (<https://www.justice.fr/r%C3%A9gler-litiges-autrement/m%C3%A9diation>).

A mediator recommended by the justice is, moreover, a guarantee of confidence for the litigants. "

**(2018):** The data are approximate because they have been compiled manually from the lists of mediators at the courts of appeal, published and provided for by article 8 of Act No. 2016-1547 of 18 November 2016 on the modernization of 21st century justice and partial because the service is still waiting for the publication and/or registration of 13 lists, on 05 June 2019. It is recalled that in the French judicial system, the judge remains free to appoint a mediator who does not appear on the lists drawn up by the courts of appeal. Indeed, these lists are intended for the information of the judge.

**(2016):** Except for the profession of family mediator for which a diploma is required, the profession of mediator in civil and commercial matters is not regulated and there is no national register of mediators. Nevertheless, it is possible to consider as registered: mediators in criminal matters entrusted with tasks by public prosecutors (312), justice conciliators who are volunteers and selected by judicial bodies (1958), and the family mediators empowered by the family allowances funds (670). Data is not presented in full time equivalent.

**(2015):** Accredited mediators are family mediators, criminal mediators and legal conciliators, who work in courts or are subsidised by the family allowance funds.

Source: Ministry of Justice, General Secretariat, Sub-Directorate of Statistics and Studies, Access to Law and Victim Assistance Unit

## Germany

**(General Comment):** Germany does not have a system of accreditation or registration for mediators. In addition, there is no statistical data available on the number of court annexed mediation cases. For these reasons, Germany cannot provide information on the number of accredited or registered mediators who practice judicial mediation.

**(2022):** see General Comment

**(2018):** Germany does not have a system of accreditation or registration for mediators. In addition, there is no statistical data available on the number of court annexed mediation cases. For these reasons, Germany cannot provide information on the number of accredited or registered mediators who practice judicial mediation.

**(2017):** Germany does not have a system of accreditation or registration for mediators. In addition, there is no statistical data available on the number of court annexed mediation cases. For these reasons, Germany cannot provide information on the number of accredited or registered mediators who practice judicial mediation.

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#### **Greece**

**(2021):** Of the 2985 mediators active are 2963.

**(2020):** There is no relevant information regarding the data.

**(2019):** The interest of people to acquire the status of mediator increased in 2019 without any special or official reason.

#### **Hungary**

**(2016):** There is a continuous training for court secretaries and judges in the field of mediation so that is the reason for the increasing number. To be registered as a court mediator one must finish this training (organized by the National Office for the Judiciary).

**(2014):** The increase in the number of judicial mediators between 2013 and 2014 is a result of constant training organized by the National Office for the Judiciary.

**(2013):** Registered mediator can be any natural or legal person, who complies with the legal requirements (concerning university degree, mediation training etc.). According to the relevant legislation (Act LV of 2002 on Mediation) mediators established in other EEA Member States (i.e. living in the European Economic Area) can act in a current case in Hungary. The foreign mediator should inform the Ministry of Justice, which shall specify the rights for one year.

#### **Ireland**

**(2014):** 2014: Reforms are also under consideration. Legislation is being prepared to promote mediation as a viable, effective and efficient alternative to court proceedings thereby reducing legal costs, speeding up the resolution of disputes and relieving the stress involved in court proceedings. It is anticipated that a Mediation Bill will be published in 2015 with a view to enactment of the legislation quickly thereafter.

#### **Italy**

**(2018):** The above figures refer to public mediators who deal with civil and commercial mediation procedures. Therefore these figures do not include mediators in family matters (818) nor in consumer cases.

**(2016):** The number of accredited mediators is destined to grow. Probably at a lower growth rate.

#### **Latvia**

**(2021):** Source for question no.166 – website of Council of Certified Mediators <https://sertificetimediatori.lv/mediatori/>

**(2020):** Data are available only about certified mediators. According legislation there can be practicing mediators and certified mediators. The former is a natural person selected freely by the parties who have agreed to conduct mediation while the latter, is a mediator who, in accordance with the procedures laid down in the laws and regulations, has acquired mediation and received a certificate which gives him/her the right to be included in the list of mediators.

**(2019):** Data are available only about certified mediators. According legislation there can be practicing mediators and certified mediators. The former is a natural person selected freely by the parties who have agreed to conduct mediation while the latter, is a mediator who, in accordance with the procedures laid down in the laws and regulations, has acquired mediation and received a certificate which gives him/her the right to be included in the list of mediators.

**(2015):** Variation of the number of mediators is constant since every year new mediators pass the exam and become certified mediators

## Lithuania

**(General Comment):** On 29 June, 2017 new regulation for mediation and becoming mediator was adopted which entered into force from 2019-01-01. The amendments that have been made set new requirements to improve the quality of mediation services. Also, the establishment of mediation as a professional activity (with the exception of judicial mediation by judges) is approved, part of such activity is paid by state. These factors as well as the overall promotion of mediation in the country and the development of the application of mediation might have impact on the significant increase of the number of people that gained the status of mediator.

Till 1st January, 2019 National Courts Administration have been maintained the list of court mediators which included judges and other persons (not judges). Due to a change in legal regulation (from 1st January, 2019), National Courts Administration maintains only the list of Judges who have been granted the status of mediators (Article 5 (2) of the Law on Mediation of the Republic of Lithuania) and transmits this data to the State Guaranteed Legal Aid Service. The latter maintains the common list of mediators and decides on the status of mediator for persons who are not judges. The mentioned list is published on the website of the The State Guaranteed Legal Aid Service (Article 5 (6) of the Law on Mediation). It is to notice that court-related mediation in practice is more often executed by mediators judges however the mediators who are not judges are also allowed to mediate at this stage when they are appointed by the State Guaranteed Legal Aid Service.

**(2021):** from 2021 January 1 all mediators registered in the list of mediators of the Republic of Lithuania have the right to conduct judicial mediation in both civil and administrative cases.

**(2020):** In 2020 the list contained 438 mediators not judges (of which 100 males and 338 females), and 114 mediators judges (of which 27 males and 87 females).

The Ministry of Justice of the Republic of Lithuania, implementing the project co-financed by the European Union Structural Funds No. 10.1.4-V-922-01-005 "Development of the Conciliation Mediation System", taking into account the expansion of the Institute of Mediation and the consequent increased need for mediators, initiated the organization of training for mediators, during which a total of 420 persons (320 people were trained in the training of 40 academic hours, 100 people took part in the training of 24 academic hours).

This training took place in May – October, 2019. All participants signed a contract for the provision of training services, one of the conditions of which was the obligation to register to take the qualification exam for mediators and to come to take it. Due to the fact that the Training Participants' Agreement did not provide for the obligation to pass the mediators' qualification examination but to come to take it, the Ministry of Justice did not collect information on the proportion of trainees who passed the mediators' qualification examination, but the persons who took part in this training were very active in applying for the qualification examination for mediators. There were also cases when those who did not pass the mediator qualification exam for the first time registered to take the exam again six months later.

October – November in 2020 specialized training for mediators on the topic "Mediation in family disputes in the presence of signs of domestic violence" was organized on the order of the Ministry of Justice. A total of 60 mediators participated in the training. These training were intended to improve the qualification of mediators in disputes where are possible signs of domestic violence, therefore only mediators registered in the list of mediators of the Republic of Lithuania and having signed agreements with the State Guaranteed Legal Aid Service on the provision of compulsory mediation services could participate in.

It is noteworthy that the organized training, which were free of charge for their participants, increased the number of mediators in both 2019 and 2020. In this context, it would not be appropriate to compare the increase between 2019 and 2020 .

**(2019):** On 29 June, 2017 new regulation for mediation and becoming mediator was adopted which entered into force from 2019-01-01. The amendments that have been made set new requirements to improve the quality of mediation services. Also, the establishment of mediation as a professional activity (with the exception of judicial mediation by judges) is approved, part of such activity is paid by state. These factors as well as the overall promotion of mediation in the country might have impact on the significant increase of the number of people that gained the status of mediator.

Till 1st January, 2019 National Courts Administration have been maintained the list of court mediators which included judges and other persons (not judges). Due to a change in legal regulation (from 1st January, 2019), National Courts Administration maintains only the list of Judges who have been granted the status of mediators (Article 5 (2) of the Law on Mediation of the Republic of Lithuania) and transmits this data to the State Guaranteed Legal Aid Service. The latter maintains the common list of mediators and decides on the status of mediator for persons who are not judges. The mentioned list is published on the website of the The State Guaranteed Legal Aid Service (Article 5 (6) of the Law on Mediation). On 31 December, 2019 the list contained 286 mediators not judges (of which 71 males and 215 females), and 106 mediators judges (of which 25 males and 81 females).

It is to notice that court-related mediation in practice is more often executed by mediators judges however the mediators who are not judges are also allowed to mediate at this stage when they are appointed by the State Guaranteed Legal Aid Service.

**(2018):** On 29 June, 2017 new regulation for mediation and becoming mediator was adopted which entered into force from 2019-01-01. The amendments that have been made set new requirements to improve the quality of mediation services. Also, the establishment of mediation as a professional activity (with the exception of judicial mediation by judges) is approved, part of such activity is paid by state. These factors as well as the overall promotion of mediation in the country might have impact on the significant increase of the number of people that gained the status of mediator.

**(2017):** The number of the mediators could increase due to the more effective spread of the information about the judicial mediation.

**(2016):** Judicial mediation is becoming more popular, efforts made by the judiciary and the National Courts Administration, as well as the legislator, resulted in an increased number of mediators.

**(2015):** National Courts Administration, data of the Activities report of 2015 of the Commission of the Judicial Mediation (<http://www.teismai.lt/data/public/uploads/2016/03/teismines-mediacijos-komisijos-2015-m.-veiklos-apibendrinimas.pdf>)

The main reforms that have been implemented over the last two years in judicial mediation:

From the 1st January 2015 the judicial mediation is available in all the courts of general jurisdiction. Before it was only available in courts, who participated in the pilot project. It is only available in civil cases. The judicial mediation is free of charge and parties may choose the judicial mediator from the List of Judicial Mediators (the List of Judicial Mediators is available at website <https://e.teismas.lt/lt/public/teismin%C4%97-mediacija/>). Judges, assistants of judges, lawyers, psychologists and other persons of different background are on the List of Judicial Mediators.

The peculiarity is that judges can also have the status of judicial mediator. The parties may choose the judge, who deals with the case (if she/he has the status of judicial mediator) to act as judicial mediator. If a peaceful agreement is reached in such a case he/she has also the power to validate it.

Parties may also choose the judge of the Court of Appeal, the Supreme Court of Lithuania to deal with their dispute, which is heard by the court of lower instance, i.e. the dispute, which arose in the court of first instance, can be dealt with by the judge of the higher court.

In order to secure the impartiality of a judge, the judge, who was dealing with the dispute as judicial mediator has an obligation to opt out from the case at later stage.

In order to promote the peaceful settlement of disputes, the Judicial Council has also decided, that judges in every case should decide on suitability of the case for judicial mediation. It was also decided to set at least 4 hours of trainings on judicial mediation in the training programmes of judges.

National Courts Administration has implemented the EU project on e-services in administration of justice in 2015. During the project, management of the process of judicial mediation was created in the Information System of Lithuanian Courts LITEKO. Parties have a possibility to make a statement in the claim or other document on judicial mediation, the judicial mediator can access the case via electronic means, can arrange the judicial mediation session via electronic means, the parties can discuss on a peaceful agreement, can sign and deliver it to the court via electronic means, i.e. E-Service Portal of Lithuanian Courts (<https://e.teismas.lt/en/public/home/>).

**(2014):** One of the reasons explaining the increase of the number of judicial mediators in 2014 is that from 1st January, 2015 new regulations on judicial mediation came into force, which set stricter requirements for candidates to judicial mediators (requirement for longer trainings (32 hours instead of 16 hours), requirement to attend the meetings of the Judicial Mediation Commission). Therefore persons, who wished to act as judicial mediators hurried to deliver their documents before the 1st January, 2015, so that their request would be considered under rules, which were valid before 1st. January, 2015.

## Luxembourg

**(General Comment):** The figures provided represent the total number of accredited mediators as of 31.12. of the reference year (in civil, commercial and criminal matters) without taking into account mediators who have ceased their activity. Source: Ministry of Justice

**(2022):** While no detailed analysis has been conducted on this matter, the use of mediation has emerged in recent years as a preferable alternative for resolving minor cases, such as disputes between neighbours. The increase observed since 2020 in the number of criminal cases where parties agree to initiate mediation could be attributed to positive experiences with the mediation centre, particularly with a view to avoiding such matters being referred to already burdened courts, notably following the health crisis.

**(2020):** The increase in the number of mediators is the consequence of a political decision to focus on alternative methods of dispute resolution. This political decision has been translated in particular by a strengthening of the mediation offer.

**(2019):** The figures provided represent the total number of accredited mediators (in civil, commercial and criminal matters) without taking into account mediators who have ceased their activity.

**(2016):** There are 92 mediators for criminal matter and 81 in civil and commercial matter.

## Malta

**(2017):** The data regarding the number of mediators was provided by The Malta Mediation Centre, quoting the number of mediators duly accredited and registered in terms of the provisions of the Mediation Act, 2004 (Cap. 474 of the Laws of Malta).

**(2016):** The data regarding the number of mediators was provided by The Malta Mediation Centre, quoting the number of mediators duly accredited and registered in terms of the provisions of the Mediation Act, 2004 (Cap. 474 of the Laws of Malta).

**(2015):** The data regarding the number of mediators was provided by The Malta Mediation Centre, quoting the number of mediators duly accredited and registered in terms of the provisions of the Mediation Act, 2004 (Cap. 474 of the Laws of Malta).

## Netherlands

**(2018):** In campaigns to promote mediation, many people have been trained to become a mediator, and were accredited. Therefore, we observe that there are more people that want to be professional mediators than there is demand for the mediation services. The decrease of the number of mediators was discussed in the news media. The explanation given for the decrease was that the fee for being registered went up substantially. Many mediators who did hardly have cases to mediate, gave up.

**(2015):** In the frame of the 2015 exercise the number of mediators has increased, especially since the increase of the own financial contribution in divorce cases. Lawyers practice more often judicial mediation, which is less expensive.

**(2014):** In the frame of the 2014 exercise, it has been explained that the number of mediations has increased, especially since the increase of the own financial contribution in divorce cases. Lawyers practice more often judicial mediation, which is less expensive.

**(2012):** The number provided for 2012 refers to accredited judicial mediators. In 2010 there were 4 015 mediators registered at the Dutch Mediation Institute (NMI).

The number provided for 2012 refers to accredited judicial mediators. The number of accredited mediators in general was 2 949. The decrease observed between 2010 and 2012 was due to new registration directives of the Dutch Mediation Institute.

## Poland

**(2021):** \*2020 data

**(2019):** The Ministry of Justice is currently working on the project "Dissemination of alternative dispute resolution methods by raising the competence of mediators, establishing the National Register of Mediators (KRM) and information activities.". The National Register of Mediators (KRM) will be a public register containing information on persons practicing the profession of mediator. The functioning of KRM will allow for ordering and increasing the ministry's control over the activity and number of mediators in Poland.

**(2017):** The central register of mediators in Poland is not maintained. There are two separate list of registered mediators maintained by each regional courts – a list of permanent mediators created by the president of a regional court and a list of mediators created by mediation organisations. There is no possibility to account number of registered mediators because mediators are repeated on both lists and in different courts also.

**(2016):** The central register of mediators in Poland is not maintained. There are two separate list of registered mediators maintained by each regional courts – a list of permanent mediators created by the president of a regional court and a list of mediators created by mediation organisations. There is no possibility to account number of registered mediators because mediators are repeated on both lists and in different courts also.

## Portugal

**(2022):** There is a national registry managed by the Ministry of Justice, on private mediators and also a national registry on public mediators, but one can not determine who among them practice court- related mediation. Besides, since the registration of private mediators is not mandatory, there are also some mediators that are not registered and may practice court-related mediation

**(2020):** There is a national registry on private mediators and also a national registry on public mediators, but one can not determine who among them practice court- related mediation. Besides, since the registration is not mandatory, there are also some mediators that are not registered and may practice court-related mediation.)

**(2018):** There is a national registry on private mediators and also a national registry on public mediators, but one can not determine who among them practice court- related mediation. Besides, since the registration is not mandatory, there are also some mediators that are not registered and may practice court-related mediation.)

**(2017):** this number includes mediators of the Ministry of Justice registered public systems mediation and mediators of the Peace Courts. Unlike previous data (before 2016), the 2016 and 2017 data also include accredited conflict mediators in accordance with Law n.29/2013 of 19 April (Mediation Law).  
The slight increase in the number of accredited mediators between the years of 2016 and 2017 is due to the increased number of applications for inclusion on the list organized by the Ministry of Justice submitted by private mediators.

**(2016):** this number includes mediators of the Ministry of Justice registered public systems mediation and mediators of the Peace Courts. Unlike previous data, it also includes accredited conflict mediators in accordance with Law n.29/2013 of 19 April (Mediation Law).

### **(2015):**

The given number in question 166 includes the mediators of the Ministry of Justice' registered public systems mediation and mediators of the Peace Courts. In addition to this number there are 234 accredited conflict mediators in accordance with article 9 (1) (e) of Law No. 29/2013, of 19 April (Mediation Law), regulated by Ministerial Ordinance No. 344/2013, of 27 November.

Please acknowledge that registered public system mediators and mediators of the Peace Courts can also be accredited conflict mediators but not the other way around.

## Romania

**(2022):** The data is provided by the Mediation Council, reflecting the pace of the authorization process as a mediator by the Mediation Council (which may register fluctuations from year to year), of the persons who meet the conditions provided by law.

**(2021):** The data were communicated by the Mediation Council, reflecting the pace of the authorization process as a mediator by the Mediation Council (which may register fluctuations from year to year), of persons who meet the conditions provided by law. The decrease in the number of mediators is caused by withdrawals or suspensions of mediators' authorizations (possibly because of the low number of requests for mediation).

**(2020):** The data were communicated by the Mediation Council, reflecting the pace of the authorization process as a mediator by the Mediation Council (which may register fluctuations from year to year), of persons who meet the conditions provided by law.

**(2019):** The number of mediators accredited annually by the Mediation Council registers fluctuations, from year to year, being related most of the times to the legislative amendments brought to the mediation law, which can determine the increase in the number of persons requesting the accreditation as mediator, after the training courses required by law.

**(2016):** Regarding the variation registered in the number of authorizations granted to the mediators during the period 2014-2016, we mention that this was due to the legislative changes in the field of mediation occurred during that period.

**(2013):** The increase of the number of mediators in 2012 and 2013 comparing to 2010 is a result of the legislative reforms, stimulating the ADR.

**(2012):** The increase of the number of mediators in 2012 and 2013 comparing to 2010 is a result of the legislative reforms, stimulating the ADR.

### **Slovak Republic**

**(2021):** In criminal matters is mediation provided by the 84 Probation officers located on District Courts.

**(2020):** In criminal matters is mediation provided by the 81 Probation officers located on District Courts.

**(2019):** In criminal matters is mediation provided by the 81 Probation officers located on District Courts.

**(2018):** In previous cycles the number of registered mediators provided by the Ministry of Justice included all persons listed in the register of mediators, including those who has been stroke out of a list or suspended. For this evaluation cycle we can provide the number of active registered mediators.

**(2012):** In 2012, all disciplinary proceedings against lawyers were initiated on the basis of alleged breach of professional obligations laid down by the Act on the Legal Profession or the Code on Professional Conduct for Lawyers. A criminal offence committed by a lawyer (who was found guilty by the criminal court in final judgment) is the reason for suspension or disbarment under the Act on the Legal Profession. However, it is not an issue of disciplinary proceedings.

### **Slovenia**

**(2021):** The procedures for listing (and un-listing) individual mediators are led by individual courts.

### **Spain**

**(2022):** The figure provided is the number of mediators (natural and legal persons) registered in the Registry of Mediators. This Registry is not compulsory, so the number of persons that act as mediators may be higher.

**(2021):** The figure provided is the addition of number of mediators (natural persons), Institutions of mediation, Mediators in insolvency cases and Mediators in insolvency cases (legal persons); all of them registered in the Registry of Mediators. This Registry is not compulsory for civil cases, so the number of persons that act as mediators may be higher.

**(2020):** The figure provided is the number of mediators (natural and legal persons) registered in the Registry of Mediators. This Registry is not compulsory, so the number of persons that act as mediators may be higher. Mediation does not have a long tradition in Spain. However, it has good legislative support, and broad institutional support (for example, from the General Council of the Judiciary). The Draft Law on Procedural Efficiency Measures contains rules that will enhance it (such as providing that the attempted solution be a prior procedural requirement).

**(2019):** The figure indicated is the sum of [Mediators + Insolvency mediators + Institutions of Mediation + Legal Persons Insolvency mediators] registered in the Registry of Mediation of the Ministry of Justice. The registry is not compulsory and there are other Registries in Autonomous Regions.

**(2018):** The figure indicated is the sum of [Mediators + Insolvency mediators + Institutions of Mediation + Legal Persons Insolvency mediators] registered in the Registry of Mediation of the Ministry of Justice. The registry is not compulsory and there are other Registries in Autonomous Regions. Therefore, the figure is not a complete and perfect national data.

**(2017):** The data indicates the number of natural persons registered as Mediators and Mediators on Insolvency, in the Registry of Mediators and Mediation Institutions. (Registration is not compulsory). Moreover, there are 123 Institutions of Mediation, and other 132 legal persons registered as Mediators on Insolvency. Law 5/2012 on mediation in civil and commercial matters regulated mediation. The Royal Decree 980/2013, develops the previous Law and creates the Register of Mediators and Mediation Institutions. Registration in the Register is voluntary, therefore, its figures are still indicative. But in general the regulation offers a better structuring of the Mediation Institution and a progressive improvement of the quality of the data. Moreover, Mediation is being developed and implemented more and more, both by public initiatives and by professional Associations.

**(2016):** In the Registry of the Ministry of Justice there are 1160 private mediators registered who work in the whole territory. The mediation takes place out of Courts. The Court during the first hearing informs to the parties about the possibility of going to mediation, and can suspend the procedure if the parties decide to try the mediation. The registry mentioned is voluntary (not mandatory), so the figure is a possible approximation. The number of Institutions of Mediation is 66.

**(2015):** The approval in 2012 of the Act on mediation in civil and commercial matters could have influence on the increase in the number of mediators.

## Question 192

### Austria

**(General Comment):** Civil law notaries are appointed by the Federal Minister of Justice. They are entrusted with official functions but practice within the framework of a liberal profession. The number of notary offices continues to grow in Austria.

**(2022):** Federal Ministry of Justice

**(2020):** Ministry of Justice

**(2018):** Notaries in Austria are public office holders.

### Belgium

**(General Comment):** The notary is a public officer delegated by the state authority to confer authenticity on acts of which he is the author, while ensuring the preservation, probative force and enforceability of such acts. In order to ensure the necessary independence for his activity, the notary practices within the framework of a liberal profession. Notaries: public officers appointed by the State; it is under the jurisdiction of Ministry of Justice (Federal Public Service JUSTICE).

**(2022):** It is the Ministry of Justice that holds jurisdiction over the appointment procedure.

**(2016):** The notary is a public official who has received delegation from the State authority to confer authenticity on the acts of which he is the author, while ensuring the conservation, probative force and enforceability of the said acts. In order to ensure the necessary independence of his activity, the notary exercises it within the framework of a liberal profession.

**(2014):** In 2014, the figure given corresponded to the number of notaries, associated notaries and alternate notaries.

**(2012):** In 2012, the figure given corresponded to the number of notaries, associated notaries and alternate notaries.

## **Bulgaria**

**(General Comment):** Notaries and Notarial Practice Act regulates the legal status of notaries and of the Notary Chamber, the organisation of the notarial practice and notarial fees. Notaries are private persons who are entrusted by the State with the performance of notarial acts as provided for in the laws. They are independent in the performance of their duties and comply solely with the law. The Minister of Justice exercises control over the practice of each notary as to the implementation of the law and the Statute of the Notary Chamber of Bulgaria. The Council of Notaries also has the power to monitor compliance with the obligations of the notaries and the assistant notaries, and may take part through its representatives in disciplinary proceedings against such notaries and assistants in the prescribed cases. The notary procedures are stipulated by the Civil Procedure Code (Articles 569-594).

**(2022):** Ministry of Justice

**(2020):** According to the current Bulgarian legislation, notaries carry out activities that are explicitly assigned to them through a legal delegation by the state. According to Art. 2, para. 1 of the Law on Notaries and Notarial Activity "the notary is a person to whom the state assigns the performance of the notarial actions provided for in the laws". They are private professionals, who perform their activity independently, with a public function that is given to them by the State. Notaries in Bulgaria are appointed after a national competition organized by the Ministry of Justice and on the basis of an Order of the Minister of Justice. The ministry that is mainly engaged in the procedure is the Ministry of Justice.

**(2018):** According to the Bulgarian legislation in force, notaries carry out activities that are explicitly assigned to them through a statutory delegation by the state. According to art.2 para 1 of the Notaries and Notarial Activity/Practice Act "A notary is a person, to whom the state assigns the notary activities stipulated by the law."

**(2012):** The data communicated for 2012 referred to the 2011 statistics according to which there were 647 open positions for notaries but the actually occupied positions were 619.

## **Croatia**

**(2020):** Public notaries in the Republic of Croatia are appointed by the minister competent for judicial affairs.

## **Cyprus**

**(General Comment):** Cyprus does not have notaries but certifying officers whose competences are to authenticate as true copies of documents.

**(2020):** We only have certifying officers authenticating documents

## **Czech Republic**

**(2012):** In 2012, one notary office was cancelled by the Minister of Justice and one notary had his activity suspended by the Minister of Justice.

## **Denmark**

**(General Comment):** The function of a notary is an integrated function of the district courts. 24 is the number of notarial offices. The notaries are seated in the buildings of the district courts and there are as many notarial offices as district courts. The Danish Court Administration does not have information regarding the total number of notaries employed by the Danish Courts or the gender of the notaries.

## Estonia

**(General Comment):** A notary is an independent holder of office in public law, to whom the State has delegated the duty of ensuring the security of legal relationships and prevention of legal disputes. A notary executes his/her office as a liberal profession in his/her own name and at his/her own responsibility. Notaries are not proprietors but for accounting and taxation purposes, provisions applying to sole proprietors are applied. Notaries are appointed to office by the Minister of Justice according to the number of notaries and their corresponding territorial jurisdiction determined by the Regulation of the Minister of Justice. The Ministry of Justice supervises the professional activities of notaries.

## Finland

**(General Comment):** In Finland, the notary system is not similar to some other European countries. Notaries do not work in the courts but in the local register offices.

The law on public notaries applies to them: <https://www.finlex.fi/fi/laki/ajantasa/2014/20140420> (FI) or <https://www.finlex.fi/sv/laki/ajantasa/2014/20140420> (SE)

**(2016):** In Finland there is not a notary system as in other European countries. Notaries do not work in courts and their competences are limited.

**(2014):** In 2014, there were 70 notaries public working in 11 local register offices. According to the Act on Notary Public (420/2014), the heads of Local Register Offices and the officers appointed by them as well as the officials appointed by the State Department of Åland are notaries public.

The number of notaries for 2012 and 2014 was provided by local register offices. Possible reasons/ factors explaining the observed decrease of 48% are the new Act on Public Notaries (420/2014) and the reform of local register offices. The number of the latter has decreased since 2014 (currently their number is 9) and the number of branch offices has decreased as well.

**(2012):** In 2012, there were 136 notaries public working in 11 local register offices.

## France

**(General Comment):** As an expert in legal translation, I would rephrase the sentences as follows in British English: "The status of public and ministerial officers of notaries arises from the provisions of Article 1 of Ordinance No. 45-2590 of November 2, 1945 concerning the status of notaries and Article 3 of the amended law dated March 25, Year XI establishing the organization of notaries. Article 1 bis of Ordinance No. 45-2590 dated November 2, 1945 regarding the status of notaries defines various legal forms under which the profession of a notary may be exercised.

**(2022):** As of 30/04/2023, out of a total of 17,429 notaries, 9,880 were women. As of 31/12/2022, this data is not available.

The status of public officials and ministerial officers for notaries arises from the provisions of Article 1 of Ordinance No. 45-2590 dated November 2nd, 1945 regarding the status of notarial profession and Article 3 of Law dated March 25th Year XI as amended containing organization of notarial profession. Article 1bis of Ordinance No.45-2590 dated November 2nd, 1945 regarding the status of the notariat defines various legal forms in which the profession of notary maybe exercised.

## Germany

**(General Comment):** The number of appointments as notary is in keeping with the number of notaries required in order to ensure the due and proper administration of the law (section 4 of the Federal Code for Notaries). The applicants are to be identified by advertisement (section 6b of the Federal Code for Notaries). Generally, the notary may not pursue any other profession (section 8 paragraphs (1) and (2) of the Federal Code for Notaries).

**(2022):** Notaries hold a public office. They are appointed by the Ministry of Justice of the respective state ("Land"), cf. sec. 12 Federal Code for Notaries.

**(2020):** Notaries hold a public office. They are appointed by the Ministry of Justice of the respective state ("Land"), cf. sec. 12 Federal Code for Notaries

## Greece

**(General Comment):** Notaries are professionals appointed by the state and in particular, by the Minister of Justice after successful participation in certain public competition. They are considered by our Constitution as public servants without receiving any salary from the State and they practice their profession as in private sector.

**(2020):** 2813 active notaries in a total of 3500 organic positions

**(2018):** Notaries are professionals appointed by the state and in particular, by the Minister of Justice after successful participation in certain public competition. They are considered by our Constitution as public servants without receiving any salary from the State and they practice their profession as in private sector.

## Hungary

**(General Comment):** .

**(2022):** In Hungary due to the official nature and constitutional status of a civil law notary in exercising public authority a notary may only assume office as a result of a successful application procedure and the appointment of the Minister of Justice. The appointment is the sole event when the notary is commissioned by the State to fulfil tasks forming part of the justice system upon the formal request of clients. The number of notaries and their tariffs is governed by a regulation of the Minister of Justice.

The total number of the Hungarian notarial seats is 313. This is a numerus clausus. In the near future, this number is expected to be reduced by 3. Concerning the difference between the total of the notarial seats (313) and the added number of the male and female notaries (304), the following has to be remarked. On the seats which are vacant (generally because on the given seat a notary retired and the selection procedure is still ongoing or the newly appointed notary has not taken up the activity yet) , the notarial services are fulfilled by another notaries or deputy notaries who act as 'substitute notaries'. As this is a temporary status, their number based on genders isn't included in our calculations.

**(2020):** Act XLI of 1991 on Civil Law Notaries

**(2014):** According to 2014 data, notaries are appointed by the Minister of Justice for indefinite term. The number of notary positions is regulated by ministerial decree in such a way as to facilitate the access to notarial services in the whole country and to ensure the sustainability of all notarial offices. Civil law notaries are supervised by regional chambers and the Hungarian National Chamber, which is also obliged to provide various supporting IT-systems and to manage the notarial archives. The Minister of Justice has judicial supervisory competence over civil law notaries. The president of the competent Budapest or county court for the seat of the notary public has legal supervision over the actions of the notary, as part of that, he/she may order that the activities of the notary shall be reviewed by the chamber and may also initiate disciplinary proceedings.

Civil law notaries exercise as part of the State judicature official legal authority in accordance with the legal rules of their competence. Therefore, they have public authority. This is the reason why only Hungarian citizens can be appointed public notaries and this is why some elements of the notaries' obligations are similar to those of judges. Namely, the appointment is only possible as a result of an open selection procedure, and it is restricted to the jurisdiction of the local court; in case of notary's absence, a substitute may only be assigned by the local notaries' chamber; the notary is to act personally, impartially, in accordance with the acts regulating his/her competence; the notary is obliged to cooperate which means that he/she can refuse to proceed only if permitted by law, the form of the refusal shall be a writ; in order to facilitate an impartial procedure, the notary, in accordance with the requirement to provide equal opportunities, is obliged to inform the parties of their rights and obligations; the notary is only subject to legal rules; the notary is entitled to use the arms of the country; the rules on the liability and exclusion of judges are also applicable to notaries; the remuneration of civil law notaries is fixed by law.

## Ireland

**(General Comment):** Notaries in Ireland are recognised in other countries.

## Italy

**(General Comment):** The Notary as existing in Italy belongs to the "Latin (roman) notarial system". The Latin notary is a public officer and a specialized counselor; his/her expertise must cover estate contracts, loans and mortgages, company law, family law, wills law, the relevant sections of fiscal law. The Latin notary also performs other judicial duties as a judicial auxiliary/assistant. Notaries as public officers are professionals who perform public functions. They are vested by the State with public authority and faith, which allows them to draw authentic deeds (or public deeds). Put differently, a notary can be defined as a public officer to whom the State delegates a specific public power, the power to assert (to affirm) the authenticity of a document. The profession of notary is characterized by the qualities of independence and impartiality. A full description of the responsibilities of the notary can be found at the following link: <http://www.notariato.it/en/italian-notaries/who-we-are/responsibilities-of-the-notary.html>

## Latvia

**(General Comment):** In respect of their official duties, sworn notaries are equivalent to State officials, belonging to the court system.

**(2018):** The number of professional notaries (98) is indicated based on the number of actually practising notaries. Previously, there was indicated the number of the work positions, what is according to the regulation of the Cabinet of Ministers.

## Lithuania

**(2020):** The Ministry of Justice.

## Luxembourg

**(2022):** Ministry of Justice (<https://mj.gouvernement.lu/fr/professions-droit/le-notaire.html>)

Chamber of Notaries (<http://www.notariat.lu/trouver-un-notaire/annuaire-des-notaires/>)"

**(2020):** Ministère de la justice (<https://mj.gouvernement.lu/fr/professions-droit/le-notaire.html#:~:text=Le%20nombre%20des%20notaires%20est,pour%20l'ensemble%20du%20pays>)  
Chambre des notaires (<http://www.notariat.lu/trouver-un-notaire/annuaire-des-notaires/>)

**(2014):** In 2014, there were in total 36 notaries with a hybrid status of regulated liberal profession and public officer.

## Malta

**(General Comment):** The Notary is a Public Officer and as such is an emanation of the State. At the same time he/she is a free professional with his/her own personal office, independent of the State and of the parties. This dual-nature ensures the right balance between the legal-fiscal functions for which the Notary is the ultimate reference point. Conveyance (property sales, purchase, leasing, etc.), financing collateral (hypothecation of immovable), succession (wills, trusts, etc.) and matters pertaining to civil status (matrimonial regimes, personal separations, etc.) are all within the ambit of the profession and form the portfolio of a notary's day-to-day work. It is only through a notarial act that most transactions related to the above are given legal effect and this adds certainty and improves efficiency. Being a necessary passage at Law, the notarial requirement makes for a very cost-effective way of crystallizing a state of certainty in that notarial tariffs are stipulated by law and the citizen is all the more protected. The notarial intervention is thus imposed by law to safeguard legality and ensuring at all times that the autonomy of the private citizen never goes beyond what is legally and statutorily permitted.

**(2020):** All Public Notaries are appointed by the state even if they practice in their professional capacity. In previous evaluations we used to list the notaries as 'Public officials' but as from this evaluation, following changes in this question, we are marking them as 'Holders of public offices appointed by the State'.

**(2018):** The full list of practising Notaries is published in the Government Gazette every year in January. The above number of Notaries has been derived from the publication issued on the 31st January 2019 accessible at (<https://www.gov.mt/en/Government/DOI/Government%20Gazette/Documents/2019/01/Government%20Gazette%20-%2031st%20January.pdf>)

## Netherlands

**(2022):** These are numbers on January 1st 2022.

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

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

**(2020):** The count of notaries includes the so-called "candidate"-notaries; they do not hold the full professional status, and a notary with full professional status remains responsible for the work of the candidate. People can remain a 'candidate' for many years, even a life time. Notaries are entrepreneurs, work in/ as private enterprises, and are formally appointed by the King; their profession is regulated by law. There are also 'added notaries' (toegevoegde notarissen): they have full responsibility like a notary, but they are not entrepreneurs, they are employees.

**(2018):** The count of notaries includes so-called 'candidates'. They do not hold the full professional status and a notary with full professional status remains responsible for the work of a candidate. People can remain 'candidate' for many years, or even a life time.

Notaries can work in private enterprises, but are formally appointed by the King, and their profession is regulated by Law.

**(2014):** In 2014, there were 1 336 notaries and 1 631 junior notaries. Notaries are private professionals under the authority (control) of public authorities. Dutch notaries are civil law notaries, meaning that they are fully qualified legal professionals. A notary is not only a sworn official but also an entrepreneur. As of 1 January 2013, it is also possible to become a public official without being an entrepreneur: the assigned notary. To become an assigned notary may be an alternative for junior notaries who do not have entrepreneurial ambition. Other than that the assigned notary has the same competences as the notary entrepreneur. An assigned notary has an employment contract with the notary to whom he/she is assigned and thus he/she is not an entrepreneur; is entitled to sign notarial acts within the protocol of the notary to whom he/she is assigned; acts under the authority of the notary to whom he/she is assigned; is by law the regular replacement of the notary to whom he/she is assigned.

**(2012):** In 2012, there were 1 399 notaries and 1 807 junior notaries. The number of junior notaries decreased because of the decreasing number of real estate and mortgage deeds.

## Poland

**(General Comment):** The profession of notary is governed in Poland by the Law of 14 February 1991 on notary (OJ 2020, Item 1192, rev.).

The Polish legislator conferred the power to appoint notaries solely on the Minister of Justice. The decision on this matter shall be the decision of the administrative authority on a case-by-case basis, is taken under the provisions of the Code of Administrative Conduct and is discretionary. The Minister of Justice has the competence to select candidates to practice the profession of notary, as well as the designation of their office. Before a decision is taken, the provisions only provide for the obligation to consult the board of the competent board of the notary chamber. The Minister of Justice issues an administrative decision under Article 10 of the Law on notary, is not bound in any way by the content of this opinion, which is assessed like any other evidence. The scope of the discretion granted to the Minister of Justice under Article 10(1) of the Act is limited only by the provisions of articles 10(3) and 11 to 13 of the act. The candidates for notaries, when applying for the appointment of a notary and the appointment of a registry, make an autonomous choice as to the path of life, as well as the place where the profession is to be performed. It is their responsibility only to decide on the specific location of the office. In this respect, the Minister of Justice is bound by the content of the proposal. The law provisions - the notarial law also doesn't make the creation of another office dependant on the non-exceeding of a specified number of registries in a given registry. There is no numerical restriction of access to the profession of notary in Poland (numerus clausus).

Notariat in Poland belongs to the group of Latin-type notariats, however the status of notaries is not uniform. On the one hand, notaries conduct their activities at their own risk, and the service nature of this activity can be considered to fall within the scope of freedom of economic activity. In its resolution of 23 March 2016 (III CZP 4/16), the Supreme Court stated, that the notary is an entrepreneur within the meaning of Article 431 of the Civil Code. On the other hand, the notary is a person of public trust who guarantees security of commerce and shall ensure that the rights of the parties to the acts and of third parties are duly safeguarded. Notaries play an important role in the structure of the bodies responsible for applying the law and building the trust of citizens in the state, its institutions and legal trading entities.

A notary shall be appointed to carry out the acts which the parties are obliged or willing to give a notarial form (notarial activities) acts as a public trust person within the scope of these powers, by exercising the protection of public officers (Article 1(1) and Article 2(1) of the Law of 14 February 1991 on notary). The notarial acts, made by a notary in accordance with the law, are authentic (Article 2(2) of the Law - notary Law). When performing notarized activities, the notary collects taxes and court fees related to the notary activity of the parties, which is then transferred to the account of the competent institution. The notary is remunerated for the notarized activities, determined by agreement with the parties. However, the maximum rates of remuneration are determined officially by means of a regulation of the Minister of Justice, issued in agreement with the minister responsible for financial institutions (OJ of 2020, item 1473, rev.).

The notary is responsible for the damage caused in the performance of the notarial procedure and in this respect, is subject to compulsory civil liability insurance. In addition, a notary may be held liable for disciplinary action. Disciplinary courts are called upon to rule on disciplinary matters – at first instance, disciplinary courts of notary chambers, At second instance, a higher disciplinary Court at the National Notarial Council. The appeal of the Court of first Instance is also served by a surety against the Supreme Court. Disciplinary proceedings shall be open, however, the most severe disciplinary penalty is that the law of the law firm is not allowed to run. Notaries are established by a notary public authority to which membership is mandatory. The

**(2018):** Notaries are appointed by Minister of Justice.

## Portugal

**(General Comment):** In 2004, a new status of the notarial profession was approved. Since, the notaries are private professionals under the authority (control) of public authorities. They compete for licenses and take office before the Minister of Justice and the president of the Chamber of Notaries. As a transition period is still running, some notaries work as public agents (before 2004, notaries were exclusively public officials). Since 2018, with Decree Law 115/2018, 21st December, "public notaries" ceased to exist and were transferred to the special career of registrar.

**(2022):** The increase in the number of notaries was due to the takeovers that took place during 2021 and 2022. Specifically, we refer to the grant of licenses for the installation of notary offices, awarded under the 8th Competition (Notice 4822/2022, of March 8) and the competitions for the award of the title of notary (Notice 3552/2021, of February 26 and Notice 3251/2022, of February 17).

## Romania

**(2018):** Notaries public are not differentiated by gender within the records of the Ministry of Justice.

## Slovak Republic

**(General Comment):** The Act n. 323/1993 Col. on Notaries and Notarial Activities, regulates the status and activities of notaries. A notary is a person appointed and empowered by the State to practice as a notary and carry out other activities in accordance with the law. A notary is appointed by the Minister of Justice on the basis of selection procedure, as a general rule to hold office within the geographical jurisdiction of a court of first instance. Notary is holding public office until the age of 67. He/she is not part of state bureaucracy; he/she is not bounded by any instructions, but is subject to State supervision, performed by the Minister of Justice. State is thus entitled to issue legislation regulating the activities of the notaries, self-governance of the notaries, as well as designate the number of notarial offices within the district of Court of first instance. A notary is impartial and independent in the performance of his/her duties. He/she is bound only by the Constitution, laws and other general implementing legislation. The office of a notary is incompatible with entrepreneurial activities or other gainful activity, except for the management of the notary's own assets and those of his/her minor children, and academic, publishing, pedagogical, interpreting and artistic activity. A notary may not act as an expert in cases where he/she acts as a court commissioner.

**(2022):** Ministry of Justice of the Slovak republic.

### **Slovenia**

**(General Comment):** A notary is a legal official who has been entrusted by the public authority with the safeguarding of the freedom of consent and the protection of the rightful interests of individuals. The presence of the notary confers authenticity to legal acts. As a guarantor of legal security, the notary has an important role to play in limiting subsequent litigation. Thereby, he/she is a major actor in preventive justice.

### **Spain**

**(General Comment):** "The Notaries' regulation (Decree of 2 June 1944) states in article 1 that "notaries are both civil servants and legal professionals, corresponding to this double character the organization of Notaries. As officials, they exercise notarial public faith, which has and protects a double content:

a) In the field of facts, the accuracy of what the notary sees, hears or perceives through his senses.

b) And in the sphere of Law, the authenticity and probative force of the declarations of will of the parties in the public instrument drawn up in accordance with the laws.

As legal professionals, they have the mission of advising those who claim their ministry and advise them of the most appropriate legal means to achieve the lawful ends that they intend to achieve.

The Notary will enjoy full autonomy and independence in its function, and in its hierarchical organization it reports directly to the Ministry of Justice and the General Directorate of Registries and Notaries".

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## Indicator 1: Systems for measuring and evaluating the performance of courts and prosecution services

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EC Templates - Professional judges and lawyers

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Indicator 7: Professionals of justice

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## **Annex 2**

**Extract of the CEPEJ Scheme  
for evaluating judicial system**

Click below to open the file  
[CEPEJ Scheme for evaluating judicial system](#)

## **Annex 3**

**Extract of the explanatory note  
to the scheme for evaluating  
judicial system**

Click below to open the file  
[Explanatory note to the scheme for evaluating judicial system](#)

# Annex 4

## Definitions of the Clearance Rate (CR) and the Disposition Time (DT)

The CEPEJ has chosen to develop performance indicators of courts at the European level. CEPEJ invites the member states to organise their data collection system so as to be able to provide the relevant information for calculating such indicators. The first indicator is the Clearance Rate. This allows a useful comparison even though the parameters of the cases concerned are not identical in every respect. This indicator can be used to see if the courts are keeping up with the number of incoming cases without increasing their backlog. The second indicator is the calculated Disposition Time. By making use of a specific calculation method, it is possible to generate data concerning the estimated time that is needed to bring a case to an end. This method can provide relevant information on the overall functioning of the courts of a state or entity. Gradually, the report of the CEPEJ will enable a comparative evaluation of the functioning of judicial systems in dealing with case-flows coming in and going out of the courts.

### *Clearance Rate (CR)*

The Clearance Rate is a simple ratio, obtained by dividing the number of resolved cases by the number of incoming cases, expressed in a percentage:

$$\text{Clearance Rate (\%)} = \frac{\text{Resolved cases in a period}}{\text{Incoming cases in a period}} \times 100$$

A Clearance Rate close to 100 % indicates the ability of the court or of a judicial system to resolve approximately as many cases as the number of incoming cases within the given time period. A Clearance Rate above 100 % indicates the ability of the system to resolve more cases than those received, thus reducing the number of pending cases at the end of the measurement period, including any existing backlog. Finally, a Clearance Rate below 100 % appears when the number of incoming cases is higher than the number of resolved cases. In this case, the total number of pending cases will increase.

Essentially, the Clearance Rate shows how the court or the judicial system is coping with the in-flow of cases. It allows comparisons even when the parameters of the cases concerned in different countries are not identical in every respect.

### *Disposition Time (DT)*

The calculated Disposition Time measures the theoretical time necessary for a pending case to be solved in court in the light of the current pace of work of the courts in that country or entity.

The Disposition Time is obtained by dividing the number of pending cases at the end of the observed period by the number of resolved cases within the same period multiplied by 365 (days in a year):

$$\text{Calculated Disposition Time} = \frac{\text{Number of pending cases at the end of a period}}{\text{Number of resolved cases in a period}} \times 365$$

The conversion into days simplifies the understanding of the relation between pending and resolved cases within a period. The calculated Disposition Time would show, for example, that the time necessary for solving a pending case has increased from 120 days to 150 days. This allows comparisons within the same jurisdiction over time and, with some prudence, between judicial systems in different countries or entities. It is also relevant for assessing court efficiency in this regard in the light of established standards for the length of proceedings.

It should be noted that this indicator is not a calculation of the average time needed to process a case but a theoretical estimate of the time needed to process pending cases. However, the indicator fails to show the mix, concentration, or merits of the cases. Thus, for example, if the ratio indicates that pending cases will be processed in 90 days, some cases might be solved on the 10th day and others on the 90th day. Case level data of the actual duration of cases from functional ICT systems is needed in order to review these details and make a full analysis. In the meantime, this formula may offer valuable information on the estimated maximum duration of cases that are still pending.

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