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# SURVEY OF LEGAL PROFESSIONALS PARTICIPATING IN COURT PROCEEDINGS WHO ARE NOT JUDGES OR COURT STAFF REGARDING TRUST IN THE JUDICIARY, JUDICIAL INDEPENDENCE AND ACCOUNTABILITY, PERCEPTION OF AND REPORTING CORRUPTION

## RESULTS

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**The Nove Pravosuddya Justice Sector Reform Program**

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# KEY RESULTS

## Perception of the current situation in the ukrainian judiciary

Summarizing own experience of court proceedings during the last 12 month 73% of legal professionals (72% advocates and 78% prosecutors) admitted that there were no requests for bribes, unofficial payments or other corruption-related situations. Besides 46% of respondents admitted that there were no signs that the judge acted under influence of another party or any individuals (43% of advocates and 68% of prosecutors). 41% of respondents mentioned, that judges consistently ensured adherence to the adversary process principle and did not give advantage to any party, the disaggregation by professional is 41% and 78% respectively. Only 22% of respondents agreed the statement regarding «the case was considered within a reasonable timeframe», per cent of lawyers who agreed to this is 19%, and per cent of prosecutors is 49%. Similarly 22% of respondents agreed that court decisions were executed on time and in full, respectively 18% of advocates and 59% of prosecutors.

51% of surveyed avocates think that the engagement of public representatives (PIC) in the processes of competitive selection and qualification evaluation of judges is justified, much less – 38% of prosecutors agree to this.

## Trust in the judiciary and other branches

40% of legal professionals trust to those selected courts where they perform representation functions, 37% trust Supreme Court and 31% trust private enforcement officers. The least trusted institutions by legal professionals are political parties (3%), the Cabinet of Ministers of Ukraine (7%), the police (7%) and the Parliament of Ukraine.

The most trusted by advocates are the specific courts where they conduct representative functions (36%), and the same 36% of advocates admitted their trust to the Supreme Court (36%). Highest level of prosecutors trust are the prosecutor's office (79%), selected courts where they perform representation functions (71%), and the Judiciary in general (56%).

## Jury trial

Almost half of the surveyed legal professionals (46%) do not think that the current model of jury trial in Ukraine is efficient. 56% of respondents think that the more appropriate for Ukraine is the classic jury trial model, e.g. the model whereby jurors are segregated from a professional judge and decide on matter of fact and deliver a verdict whereas the judge decides on the matter of law (imposing a sentence), i.e. derives a judgement based on the jury's verdict.

## Perception of corruption in the judiciary and law schools

Most of respondents agreed that a prosecutor who has the information about the corrupt actions of his colleagues should immediately notify the National Anti-Corruption Bureau (NABU) or other law enforcement agencies (81% in total, 80% of advocates and 86% of prosecutors), and 77% agreed that the judge who is aware about the corrupt actions of his/her peers in general (77% of advocates and 79% of prosecutors).

Both advocates and prosecutors agree the least with the statement that a person who reports corruption in the courts is protected by the state - only 6% of advocates and 16% of prosecutors

agreed with this statement while 75% of advocates and 51% of prosecutors strongly or rather disagree with it.

Half of the respondents believe that corruption is a common phenomenon in Ukrainian law schools (52% in general, 53% among the surveyed advocates and 46% among prosecutors).

In general, 52% of respondents agreed with the statement that corruption is a common phenomenon in Ukrainian courts, but 55% among advocates and much less - 22% among prosecutors.

32% of respondents will report to NABU if they receive an information clearly evidencing that a judge or prosecutor requests for a bribe from a participant of court proceedings. Ratio for advocates is 33% and ratio for prosecutors is 27%. 24% of respondents admitted that they will report corruption case to law enforcement agencies, such as Prosecutor's Office, Police, State Security Service etc. Here the ratio for advocates is 21%, and the ratio for prosecutors is 48%.

The most common option for reporting corruption is self-identifying in writing - 35% of advocates and 44% of prosecutors chose this option..

### **International humanitarian law**

Almost a third of the respondents, 27% indicate that they are well familiar with the provisions of international humanitarian law. Meanwhile only 5% of them admitted that they are well familiar with all provisions and 22% admitted that they are well familiar with some selected provisions but superficially with others.

# METHODOLOGY

An all-Ukrainian survey of lawyers (attorneys and prosecutors) was conducted by Info Sapiens in the period from February 24 to March 31, 2021. Survey covers all regions of Ukraine except the occupied territories of Autonomous Republic of Crimea and Sevastopol city, and in Donetsk and Luhansk regions poll were conducted only at areas controlled by the Ukrainian government.

637 professional lawyers were interviewed, including 63 prosecutors and 574 attorneys.

The number of respondents was selected in proportion to the request based on the number of cases in Ukrainian courts in 2019, stratified by type of court cases and the role of a lawyer.

The survey was conducted using the CAWI method (online interviews). It was planned to use a mix of online interviews (CAWI) with telephone interviews (CATI), but there was no need for telephone interviews, as a sufficient number of responses were received via e-mail to lawyers within the specified period.

The survey was conducted in the form of an interview via a web interface (CAWI). Attorneys and prosecutors were invited to participate in the study by e-mails taken from open registers.

# PERCEPTION OF THE CURRENT SITUATION IN THE UKRAINIAN JUDICIARY

Summarizing personal experience with courts during the last 12 month 73% of legal professionals (72% of advocates and 78% of prosecutors) mentioned that there were no requests for bribes, unofficial payments, or gifts, no other corruption-related situations occurred. Besides 46% of respondents admitted that there were no signs that the judge acted under influence of another party or any individuals (43% of advocates and 68% of prosecutors), and 41% of respondents mentioned, that judges consistently ensured adherence to the adversary process principle and did not give advantage to any party (41% of advocates and 78% of prosecutors). The least respondents agreed that the case was considered within a reasonable timeframe, only 22% of respondents agreed to this, among advocates there are 19% and among prosecutors 49%. Also 22% of respondents (18% of advocates and 59% of prosecutors) agreed that the court decisions were executed on time and in full.

**TABLE 1.1. SUMMARIZING YOUR PERSONAL IMPRESSIONS OF COURT PROCEEDINGS THE PARTICIPANT OF WHICH YOU HAVE BEEN DURING LAST 12 MONTHS, TO WHAT DEGREE DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS? (% AMONG ALL LAWYERS, N=637)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
There were no requests for bribes, unofficial payments, or gifts. Now did other corruption-related situations occur	73%	9%	10%	9%
There were no signs that the judge acted under influence of another party or any individuals	46%	22%	26%	6%
Judges consistently ensured adherence to the adversary process principle and did not give advantage to any party.	45%	26%	28%	1%
Judges had a proper level of professional qualification	42%	30%	27%	1%
Judges adopted lawful and fair decisions.	38%	36%	25%	1%
Court decisions were duly reasoned and understandable.	36%	32%	32%	0%
The case was considered within a reasonable timeframe. Hearings were held according to the docket.	22%	21%	57%	0%
Court decisions were executed on time and in full	22%	16%	56%	7%

**TABLE 1.2. SUMMARIZING YOUR PERSONAL IMPRESSIONS OF COURT PROCEEDINGS THE PARTICIPANT OF WHICH YOU HAVE BEEN DURING LAST 12 MONTHS, TO WHAT DEGREE DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS? (% AMONG ALL ATTORNEYS, N=558)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
There were no requests for bribes, unofficial payments, or gifts. Now did other corruption-related situations occur	72%	9%	10%	9%
There were no signs that the judge acted under influence of another party or any individuals	43%	23%	28%	6%
Judges consistently ensured adherence to the adversary process principle and did not give advantage to any party.	41%	27%	30%	1%
Judges had a proper level of professional qualification	39%	31%	28%	1%
Judges adopted lawful and fair decisions.	34%	38%	28%	1%
Court decisions were duly reasoned and understandable.	32%	33%	35%	0%
The case was considered within a reasonable timeframe. Hearings were held according to the docket.	19%	20%	60%	1%
Court decisions were executed on time and in full	18%	15%	61%	6%

**TABLE 1.3. SUMMARIZING YOUR PERSONAL IMPRESSIONS OF COURT PROCEEDINGS THE PARTICIPANT OF WHICH YOU HAVE BEEN DURING LAST 12 MONTHS, TO WHAT DEGREE DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS? (% AMONG ALL PROSECUTORS, N=63)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
There were no requests for bribes, unofficial payments, or gifts. Now did other corruption-related situations occur	78%	6%	6%	10%
Judges consistently ensured adherence to the adversary process principle and did not give advantage to any party.	78%	14%	6%	2%



	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
Judges had a proper level of professional qualification	70%	16%	14%	0%
There were no signs that the judge acted under influence of another party or any individuals	68%	16%	8%	8%
Judges adopted lawful and fair decisions.	67%	24%	8%	2%
Court decisions were duly reasoned and understandable.	65%	29%	6%	0%
Court decisions were executed on time and in full	59%	25%	11%	5%
The case was considered within a reasonable timeframe. Hearings were held according to the docket	49%	24%	27%	0%

Advocates have better perception of the engagement of public representatives (PIC) in the processes of competitive selection and qualification evaluation than prosecutors (51% against 38%).

**TABLE 1.4. TO WHAT DEGREE DO YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENTS? (% AMONG ALL LAWYERS, N=637)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
Engagement of international community representatives in the process of competitive selection of High Anti-Corruption Court judges was justified	57%	11%	24%	8%
Engagement of public representatives* in the processes of competitive selection and qualification evaluation of judges is quite justified	49%	16%	30%	5%
*Public Integrity Council				

**TABLE 1.5. TO WHAT DEGREE DO YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENTS? (% AMONG ALL ATTORNEYS, N=558)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
Engagement of international community representatives in the process of competitive selection of High Anti-Corruption Court judges was justified	56%	11%	25%	8%
Engagement of public representatives* in the processes of competitive selection and qualification evaluation of judges is quite justified	51%	14%	30%	5%
*Public Integrity Council				

**TABLE 1.6. TO WHAT DEGREE DO YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENTS? (% AMONG ALL PROSECUTORS, N=63)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
Engagement of international community representatives in the process of competitive selection of High Anti-Corruption Court judges was justified	60%	16%	16%	8%
Engagement of public representatives* in the processes of competitive selection and qualification evaluation of judges is quite justified	38%	27%	27%	8%
*Public Integrity Council				

# TRUST TO THE JUDICIARY AND ACCESSIBILITY OF JUSTICE

In general, legal professionals trust those courts where they perform representation functions (40% fully or rather trust), Supreme Court (37%) and Private enforcement officers (31%). The least trusted institutes by legal professionals are political parties (3%), the Cabinet of Ministers of Ukraine, the police and the Parliament of Ukraine (each has 7% respondents fully trust or mostly trust).

Advocates mostly trust the courts where they participate in proceedings and the Supreme Court (36%). Prosecutors' most trusted institutes are the prosecutor's office (79%), selected courts where they perform representation functions (71%), and the judiciary in general (56%).

Advocates trust the least political parties (2%), the Cabinet of Ministers of Ukraine, the police and the Parliament of Ukraine (5% each). Prosecutors have the least trust in political parties (10%) and NGOs (17%). Advocates express the greatest distrust in political parties (82% do not trust or rather do not trust them), the prosecutor's office and the national police (72% each). Prosecutors do not trust political parties, the Parliament of Ukraine and NGO's the most (65%, 48% and 46% distrust, respectively).

**TABLE 2.1. TO WHAT DEGREE DO YOU TRUST THESE GOVERNMENT AND NON-GOVERNMENT INSTITUTES: (% AMONG ALL LAWYERS, N=637)**

	FULLY / RATHER TRUST	TRUST AND DISTRUST TO THE SAME DEGREE	DO NOT TRUST AT ALL / RATHER DISTRUST THAN TRUST	UNWILLING TO ANSWER
Selected courts where you perform representation functions	40%	38%	21%	1%
Supreme Court	37%	32%	27%	4%
Private enforcement officers	31%	27%	31%	11%
Judicial power (on the whole)	27%	39%	33%	1%
High Anti-Corruption Court	27%	20%	28%	26%
President of Ukraine	21%	22%	54%	3%
National Anti-Corruption Bureau (NABU)	19%	24%	44%	14%
Non-Government Organizations	19%	34%	41%	6%
Constitutional Court of Ukraine	18%	21%	47%	14%
National Agency for Prevention of Corruption	15%	23%	45%	17%
Local governments	14%	33%	52%	2%
Prosecutor's office	13%	18%	66%	4%
State Bureau of Investigations	13%	25%	49%	14%
Security Service of Ukraine	12%	23%	56%	9%
Mass media / journalists	11%	38%	47%	4%

	FULLY/ RATHER TRUST	TRUST AND DISTRUST TO THE SAME DEGREE	DO NOT TRUST AT ALL / RATHER DISTRUST THAN TRUST	UNWILLING TO ANSWER
State Enforcement Service	9%	32%	56%	3%
Ministries and government agencies	8%	26%	64%	3%
Parliament of Ukraine	7%	23%	68%	2%
Police	7%	23%	67%	2%
Cabinet of Ministers of Ukraine	7%	24%	67%	2%
Political parties	3%	12%	81%	5%

**TABLE 2.2. TO WHAT DEGREE DO YOU TRUST THESE GOVERNMENT AND NON-GOVERNMENT INSTITUTES: (% AMONG ALL ATTORNEYS, N=558)**

	FULLY/ RATHER TRUST	TRUST AND DISTRUST TO THE SAME DEGREE	DO NOT TRUST AT ALL / RATHER DISTRUST THAN TRUST	UNWILLING TO ANSWER
Selected courts where you perform representation functions	36%	41%	22%	1%
Supreme Court	36%	34%	27%	4%
Private enforcement officers	32%	26%	32%	10%
High Anti-Corruption Court	25%	20%	29%	27%
Judicial power (on the whole)	24%	39%	35%	1%
Non-Government Organizations	19%	35%	41%	6%
President of Ukraine	18%	23%	56%	2%
National Anti-Corruption Bureau (NABU)	16%	23%	47%	14%
Constitutional Court of Ukraine	15%	23%	48%	14%
National Agency for Prevention of Corruption	11%	23%	49%	18%
Local governments	11%	32%	55%	2%
State Bureau of Investigations	10%	24%	52%	14%
Mass media / journalists	9%	38%	49%	4%
Security Service of Ukraine	8%	23%	59%	10%
State Enforcement Service	7%	30%	61%	2%
Ministries and government agencies	6%	25%	66%	3%
Prosecutor's office	5%	19%	72%	3%
Parliament of Ukraine	5%	24%	70%	1%

SURVEY OF LEGAL PROFESSIONALS PARTICIPATING IN COURT PROCEEDINGS WHO ARE NOT JUDGES OR COURT STAFF REGARDING TRUST IN THE JUDICIARY, JUDICIAL INDEPENDENCE AND ACCOUNTABILITY, PERCEPTION OF AND REPORTING CORRUPTION

	FULLY/RATHER TRUST	TRUST AND DISTRUST TO THE SAME DEGREE	DO NOT TRUST AT ALL/RATHER DISTRUST THAN TRUST	UNWILLING TO ANSWER
Police	5%	21%	72%	2%
Cabinet of Ministers of Ukraine	5%	23%	69%	2%
Political parties	2%	11%	82%	5%

**TABLE 2.3. TO WHAT DEGREE DO YOU TRUST THESE GOVERNMENT AND NON-GOVERNMENT INSTITUTES (% AMONG ALL PROSECUTORS, N=63)**

	FULLY/RATHER TRUST	TRUST AND DISTRUST TO THE SAME DEGREE	DO NOT TRUST AT ALL/RATHER DISTRUST THAN TRUST	UNWILLING TO ANSWER
Prosecutor's office	79%	10%	5%	6%
Selected courts where you perform representation functions	71%	19%	8%	2%
Judicial power (on the whole)	56%	33%	10%	2%
National Agency for Prevention of Corruption	52%	19%	14%	14%
Supreme Court	46%	21%	25%	8%
President of Ukraine	44%	13%	35%	8%
Local governments	44%	27%	24%	5%
Security Service of Ukraine	44%	24%	24%	8%
High Anti-Corruption Court	43%	16%	19%	22%
National Anti-Corruption Bureau (NABU)	41%	30%	17%	11%
Constitutional Court of Ukraine	41%	11%	32%	16%
State Bureau of Investigations	35%	38%	14%	13%
State Enforcement Service	27%	43%	16%	14%
Parliament of Ukraine	27%	21%	48%	5%
Police	27%	41%	29%	3%
Cabinet of Ministers of Ukraine	25%	25%	44%	5%
Ministries and government agencies	24%	30%	40%	6%
Private enforcement officers	21%	32%	24%	24%
Mass media / journalists	19%	40%	33%	8%
Non-Government Organizations	17%	29%	46%	8%
Political parties	10%	16%	65%	10%

More than one third of respondents (38%) agreed, that criticism of court by the public and various public protest rallies are justified and needed, in particular, 38% of interviewed advocates and 35% of prosecutors. The least approved was the statement that the courts are not influenced by politicians, government, oligarchs - 9% in total, 7% among the interviewed attorneys and 27% among the interviewed prosecutors.

**TABLE 2.4. TO WHAT DEGREE DO YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENTS: (% AMONG ALL LAWYERS, N=637)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
Criticism of court by the public and various public protest rallies are justified and needed	38%	24%	35%	2%
Proper conditions are created in courts for all participants to judicial proceedings (including vulnerable groups): convenient rooms, sufficient space for waiting, proper conditions for familiarization with documents etc.	19%	21%	59%	1%
The mass media (TV, newspapers etc.) disseminate objective information on courts and the judiciary on the whole	14%	26%	55%	5%
Courts are not influenced by politicians, government, oligarchs	9%	16%	73%	2%

**TABLE 2.5. TO WHAT DEGREE DO YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENTS: (% AMONG ALL ATTORNEYS, N=558)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
Criticism of court by the public and various public protest rallies are justified and needed	38%	25%	34%	2%

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
Proper conditions are created in courts for all participants to judicial proceedings (including vulnerable groups): convenient rooms, sufficient space for waiting, proper conditions for familiarization with documents etc.	17%	19%	63%	1%
The mass media (TV, newspapers etc.) disseminate objective information on courts and the judiciary on the whole	13%	26%	56%	5%
Court are not influenced by politicians, government, oligarchs	7%	15%	76%	2%

**TABLE 2.6. TO WHAT DEGREE DO YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENTS: (% AMONG ALL PROSECUTORS, N=63)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
Criticism of court by the public and various public protest rallies are justified and needed	35%	21%	40%	5%
Proper conditions are created in courts for all participants to judicial proceedings (including vulnerable groups): convenient rooms, sufficient space for waiting, proper conditions for familiarization with documents etc.	33%	32%	33%	2%
Court are not influenced by politicians, government, oligarchs	27%	19%	49%	5%
The mass media (TV, newspapers etc.) disseminate objective information on courts and the judiciary on the whole	25%	24%	48%	3%

Almost half of the lawyers do not consider the jury trial is necessary (46%), and the classic model of the jury institute (56%) is considered the most appropriate, although prosecutors consider the mixed model more acceptable– 54%.

**TABLE 2.7. « DO YOU DEEM THE CURRENT MODEL OF ENGAGING CITIZENS IN THE JUSTICE ADJUDICATION PROCESS IN THE JUROR CAPACITY TO BE EFFICIENT?» (%)**

	<b>TOTAL</b>	<b>ATTORNEYS</b>	<b>PROSECUTORS</b>
Yes	22%	21%	38%
No	46%	47%	40%
Unwilling to answer	30%	31%	22%
Refusal	1%	1%	0%
N	637	558	63

**TABLE 2.8. WHICH JURY TRIAL MODEL DO YOU BELIEVE IS THE MOST APPROPRIATE FOR UKRAINE? (%)**

	<b>TOTAL</b>	<b>ATTORNEYS</b>	<b>PROSECUTORS</b>
Model whereby jurors are segregated from a professional judge and decide on the matter of fact and deliver a verdict whereas the judge decides on the matter of law (imposing a sentence) i.e. delivers a judgment based on the jury's verdict (the classic model)	56%	58%	38%
Model whereby jurors and professional judges jointly decide on the matter of fact and law (a mixed model)	37%	34%	54%
Other: None, Ukraine does not need a jury trial	4%	4%	5%
Other	3%	3%	3%
N	637	558	63



# PERCEPTION OF CORRUPTION IN THE JUDICIARY AND LAW SCHOOLS

Most respondents agreed that a prosecutor who has the information about the corrupt actions of his colleagues should immediately notify the National Anti-Corruption Bureau (NABU) or other law enforcement agencies (81% in total, 80% among attorneys and 86% among prosecutors). 77% of respondents (77% of advocates and 79% of prosecutors) admitted that the judge should notify NABO or other law enforcement agencies if he/she has information about the corruption actions of his/her peers.

Both advocates and prosecutors agree the least with the statement that a person who reports corruption in the courts is protected by the state - only 6% of advocates surveyed and 16% of prosecutors said so. This statement also causes the greatest disagreement: 75% of advocates and 51% of prosecutors strongly or rather disagree with it.

Half of the respondents believe that corruption is a common phenomenon in Ukrainian law schools (52% in general, 53% among the attorneys interviewed and 46% among prosecutors).

In general, 52% of respondents agreed with the statement that corruption is a common phenomenon in Ukrainian courts, but 55% among attorneys and 22% among prosecutors.

**TABLE 3.1. TO WHAT DEGREE DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS: (% AMONG ALL LAWYERS, N=637)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
A prosecutor who is aware of corruption among his/her colleagues must immediately report on this to the National Anti-Corruption Bureau (NABU) or other law enforcement agencies.	81%	7%	5%	7%
A judge who is aware of corruption among his/her colleagues must immediately report on this to the National Anti-Corruption Bureau (NABU) or other law enforcement agencies.	77%	10%	5%	8%
It is not possible to hold a judge liable for a corruption-related crime because of the conspiracy of silence among judges	63%	15%	17%	5%
Courts are not sufficiently open to the society	53%	23%	21%	3%

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
Corruption is a common phenomenon in Ukrainian courts.	52%	26%	17%	4%
Corruption is a common phenomenon in Ukrainian law schools	52%	20%	17%	12%
The High Anti-Corruption Court operations help Ukraine to overcome corruption	21%	20%	39%	20%
An individual who reports about corruption in courts is protected by the state.	7%	8%	72%	13%

**TABLE 3.2. TO WHAT DEGREE DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS: (% AMONG ALL ATTORNEYS, N=558)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
A prosecutor who is aware of corruption among his/her colleagues must immediately report on this to the National Anti-Corruption Bureau (NABU) or other law enforcement agencies.	80%	8%	6%	7%
A judge who is aware of corruption among his/her colleagues must immediately report on this to the National Anti-Corruption Bureau (NABU) or other law enforcement agencies.	77%	10%	6%	8%
It is not possible to hold a judge liable for a corruption-related crime because of the conspiracy of silence among judges	66%	15%	15%	4%
Courts are not sufficiently open to the society	56%	22%	20%	2%
Corruption is a common phenomenon in Ukrainian courts.	55%	25%	16%	4%
Corruption is a common phenomenon in Ukrainian law schools	53%	19%	17%	12%
The High Anti-Corruption Court operations help Ukraine to overcome corruption	20%	18%	42%	20%
An individual who reports about corruption in courts is protected by the state.	6%	7%	75%	12%

**TABLE 3.3. TO WHAT DEGREE DO YOU AGREE (OR DISAGREE) WITH THE FOLLOWING STATEMENTS: (% AMONG ALL PROSECUTORS, N=63)**

	UNCONDITIONALLY / RATHER AGREE THAN DISAGREE	AGREE AND DISAGREE TO THE SAME DEGREE	STRONGLY/ RATHER DISAGREE THAN AGREE	UNWILLING TO ANSWER
A prosecutor who is aware of corruption among his/her colleagues must immediately report on this to the National Anti-Corruption Bureau (NABU) or other law enforcement agencies.	86%	5%	2%	8%
A judge who is aware of corruption among his/her colleagues must immediately report on this to the National Anti-Corruption Bureau (NABU) or other law enforcement agencies.	79%	10%	2%	10%
Corruption is a common phenomenon in Ukrainian law schools	46%	30%	13%	11%
It is not possible to hold a judge liable for a corruption-related crime because of the conspiracy of silence among judges	40%	22%	27%	11%
The High Anti-Corruption Court operations help Ukraine to overcome corruption	29%	33%	21%	17%
Courts are not sufficiently open to the society	25%	38%	29%	8%
Corruption is a common phenomenon in Ukrainian courts.	22%	38%	33%	6%
An individual who reports about corruption in courts is protected by the state.	16%	17%	51%	16%

If advocate receives an information clearly evidencing that a judge in the case or prosecutor requests for a bribe from a participant to judicial proceeding he/she most likely will report to NABU, 33% of respondents admitted so. The prosecutor respondents mostly choose notifying law enforcement agencies (Prosecutor's Office, State Security Service or Police) - 48%.

**TABLE 3.4. IF YOU RECEIVE INFORMATION CLEARLY EVIDENCING THAT A JUDGE IN YOUR CASE OR PROSECUTOR REQUESTS FOR A BRIBE FROM A PARTICIPANT TO JUDICIAL PROCEEDING, WHAT YOUR PROBABLE ACTIONS WILL BE? (%)**

	TOTAL	ATTORNEYS	PROSECUTORS
I will report to NABU	32%	33%	27%
I will report to other law enforcement agencies (Prosecutor's Office, State Security Service or Police)	24%	21%	48%

I will report to the High Council of Justice	22%	24%	10%
I will try to convince the judge or colleague prosecutor not to do so	16%	16%	17%
I will seek advice from my colleagues	13%	13%	3%
I will report to the Council of Judges of Ukraine	11%	12%	3%
I will do nothing. This is none of my business	5%	5%	2%
Other: I will apply for dismissal of the judge	1%	1%	0%
Other	5%	4%	5%
It is hard to answer	28%	29%	17%
N	637	558	63

The most common option for reporting corruption is self-identifying in writing - 35% of attorneys and 44% of prosecutors chose this option. 29% of attorneys and 40% of prosecutors will report corruption in various forms but anonymously.

**TABLE 3.5. IN CASE OF A NEED TO REPORT TO ANY GOVERNMENT AUTHORITIES ABOUT THE MANIFESTATIONS OF CORRUPTION YOU ARE AWARE OF, WHICH WAY OF SUCH REPORTING WILL YOU USE? (%)**

	TOTAL	ATTORNEYS	PROSECUTORS
I will report in writing and identify myself	36%	35%	44%
I will report anonymously in writing	22%	21%	32%
I will report anonymously orally	9%	8%	8%
I will report orally and identify myself.	3%	3%	3%
Other	3%	3%	0%
It is hard to answer	28%	30%	13%
N	637	558	63

The main motives for anonymous reporting of corruption in general are threats to the safety of family members and relatives (59%) and personal safety (57%).

**TABLE 3.6. I HAVE OPTED FOR ANONYMOUS FORMS OF REPORTING ON MANIFESTATION OF CORRUPTION TO GOVERNMENT AUTHORITIES. WHAT FROM THE LISTED BELOW AFFECTED YOUR CHOICE? (%), AMONG THOSE WHO HAVE SELECTED ANONYMOUS OPTIONS)**

	TOTAL	ATTORNEYS	PROSECUTORS
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Threat to safety of family members or close relatives	59%	60%	56%
Threat to personal safety	57%	58%	52%
Probable threat to career and/or professional growth	56%	57%	44%
Probable harassment by government authorities (judicial or executive branches of power)	55%	59%	28%
Probable deterioration of relationships with representatives of government authorities (judicial or executive branches of power)	36%	39%	24%
Probable deterioration of relationships with colleagues	18%	15%	44%
Other	1%	1%	0%
N	197	165	25

# INTERNATIONAL HUMANITARIAN LAW

Prosecutors are more likely to believe that they are well acquainted with the norms of international humanitarian law - 10% against 5% of attorneys surveyed, who mentioned this option.

**TABLE 4.1. TO WHAT DEGREE DO YOU DEEM YOURSELF TO BE FAMILIAR WITH PROVISIONS OF INTERNATIONAL HUMANITARIAN LAW (GENEVA CONVENTIONS AND ADDITIONAL PROTOCOLS THERETO, ROME STATUTE OF INTERNATIONAL CRIMINAL COURT))? (%)**

	TOTAL	ATTORNEYS	PROSECUTORS
I am well familiar	5%	5%	10%
I am familiar with selected provisions but superficially with some provision	22%	23%	19%
I am superficially familiar with all provisions	37%	36%	44%
I am almost not familiar with them	24%	24%	19%
I am not familiar with them at all	9%	10%	5%
It is hard to answer	2%	2%	3%
N	637	558	63

# SOCIAL AND DEMOGRAPHIC PROFILE OF RESPONDENTS

**TABLE 5.1. DISTRIBUTION BY OBLAST (% AMONG ALL RESPONDENTS)**

	TOTAL
Vinnitsya	2%
Volyn	1%
Dnipropetrovsk	8%
Donetsk	2%
Zhytomyr	1%
Transcarpathia	4%
Zaporizhya	5%
Ivano-Frankivsk	2%
Kyiv oblast	5%
Kyiv city	28%
Kirovograd	2%
Luhansk	1%
Lviv	8%
Mykolayiv	2%
Odesa	6%
Poltava	3%
Rivne	2%
Sumy	2%
Ternopil	1%
Kharkiv	6%
Kherson	1%
Khmelnysk	4%
Cherkasy	1%
Chernivtsi	2%
Chernihiv	2%
<b>N</b>	<b>637</b>

**TABLE 5.2. DISTRIBUTION BY POSITION (% AMONG ALL RESPONDENTS)**

	<b>TOTAL</b>
Advocate	88%
Assistant to advocate	0%
Prosecutor	10%
Legal advisors at government authorities, local governments or state-owned companies who represent interests of these entities in judicial proceedings	1%
Legal professionals not being attorneys – representatives of privately owned business entities	1%
Experts, representatives of forensic examination or investigators of the Ministry of Internal Affairs (or other law enforcement agencies) who are engaged in criminal proceedings	0%
Other employees of prosecutor's office	0%
<b>N</b>	<b>637</b>

**TABLE 5.3. DISTRIBUTION BY CATEGORY (% AMONG ALL RESPONDENTS)**

	<b>TOTAL</b>
Advocate	88%
Prosecutor	10%
Lawyers performing judicial functions of state authorities, local self-government and state enterprises	3%
Experts, representatives of forensic examination or investigators of the Ministry of Internal Affairs (or other law enforcement agencies) who are engaged in criminal proceedings	0%
<b>N</b>	<b>637</b>

**TABLE 5.2. DISTRIBUTION BY SEX (% AMONG ALL RESPONDENTS)**

	<b>TOTAL</b>
Men	67%
Female	33%
<b>N</b>	<b>637</b>



**TABLE 5.3. DISTRIBUTION BY AGE (% AMONG ALL RESPONDENTS)**

	TOTAL
Up to 30	13%
31 to 39	43%
40 to 49	29%
50 to 59	11%
60+	3%
Unwilling to answer the question	1%
N	637

**TABLE 5.4. FOR HOW LONG HAVE BEEN WORKING IN THE PROSECUTOR/ATTORNEY CAPACITY? (% AMONG ALL RESPONDENTS)**

	TOTAL
Up to 3 years	24%
3 to 5 years	19%
6 to 10 years	21%
11 to 20 years	26%
Over 20 years	10%
Unwilling to answer the question	1%
N	637

**TABLE 5.5 “HOW OFTEN DURING THE LAST 12 MONTHS DID YOU PARTICIPATE IN SUCH JUDICIAL PROCEEDINGS” (% AMONG ALL RESPONDENTS)**

	CRIMINAL	CIVIL	ADMINISTRATIVE	COMMERCIAL	ADMINISTRATIVE OFFENSE
At least once a week	26%	35%	12%	13%	7%
Not every week but at least once a month	19%	30%	27%	24%	18%
Not every month but more than four times a year	13%	15%	25%	20%	25%
Fewer than four times a year	23%	10%	21%	21%	30%
Unwilling to answer	20%	9%	15%	22%	21%
N	637				