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SURVEY OF UKRAINIAN POPULATION REGARDING TRUST IN THE JUDICIARY AND OTHER BRANCHES, JUDICIAL INDEPENDENCE AND ACCOUNTABILITY, PERCEPTION OF AND REPORTING CORRUPTION

SURVEY RESULTS

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Nove Pravosuddya Justice Sector Reform Program

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KEY RESULTS

Trust to the various branches of power and selected social institutes

In general respondents expressed low level of trust to the most of government branches and social institutions. Armed Forces of Ukraine is the only institute that has positive balance of trust (when the share of respondents who trust this agency is higher than the share of those who do not trust) – 68% of Ukrainians trust it vs 10% of those who distrust. The respondents expressed the lowest trust toward Parliament (7% of trust vs 68% of distrust) and Cabinet of Ministers (7% vs 63%). The trust to local government is higher: 29% of trust vs 36% of distrust. High Anti-Corruption Court is trusted by 10% of respondents.

Only one in ten (10%) of Ukrainians trust in judiciary, while 59% distrust in it.

Judicial reform and current situation in the judicial system of Ukraine

Only 9% of respondents have basic knowledge or profound knowledge of the judicial reform implementation progress. The aspects of the judicial reform which population is the most aware of include the High Anti-Corruption Court and opportunities for individuals to take part in adjudication of justice in the juror capacity (on both 7% of respondents indicated their awareness).

Respondents' perception of the Ukrainian judiciary is mostly negative. 72% of respondents agreed with the statement that the one who is better off always wins in the court, 64% of respondents agree that judicial bribery is a standard practice in Ukrainian courts, 62% agree that the corruption in courts is growing. 61% of respondents agree that corruption is a common phenomenon in Ukrainian law schools. At the same time the low number of respondents agree that courts are independent (6%) and judges always adopt lawful and fair decisions (8%).

The access to the information about judiciary system is also estimated negatively: only 21% believe that they receive objective information on courts and judicial system in general from the mass media (TV, newspapers etc.), and 9% of respondents agree that the Ukrainian judicial system is open and transparent to people, the media, non-government organizations, and all stakeholders.

Most popular sources of information about judicial system and judicial reform are TV (57% of respondents mentioned it), 52% mentioned impressions, assessment, experience of their relatives or acquaintance, 46% of respondents mentioned internet as a source of getting such information.

Own experience of interacting with the judicial system

The vast majority of respondents (86%) have not been involved in judicial proceedings in the last 24 months.

Despite the critical perception of Ukrainian judicial system by population, those who interacted the courts personally over past 24 months mentioned positive experience. 63% of court users indicated that there were no requests for bribes, unofficial payments, or gifts, nor did other corruption-related situations occurred, 53% of them agree that court's office operations and staff work was properly organized, 52% of court users agree that judges had a proper level of professional qualification. Almost half (46%) of those respondents who have been involved in judicial proceedings in the last 24 months agreed that the judge adopted lawful and fair decisions, and 42% of court users agreed that court decisions were executed on time and in full. Besides, 40% of court users agree that their case was considered within a reasonable timeframe without an ungrounded delays.

Ambiguous experience regarding the interaction with courts is reflected in overall impression from participation in the proceedings: 35% of those, who participated in proceedings trust the court they dealt with and 35% of such respondents do not trust the court.

16% of Ukrainians refrained from legal action when the circumstances required or considered judicial recourse and for 51% one of the main reasons was disbelief in the possibility to obtain a fair and legitimate court decision

Almost a quarter (23%) of Ukrainians know about the possibility of alternative disputes resolution.

In case of receiving of direct or indirect proposal to give a bribe to a judge for making decision in favor of respondent 5% of respondents admitted that they will give a bribe, 54% of respondents will reject the proposal, withdraw the lawsuit, and seek other ways to solve the problem and 42% of respondent think that they will report to law enforcement, anti-corruption or judicial authorities. 52% of those who tend to report the case, will do it in writing confidentially (with personal identification) and 16% on anonymous basis.

METHODOLOGY

Sample:

2020 respondents were interviewed

- The sample is representative for the adult population (18 years and older) of Ukraine. The structure of the sample corresponds to the structure of the population of Ukraine (except the occupied territories of Autonomous Republic of Crimea and Sevastopol city, and in Donetsk and Luhansk regions);

The sample is representative for the adult population (18 years and older) of Ukraine. The structure of the sample corresponds to the structure of the population of Ukraine by gender, age, size of settlement and region of residence, according to the State Statistics Service as of 1/01/2019., and Resolution of The Cabinet of Ministers of Ukraine from November 7, 2014 № 1085-p. (amended), according to which the boundaries of occupied territories of Donetsk and Luhansk regions are determined.

The survey method:

The survey was conducted using the CATI method based on a random sample of mobile phone numbers.

TRUST TO THE VARIOUS BRANCHES OF POWER AND SELECTED SOCIAL INSTITUTES

The citizens of Ukraine trust the Armed Forces of Ukraine the most (68%). More than a third of Ukrainians (36%) trust the media and journalists, and NGOs (35%). Almost every third (29%) respondent trusts local governments, and every fourth – the SBU, the President of Ukraine and the police (27%, 25% and 25% respectively). Only 10% trust the judiciary and courts, the High Anti-Corruption Court and political parties. Respondents trust the Parliament of Ukraine and the Cabinet of Ministers of Ukraine the least (7% respectively).

TABLE Error! No text of specified style in document..1. TO WHAT DEGREE DO YOU TRUST: (% AMONG ALL RESPONDENTS, N=2020)

	FULLY TRUST / RATHER TRUST THAN DISTRUST	NEUTRAL	DO NOT TRUST AT ALL / RATHER	HARD TO SAY	REFUSE TO ANSWER
Armed forces of Ukraine	68%	19%	10%	2%	0%
Mass media / journalists	36%	33%	28%	3%	0%
Non-government organizations	35%	38%	22%	5%	0%
Local governments	29%	32%	36%	3%	0%
Security Service of Ukraine	27%	34%	33%	6%	0%
President of Ukraine	25%	28%	45%	2%	1%
Police	25%	35%	38%	2%	0%
Prosecutor's Office	15%	37%	42%	6%	0%
National Anti-Corruption Bureau (NABU)	14%	31%	46%	8%	0%
Supreme Court	13%	29%	49%	9%	0%
National Agency for Prevention of Corruption	11%	24%	57%	8%	0%
Judicial power / courts	10%	24%	59%	7%	0%
High Anti-Corruption Court	10%	26%	56%	8%	0%
Political parties	10%	29%	55%	5%	0%
Cabinet of Ministers of Ukraine	7%	27%	63%	2%	0%
Parliament of Ukraine	7%	24%	68%	2%	0%

JUDICIAL REFORM AND CURRENT SITUATION IN THE JUDICIAL SYSTEM OF UKRAINE

Only 9% of respondents have basic knowledge or profound knowledge of the judicial reform implementation progress. 56% of respondents do not know about such a reform or do not have enough information, and 12% are not interested in judicial reform at all.

TABLE Error! No text of specified style in document..2. THE JUDICIAL REFORM IS UNDERWAY IN UKRAINE. TO WHAT DEGREE DO YOU CONSIDER YOURSELF TO BE AWARE OF THE JUDICIAL REFORM IMPLEMENTATION PROGRESS; ITS COMPONENTS, ACHIEVEMENT, AND FAILURES? (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
I know nothing or almost nothing about this.	25%
I know very little.	32%
I know something this my knowledge is insufficient.	23%
I have basic knowledge of this.	7%
I have profound knowledge of this.	2%
This topic is not interesting to me.	12%
hard to say	1%
N	2020

Respondents were the most knowledgeable about the activities of the Supreme Anti-Corruption Court, as well as the opportunities for individuals to take part in adjudication of justice in the juror capacity (7% each). Only 5% of respondents know about the place, role, and powers of the High Council of Justice in Ukrainian judiciary, and about participation of the public (specifically, Public Integrity Council) in the processes of selection and qualification evaluation of judges.

TABLE Error! No text of specified style in document..3. AS FAR AS SELECTED ASPECTS OF THE JUDICIAL REFORM ARE CONCERNED, TO WHAT DEGREE DO YOU DEEM YOURSELF TO BE AWARE OF THE FOLLOWING: (% AMONG ALL RESPONDENTS, N=2020)

	I HAVE PROFOUND KNOWLEDGE OF THIS / I HAVE BASIC KNOWLEDGE OF THIS
Activities of the High Anti-Corruption Court	7%
Opportunities for individuals to take part in adjudication of justice in the juror capacity	7%

	I HAVE PROFOUND KNOWLEDGE OF THIS / I HAVE BASIC KNOWLEDGE OF THIS
Place, role, and powers of the High Council of Justice in the judicial power of Ukraine	5%
Participation of the public (specifically, Public Integrity Council) in the processes of selection and qualification evaluation of judges	5%

72% of respondents agree with the statement that the one who is better off always wins in the court. 64% of respondents agree that judicial bribery is a standard practice in Ukrainian courts and 62% of them agree that corruption in the courts is growing. Legal education is also negatively perceived - 61% of respondents indicated that in Ukraine, corruption is a common phenomenon in law schools.

Less than one in ten (8%) respondents agree with the statement that Ukrainian citizens trust courts, and only 6% believe that the courts are independent and not influenced by politicians, government or oligarchs.

TABLE Error! No text of specified style in document..4. TO WHAT DEGREE DO YOU AGREE OR DISAGREE WITH THE FOLLOWING STATEMENTS: (% AMONG ALL RESPONDENTS, N=2020)

	FULLY AGREE / RATHER AGREE THAN DISAGREE	NEUTRAL	DISAGREE RATHER THAN DISAGREE THAN AGREE	HARD TO SAY	REFUSE TO ANSWER
One who is better off always wins in the court	72%	14%	12%	3%	0%
Judicial bribery is a standard practice in Ukrainian courts.	64%	18%	13%	5%	0%
Corruption in courts is growing	62%	21%	11%	7%	0%
In Ukraine, corruption is a common phenomenon in law schools	61%	24%	8%	7%	0%
Judges often make decision under pressure as they are afraid to be condemned by the public and be targeted by public activists	38%	26%	30%	5%	0%
The judge profession command respect and positive attitude among ordinary people.	23%	28%	47%	2%	0%
We receive objective information on courts and judicial system in general from the mass media (TV, newspapers etc.)	21%	29%	48%	3%	0%

	FULLY AGREE / RATHER AGREE THAN DISAGREE	NEUTRAL	DISAGREE RATHER DISAGREE THAN AGREE	HARD TO SAY	REFUSE TO ANSWER
A person who reports corruption in courts is protected by the state.	19%	28%	44%	9%	0%
The Ukrainian judicial system is open and transparent to people, the media, non-government organizations, and all stakeholders	9%	27%	62%	2%	0%
Ukrainian citizens trust courts	8%	24%	66%	2%	0%
Judges always adopt lawful and fair decisions	8%	21%	69%	2%	0%
Courts are independent and not influenced by politicians, government or oligarchs	6%	16%	75%	2%	0%

The most common source of information on judicial reform is television, more than half of respondents (57%) receive information from there, and 52% mentioned that they receive such information from the Internet (except social networks, from which 46% of respondents take relevant information). Every third respondent (37%) receives information from relatives and friends, and 21% focus on their own experience.

TABLE Error! No text of specified style in document..5. FROM WHAT SOURCES DO YOU RECEIVE INFORMATION ABOUT THE UKRAINIAN JUDICIAL SYSTEM AND JUDICIAL REFORM? (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
TV	57%
Internet (except for the social media)	52%
Social media (Facebook etc.)	46%
Impressions, assessment, experience of my relatives or acquaintance	37%
The printed media	27%
Own experience	21%
Other	3%
N	2020

OWN EXPERIENCE OF INTERACTING WITH THE JUDICIAL SYSTEM

The vast majority of respondents (86%) have not been involved in judicial proceedings in the last 24 months.

TABLE 3.1. DID YOU HAPPEN TO BE A PARTICIPANT TO JUDICIAL PROCEEDINGS DURING THE LAST 24 MONTHS (IN THE CAPACITY OF PLAINTIFF, RESPONDENT, WITNESS, VICTIM, SUSPECT / THE ACCUSED ETC.) REGARDLESS WHETHER IT WAS YOUR PRIVATE MATTER OR YOU REPRESENTED ANOTHER PERSON? (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
It never happened	86%
It happened once	10%
It happened more than once	4%
N	2020

Almost two thirds (62%) of respondents who have been involved in judicial proceedings in the last 24 months believe that there were no requests for bribes, unofficial payments, or gifts. Now did other corruption-related situations occur, 53% indicate that the court's office operations / staff members' work was properly organized, and the judges had a proper level of professional qualification (52%). Almost half (46%) of those respondents who have been involved in judicial proceedings in the last 24 months agreed with the allegations that the judge adopted lawful and fair decisions, court decisions were executed on time and in full (43%), and case was considered within a reasonable timeframe without an ungrounded delay on the part of the judge (40%).

TABLE 3.2. TO WHAT DEGREE DO YOU AGREE (OR DISAGREE) THAT THE JUDICIAL PROCEEDINGS IN WHICH YOUR PARTICIPATED, IS CHARACTERIZED BY THE FOLLOWING: (% AMONG THOSE WHO HAVE BEEN PARTICIPATING IN JUDICIAL PROCEEDINGS DURINT THE LAST 24 MONTHS, N=285)

	FULLY AGREE / RATHER AGREE THAN DISAGREE
There were no requests for bribes, unofficial payments, or gifts. Now did other corruption-related situations occur.	62%
The court's office operations / staff members' work was properly organized	53%

	FULLY AGREE / RATHER AGREE THAN DISAGREE
Judges had a proper level of professional qualification	52%
Judges adopted lawful and fair decisions.	46%
Court decisions were executed on time and in full	43%
The case was considered within a reasonable timeframe without an ungrounded delay on the part of the judge	40%

Ambiguous experience regarding the interaction with courts is reflected in overall impression from participation in the proceedings: 35% of the those, who took part in the proceedings, trust the court they dealt with and 35% of such respondents do not trust the court.

TABLE 3.3. TO WHAT DEGREE DO YOU TRUST THE COURT(S) WHERE YOU PARTICIPATED IN JUDICIAL PROCEEDINGS? (% AMONG THOSE WHO HAVE BEEN PARTICIPATING IN JUDICIAL PROCEEDINGS DURING THE LAST 24 MONTHS, N=285)

	TOTAL
I fully trust	16%
I rather trust than distrust	19%
My attitude is neutral	40%
I rather distrust than trust	30%
I do not trust at all	21%
Hard to say	1%
N	285

16% of Ukrainians refrained from legal action when the circumstances required or considered judicial recourse.

TABLE 3.4. DID SITUATIONS OCCUR DURING THE LAST 24 MONTHS WHERE CIRCUMSTANCES DEMANDED OR ENVISAGED THAT YOU SHOULD REFER TO THE COURT (FOR EXAMPLE, YOUR INDIVIDUAL RIGHTS WERE VIOLATED; CERTAIN INDIVIDUALS OR ORGANIZATIONS INFLICTED DAMAGES TO YOU ETC.) BUT YOU REFRAINED FROM DOING SO? (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
Such situation(s) did not occur	84%
It happened once	11%
It happened more than once	5%
N	2020

Among those respondents, 51% did not believe in the possibility of obtaining a fair and lawful court decision, 26% abstained due to too long a deadline, and 25% indicated that the amount of court fees or other official payments would be too significant. At the same time, 22% solved the problem in a different way.

TABLE 3.5. IF IT DID HAPPEN THEN WHAT KEPT YOU FROM REFERRING TO THE COURT? (% AMONG WHO ABSTAINED TO APPEAL TO THE COURT WHEN CIRCUMSTANCES DEMANDED, N=324)

	TOTAL
I did not believe that I would get a fair and lawful decision of the court	51%
I would have taken too long to resolve the issues judicially	26%
The court fee or other official payments were too high	25%
I managed to solve the problem in a different way	22%
The previous experience of participation in judicial proceedings suggested it was not worth a trouble	21%
There was no possibility to engage an attorney	16%
I did not know how and which court to approach	6%
The court which I should have approached, is located too far away from me	5%
Other circumstances	7%
Hard to say	1%
Refuse to answer	1%
N	324

77% of respondents know nothing or almost nothing about alternative disputes resolution opportunities, and another 20% know something, but very little. Only 3% of respondents are to some extent aware of this opportunity.

TABLE 3.6. THERE ARE ALTERNATIVE (EXTRAJUDICIAL) WAYS TO RESOLVE DISPUTES IN UKRAINE, FOR EXAMPLE, THROUGH MEDIATION. TO WHAT DEGREE DO YOU DEEM YOURSELF TO BE AWARE OF ALTERNATIVE DISPUTE RESOLUTION? (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
I know nothing about this.	60%
I know as good as nothing about this.	17%
I know something but very little.	20%
I am well aware of this.	2%
I am very well aware of this.	1%
Hard to say	0%
N	2020

In the imaginary situation of receiving a request for bribe in court in order to get decision in favor or respondent, 54% of respondents admitted that they will reject the proposal, withdraw the lawsuit, and seek other ways to solve the problem. 42% of respondents will report to law

enforcement, anti-corruption or judicial authorities, and 5% will accept the proposal and give a bribe to the judge.

TABLE 3.7. YOUR RIGHTS ARE VIOLATED, AND YOU DECIDED TO PROTECT THEM IN THE COURT. YOU RECEIVE – DIRECTLY OR INDIRECTLY (THROUGH THIRD PARTIES) – A PROPOSAL THAT THE JUDGE WOULD ADOPT A DECISION IN YOUR FAVOR ON THE CONDITION THAT HE/SHE RECEIVED A BRIBE FROM YOU. WHAT WOULD BE YOUR NEXT ACTIONS? (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
I will reject the proposal, withdraw the lawsuit, and seek other ways to solve the problem	54%
I will report to law enforcement, anti-corruption or judicial authorities	42%
I will accept the proposal and give a bribe to the judge	5%
I will not accept the offer, but I will not take the application	1%
Maybe I will accept, maybe I will not accept - depends on the circumstances, including size / first consult	1%
I will try to challenge the judge / replace the court or judge	0%
Hard to say/ Refuse to answer	10%
N	2020

Respondents who are willing to report to law enforcement are more likely to do so by confidential (the person's identity is established but not disclosed) in writing or oral appeals, or by anonymous written appeals (52%, 18%, and 16%, respectively).

TABLE 3.8. WHAT RECOURSE WILL IT BE? (% AMONG THOSE WHO WOULD REPORT THE CASE, N=842)

	TOTAL
Confidential (the person's identity is established but not disclosed) in writing	52%
Confidential (the person's identity is established but not disclosed) oral	18%
Anonymous (the person's identity is not established) in writing	16%
Anonymous (the person's identity is not established) oral	9%
Hard to say/ Refuse to answer	5%
N	842

SOCIAL AND DEMOGRAPHIC PROFILE OF RESPONDENTS

TABLE 4.7. DISTRIBUTION BY SEX (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
Male	45%
Female	55%
N	2020

TABLE 4.8. DISTRIBUTION BY AGE (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
18-29 years	17%
30-39 years	20%
40-49 years	18%
50-59 years	17%
60-69 years	15%
70 years and more	13%
N	2020

TABLE 4.9. DISTRIBUTION BY EDUCATION (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
Incomplete secondary education and lower educational levels	5%
General secondary education	12%
Vocational secondary educational ((technical) vocational school)	39%
Higher education / undergraduate education	45%
N	2020

TABLE 4.10. DISTRIBUTION BY TYPE OF EMPLOYMENT (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
Jobholder / full-time employee	33%
Jobholder / full-time employee	5%
Business owner or self-employed individual	7%
Self-employed, but have no registered business	5%
Housekeeper, do not seek employment	6%
Not working pensioner	28%
Unemployed, seeking employment	7%
Full time student, cadet	2%
Temporarily unemployed (maternity leave, sick leave, etc.), do not seek employment	8%
Unwilling to answer	0.6%
N	2020

TABLE 4.11. TO WHICH SECTOR DOES THE ENTERPRISE (INSTITUTIONS, ORGANIZATION) WHERE YOU ARE EMPLOYED BELONG? (% AMONG THOSE WHO WORKS, N=892)

	TOTAL
Public/communal sector	37%
Private sector	59%
NGO	2%
N	892

TABLE 4.12. PROFESSIONAL GROUP (% AMONG THOSE WHO WORKS, N=892)

	TOTAL
Leadership, executives, managers (I have subordinates)	23%
Professionals, specialists without subordinates	31%
Trade and services	14%
High-skilled workers	23%
Laborers	9%
N	892

TABLE 4.13. HOW DO YOU ASSESS FINANCIAL SITUATION IN YOUR FAMILY? (% AMONG ALL RESPONDENTS, N=2020)

	TOTAL
We have to save on food.	30%
We have enough money for food and necessary clothes, footwear. However we have to save or borrow money to purchase such things as a nice suit, cell phone, vacuum cleaner, etc.	29%
We have enough money for food, clothes, footwear, including other commodities. However to purchase expensive things (i.e. modern TV-set, refrigerator, furniture), we have to save or borrow money.	25%
We have enough money for food, clothes, footwear, including expensive commodities. However to purchase a vehicle or an apartment, we have to save or borrow money.	12%
I can make any necessary purchases at any time.	2%
Hard to say/ Refuse to answer	3%
N	2020