
2023 ILAC Rule of Law Report

Surviving the Assault: The Ukrainian Legal System After a Year of War

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Ukraine Map Vectors by Vecteezy

List of Abbreviations

APEU:	Association of Private Executors of Ukraine	LPR:	Luhansk People's Republic
ASEP:	Automated System of Enforcement Proceedings	NABU:	National Anti-Corruption Bureau of Ukraine
DPR:	Donetsk People's Republic	NPU:	Notary Chamber of Ukraine
ECHR:	European Court of Human Rights	PCIE:	Public Council of International Experts
FLA:	Free Legal Aid	SSU:	Security Service of Ukraine
HACC:	High Anti-Corruption Court	SAPO:	Specialized Anti-Corruption Prosecutor's Office
HCJ:	High Council of Justice	SJA:	State Judicial Administration
HCIP:	High Court of Intellectual Property	SRS:	State Register Services
HQCJ:	High Qualification Commission of Judges	UBA:	Ukraine Bar Association
HQDCB:	Higher Qualification and Disciplinary Commission of the Bar	UNBA:	Ukrainian National Bar Association
IDPs:	Internally Displaced Persons	UAH:	<i>Ukraine hryvnia</i> , refers to the national currency of Ukraine
KSU:	Kherson State University	URAU:	Unified Register of Attorneys of Ukraine

Note to Reader

Multiple systems have been proposed and used for the transliteration of place names from the Ukrainian alphabet to Roman characters. No specific transliteration system has been adopted in this status report, and some variances in the spelling of place names should be expected.

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Acknowledgements

ILAC would like to thank the dozens of judges, lawyers and other Ukrainian stakeholders who assisted in gathering the information for this report under difficult circumstances. Special thanks to Olga Veretilnyk, whose research and investigation in Kyiv provided significant detail for the report. Other members of the Ukrainian NGO community provided invaluable assistance in collecting the data in this report including the Ukraine Bar Association, the Ukrainian Legal Advisory Group, and the DEJURE Foundation.

Thanks also to the numerous members of the international community who are working to support our Ukrainian colleagues and who provided ILAC with information and advice, including the International Bar Association, Pravo Justice, USAID Ukraine Justice for All Activity, the CEELI Institute, the International Association of Prosecutors, the Raoul Wallenberg Institute, ABA ROLI, the Center for International Legal Cooperation, the Office for Access to Justice of the U.S. Department of Justice, the United Nations Independent International Commission of Inquiry on Ukraine, and Pathfinders for Peaceful, Just and Inclusive Societies.

Finally, the author’s personal thanks go out to Quinn O’Keefe and Lara Dalinsky whose skill and encouragement made this report possible.

Putin's War and the Rule of Law in Ukraine

The young man quietly stood in a bulletproof glass cage wearing a clean blue-grey prison jumpsuit. Three enrobed judges at the front of the courtroom listened to the evidence: eyewitness testimony, ballistics, a confession. In the end, they sentenced the young soldier to life imprisonment (later reduced to 15 years) for shooting an unarmed civilian on a bicycle in the Kyiv suburb of Bucha. A Russian soldier facing justice in a Ukrainian courtroom – not the outcome that his President anticipated.¹

Three months earlier on February 21, 2022, Russian President Vladimir Putin had launched into a late-night speech that was described as impatient and directly threatening, painting a nightmarish vision of an utterly corrupt Ukraine controlled by a network of foreign advisors, non-governmental organizations, and other Western institutions. Among the worst offenders, he said, was the judiciary. “There is no independent judiciary in Ukraine,” the President intoned. Instead, the Ukrainian judiciary was working under the “noble pretext of invigorating efforts against corruption,” while all the time operating “at the West’s demand.”²

The accusations were part of Putin’s rambling litany of grievances that served as a justification, three days later, for the full-scale Russian invasion of Ukraine. While Putin’s stated grievances were many, he oddly chose the Ukrainian judiciary and the country’s nascent anti-corruption agencies as central villains. Few wars in history started based on an aggressor’s loathing of an adversary’s judges and prosecutors.

Yet for some observers, Putin’s vitriol toward the Ukrainian courts was not merely irrational rambling. Though stumbling through its infancy, Ukraine’s effort to create an effective, honest judiciary willing to take on the country’s endemic corruption offered a clear, next-door alternative for Russian reformers battling a similar, Putin-led kleptocracy. For Putin, the threat that the “rule of law infection” could spread across Russia’s borders was alarming.

Initially, the Russian aggression appeared headed for success. As the Russian military swept into north, east, and south Ukraine, the institutions of the Ukrainian justice system wobbled. Buildings were destroyed or damaged, files and equipment were ransacked, and court proceedings were disrupted. Perhaps more disheartening, the system’s human assets – judges, prosecutors, lawyers, notaries, executors, and staff – were traumatized by the violence, chaos, and privation spawned by the Russian attacks. As of November 1, 2022, an estimated 14 million Ukrainian citizens had been displaced.³

Such challenges would test the most mature institutions, but the Ukrainian system of justice is far from mature. At the start of the war, the reform campaign despised by Putin still struggled for traction against the well-entrenched oligarchs and decades of embedded corruption. Russian military assaults added immense complications to this already formidable task.

Fast-forward a year to February 2023. Putin’s original aspirations had long since imploded. Many of the military gains made by Russia in the early days of the war evaporated. Like the rest of Ukraine, the legal system that Putin derided had been staggered, but was still standing. Some professionals fled, but many stayed at their posts. Foreign advisors, non-governmental organizations, and other Western institutions remained to assist. The new Ukrainian

1 “Ukrainian judge hands down a sentence in the first war crimes trial in that conflict,” dated 23 May 2022, found at <https://www.npr.org/2022/05/23/1100655629/a-verdict-is-expected-soon-in-the-trial-of-a-russian-soldier-in-ukraine>.

2 “Address by the President of the Russian Federation,” dated 21 February 2022, found at <http://en.kremlin.ru/events/president/news/67828> (“Putin Speech”).

3 “UN: Russian invasion has uprooted 14 million Ukrainians,” dated 2 November 2022, found at <https://abcnews.go.com/US/wireStory/russian-invasion-uprooted-14-million-ukrainians-92556832>.

institutions that Putin saw as a threat were back on their feet and functioning. Many problems and challenges remained, but the legal system continued to work.

Moreover, instead of undermining the Ukrainian justice system, Putin's assault generated momentum for even greater reform. In June 2022, the European Commission recommended that Ukraine be granted candidate status for entry into the European Union, with the understanding that Ukraine would take seven specific steps to resolve problems identified by the Commission.⁴ Several of these steps involved further reform to the components of the legal system attacked by Putin in his February 21 speech.

The Commission's recommendations were adopted by the Council of Europe,⁵ and Ukraine quickly embraced the move.⁶ At least on the surface, Putin's assault on the Ukrainian justice system backfired by spurring greater resolve and momentum for precisely the type of reform that he disparaged.

Today, progress in rebuilding from the war and reforming Ukraine from decades of malfeasance is achingly slow. In 2022, Transparency International ranked Ukraine as 116 out of 180 countries – an improvement over the previous year but still second-worst in Eastern Europe behind only Russia.⁷

Any post-conflict effort to rebuild, of necessity, must be broad ranging across the entire arc of the battered Ukrainian nation. But one component of any such program must be support for rebuilding – and in many instances building anew – the country's legal system. While the hostilities continue, it is imperative that the groundwork be laid to identify the issues that likely will be facing that sector in a post-conflict Ukraine.

For the past two decades, ILAC and the more than 50 international legal organizations who are its members have worked in post-conflict situations around the globe. At the request of our members, ILAC initially prepared an interim report in July 2022 entitled "Under Assault: A Status Report on the Ukrainian Justice System in Wartime." This current report includes much of that information, but provides an updated and more complete review of the "facts on the ground" facing the Ukrainian justice system one year after the war began. While changing conditions in the midst of a major conflict render some information out of date by the time of publication, ILAC's objective is to provide international policymakers, donors and supporters with a reference work outlining the existing issues and pointing to future challenges.

Putin's goal of extinguishing Ukraine's push for an honest, effective system of justice for its people must fail. The contours of how that system will look and operate is for our Ukrainian colleagues to decide, but by recognizing the nature of the problems they are facing, the international community can be an effective partner in that effort.

4 European Commission, "Commission Opinion on Ukraine's application for membership of the European Union," pp. 20–21, dated 17 June 2022 ("Commission Opinion").

5 Council of Europe, "Conclusions – European Council meeting (23 and 24 June 2022)," dated 24 June 2022.

6 "Ukraine has gained the status of a candidate for the EU membership – it did not fall from the sky, so let's be proud of it – address by President Volodymyr Zelenskyy," dated 24 June 2022, found at <https://www.president.gov.ua/en/news/ukrayina-zdobula-status-kandidata-na-vstup-do-yes-vin-ne-vpa-76045>.

7 Transparency International, "Corruption Perceptions Index for 2022," found at <https://www.transparency.org/en/cpi/2022>.

Executive Summary

Putin's portrayal of the Ukrainian justice system was classic Kremlin disinformation, but he was historically accurate in one respect: for decades the Ukrainian judiciary has not been independent. Since Ukraine's independence in 1991, its legal system had been heavily influenced by outside forces.

But the corruption that – according to Putin – “permeated and corroded Ukrainian statehood” was not introduced by the West. Instead, the corruption was perpetuated by a cabal of Ukrainian oligarchs, many of whom were supported by and aligned with Russian interests. The “pretextual efforts against corruption,” which Putin condemned, in fact were programs launched by various Ukrainian governments to rid the legal system of these destructive influences.

Though differing in detail, various Ukrainian legislation adopted in the latter part of the 2010s sought to (a) rid the legal system of corrupt and incompetent professionals, and (b) encourage prosecutions of the power brokers at the center of the web of corruption. One element of this cleansing effort involved massive programs to vet the entirety of the judicial and prosecutorial corps, often with the involvement of international experts. The latter component was intended to create new judicial and prosecutorial structures comprised of vetted professionals to take on the powerful interests behind the labyrinth of corruption.

At the same time, Ukrainian reformers began to tackle some of the root causes for the lack integrity among the professionals within the justice system. Ukrainian legal educators for decades have pumped out tens of thousands of ill-prepared graduates, many of whom bribed their way into and through one of the hundreds of institutions licensed to offer legal education. Corruption in the licensing process reportedly was widespread even among the elite *advokats* licensed to handle criminal matters in the courts.

Slowly, painfully, and against entrenched opposition within the system, these reform programs began to make progress at the dawn of the new decade. Thousands of judges and prosecutors either were removed or resigned to avoid the vetting process. Many cleared the process and continued to work, though thousands more were still working through the vetting processes. Structural changes were implemented in the courts and prosecutor's offices to increase transparency and invigorate efforts to pursue those involved in the corruption. Educators and Bar leaders began tackling the endemic bribery and lack of integrity in their institutions.

When Putin launched the Russian invasion on February 24, 2022, these initiatives were thrown into chaos. According to official reports, 106 court buildings – nearly 10% of the physical infrastructure in the Ukrainian system – was damaged, looted, or destroyed. At one point, 132 first and second instance courts (roughly 20% of the total) were closed due to Russian aggression, though some later reopened.

Thousands of legal professionals and staff fled the violence, either to central or western Ukraine, or abroad. Others enlisted in the Ukrainian military, while some joined the Russian occupiers. As new case filings plummeted by 80–90% in the immediate aftermath of the latest Russian aggression, the courts saw a sharp drop in funding as resources shifted to support the military. Operating courts and prosecutor's offices struggled to reorganize and function under wartime conditions.

Lawyers, notaries, and their clients fled westward as they saw their homes destroyed and their livelihoods fade or disappear. Legal educators who survived the pandemic by turning to remote learning struggled to reconnect with their students, many of whom were welcomed by European and other international educational institutions.

But to the great surprise of many, the military situation began to shift. Russian forces initially withdrew from the areas around Kyiv, and later from the vicinity of Kharkiv. Ukrainian military offensives later drove the invaders out of the remainder of Kharkiv *Oblast* and a significant portion of the *Oblast* of Kherson. Rather than collapsing, the Ukrainian state fought back.

In these areas, courts and prosecutors, notaries, and executors' offices reopened, while professionals began to filter back to their homes. Efforts began to repair the physical damage inflicted by the Russians, even as the ground fighting, shelling, and air strikes continued. Professionals and staff across the country struggled to deliver legal services with minimal resources, often without basics such as light, heat, or Internet service.

Russia's attack also dramatically changed the nature of the cases handled by the system. Commercial matters substantially diminished, as businesses grappled with the realities of a wartime economy. Though "routine" crime generally fell, judges, lawyers, and prosecutors also faced cases involving offenses previously unknown in the Ukrainian courts. Many prosecutors and courts devoted significant resources to pursuing matters such as war crimes, treason, collaboration, draft evasion, or theft of humanitarian aid. At the same time, the historic displacement of the Ukrainian population created a tremendous demand for assistance from lawyers, legal aid offices, and notaries to address their legal needs.

When the Russian invasion began, the processes and institutions put in place to reform the Ukrainian justice system were battling the headwinds created by challenges from opponents. Yet, though facing the same challenges as their "ordinary" colleagues, anti-corruption courts and prosecutors continued to work. Vetting mechanisms, slowed for months by entrenched adversaries, were reinvigorated by requirements imposed for accession to the EU. Reform of the notarial and executor systems continued. Though maddeningly slow, reform of the legal system showed increased momentum as the war dragged on.

The issues likely to face the legal system in a post-conflict Ukraine are coming into view. Physical infrastructure needs rehabilitation, and the judicial, prosecutorial, notarial, and executors' corps must be reconstituted and professionalized. Caseloads jumbled by the hostilities must be stabilized and integrated with a deluge of new matters involving offenses peculiar to wartime conditions. Court reorganization, a key to improving efficiency and reducing corruption, must be implemented. Most important, reform efforts within the courts, prosecution, Bar, notaries, executors, and legal education system – thrown into disarray by Russian aggression – must regain their footing and press forward with the vital task of creating a trustworthy and effective system of justice.

The Ukrainian Judicial System

As in most countries, the Ukrainian judicial system includes numerous components. Each has been markedly affected by Russian aggression. At the same time, these structures came into the conflict with historical baggage that will impact efforts to rebuild that system. To appreciate the current and future challenges to the Ukrainian system of justice, one must understand the outlines of these structures.

The Ukrainian Constitution of 1996 adopted a somewhat typical European judicial model. At a quasi-political level, a Constitutional Court was created to adjudicate whether laws or actions of the other branches of the government complied with the Ukrainian Constitution. Separately, the Constitution specified that the organization and functioning of the other courts, the judiciary, the prosecution, the Bar, and notaries would be governed by laws passed by the Ukrainian parliament, or *Verkhovna Rada* (*Rada*).

The primary organic law governing the courts and judiciary is the “Law on the Judiciary and Status of Judges” adopted in 2016,⁸ which established a three-tiered system for the Ukrainian courts consisting of:

- The Supreme Court of Ukraine.
- Courts of Appeal including:
 - Appellate courts of general jurisdiction in each region, or *Oblast*; and
 - Administrative and commercial courts of appeal covering multiple *Oblasts*.
- First instance courts within each *Oblast* including:
 - Local district, city, and town courts of general jurisdiction; and
 - Specialized administrative and commercial courts.

In addition, this Law and subsequent legislation created two additional specialized courts at a national level – the High Anti-Corruption Court (HACC) and High Court of Intellectual Property – that included both first and second instance divisions.

The Constitution also created governance and administrative structures for the courts and judiciary that have played – and likely in the future will play – prominent roles in shaping the justice system:

- The High Council of Justice (HCJ), composed of members nominated by various segments of the judicial and political system, and charged with nominating, assigning, and disciplining judges;
- The Congress of Judges of composed of delegates elected by the judges of the various courts which meets every two years; and
- The Council of Judges which is the highest body of the judicial self-governance in Ukraine, composed of 32 judges elected by the Congress of Judges and which acts as the executive body of the Congress.

Finally, but of substantial importance, the *Rada* in recent years created additional bodies tasked with removing corrupt or incompetent judges from the judiciary:

- The High Qualification Commission for Judges (HQCJ) to vet sitting judges and nominees for judicial vacancies, and
- A Public Council of International Experts (PCIE) tasked to screen the integrity and ethics of candidates for the HACC.

As outlined below, each of these entities played a role in creating the state of affairs in pre-war Ukraine and will be pivotal in rebuilding a post-conflict justice system.

⁸ Law “On the Judiciary and Status of Judges,” No. 1402-VIII, dated 2 June 2016.

The Courts and the War

Despite their historic shortcomings and in the face immense pressures, the Ukrainian courts have attempted to maintain a semblance of judicial normalcy in extraordinary times. As early military setbacks gave way to Ukrainian progress on the battlefield, the judiciary moved from survival to slowly rebuilding a battered system.

Constitutional Court

Though Putin in his February 21, 2022 speech specifically attacked a number of components of the Ukrainian justice system, one institution that did not draw his ire was the Constitutional Court. Conversely, the June 22 report from the European Commission to the Council of Europe found that the Constitutional Court of Ukraine was “in urgent need of reform,” and listed such reforms at the top of its recommendations for considering Ukraine’s candidacy for the EU.⁹ In particular, the European Commission recommended that Ukraine enact and implement selection procedures for Constitutional Court judges including an evaluation of their integrity and professional skills.¹⁰

In the midst of a war, why did the European Commission place such a high priority on reform of the Constitutional Court? The roots of the issue go back a few years. In the mid-part of the last decade, under pressure from agencies such as the International Monetary Fund, Ukraine adopted a series of anti-corruption reforms including (a) a system for vetting judges appointed to the various courts and (b) requirements that officials, including judges, file publicly-available declarations of their assets. As discussed below, the Constitutional Court in a series of decisions annulled key parts of these laws.¹¹

For years, allegations of corruption – many of them supported by substantial evidence – swirled around the Constitutional Court.¹² In part, these issues were blamed on the Ukrainian Constitution’s mechanism for appointing judges to the Court, which provides for its 18 judges to be appointed in equal shares by the President, the *Rada*, and the Congress of Judges. Many critics alleged that, under this politicized system, the Court was packed with judges that protected the oligarchs and other powerful interests who were the source of the country’s pervasive corruption.

Controversial decisions by the Court in 2020 brought the situation to a crescendo. Several judges involved in those decisions had clear conflicts of interest, including the President of the Court, Oleksandr Tupytsky, an alleged ally of pro-Russian parties in Ukraine. When President Zelenskyy threatened to fire the entire court, a constitutional firestorm erupted.¹³

In response to this criticism, President Zelenskyy requested that the European Commission for Democracy through Law (better known as the Venice Commission)¹⁴ provide an urgent opinion on the constitutional situation created by the Constitutional Court’s actions. In response, the Commission authored two opinions¹⁵ that, while critical of the Court’s actions, determined that they must be respected. At the same time, the Commission provided recommendations

9 Commission Opinion, p. 14.

10 Commission Opinion, p. 20.

11 See, e.g., Constitutional Court of Ukraine, Decision No. 4-p/2020, dated 11 March 2020; Constitutional Court of Ukraine, Decision No. 13-r/2020, dated 27 October 2020.

12 Leshchenko, Sergii, “Constitutional Court, a cornerstone of corruption, has to be stopped,” dated 23 October 2020, found at <https://www.kyivpost.com/article/opinion/op-ed/sergii-leshchenko-constitutional-court-a-cornerstone-of-corruption-has-to-be-stopped.html>.

13 Channell-Justice, Emily, “Ukraine’s Constitutional Court Crisis, Explained,” Ukraine Research Institute, Harvard University (2021), found at <https://huri.harvard.edu/ukraine-constitutional-court-crisis-explained>.

14 The Venice Commission is the Council of Europe’s advisory body on constitutional matters.

15 European Commission for Democracy through Law, “Ukraine: Urgent Opinion on the Reform of the Constitutional Court,” Opinion No. 1012/2020, dated 10 December 2020.

concerning how the Constitutional Court could be reformed in ways consistent with the Ukrainian Constitution and sound principles of constitutionalism.¹⁶

Eventually, the asset declaration system was revived. President Zelenskyy continued his dispute with the Constitutional Court by attempting to remove Tupytsky and another judge, resulting in a standoff with the Court.¹⁷ To further complicate matters, Tupytsky was indicted on corruption charges.¹⁸

The Russian aggression in February 2022 came in the midst of this constitutional chaos. Like all of Kyiv, the Constitutional Court has been under constant threat from Russian missile strikes and aerial bombardment, but there are no reports of any damage to its chambers. Though no specific information was made publicly available about the whereabouts of members of the Court in the early days of the war, the justices, their families, and the Court's staff undoubtedly were impacted by the Russian attacks.¹⁹ For security reasons, the Court abandoned oral deliberations, and limited access to information concerning the place, times, and agendas of Court sessions.²⁰ Nonetheless, the Court continued to operate, deciding cases and handling other matters brought before it.²¹

To some degree, the public turmoil surrounding the Constitutional Court appeared to moderate after the February 2022 invasion. The terms of Tupytsky and the other judge dismissed by President Zelenskyy expired, and two replacement judges appointed by the President were sworn in by the Court.²² At the same time, the appointment of another judge by the *Rada* met with significant criticism.²³ And on three occasions the Constitutional Court was unable to elect a chairman.²⁴ Moreover, an aide to President Zelenskyy suggested that the need for the Constitutional Court should be reconsidered.²⁵

But Putin's aggression also had the ironic effect of boosting international efforts to encourage reform of the Constitutional Court. Thus, the first "suggestion" listed by the Council of Europe

16 "Constitutional Court of Ukraine needs reform, says Venice Commission," dated 11 December 2020, found at <https://www.coe.int/en/web/portal/-/constitutional-court-of-ukraine-needs-reform-says-venice-commission>.

17 In March 2021, Praesident Zelenskyy removed Tupytsky and another judge from the Court, calling Tupytsky's actions a threat to national security. "Zelenskyy dismisses two Constitutional Court judges in controversial move," dated 21 April 2021, found at <https://www.ukrweekly.com/uw/wp/zelenskyy-dismisses-two-constitutional-court-judges-in-controversial-move/>. However, the Constitutional Court invalidated Zelenskyy's decree dismissing Tupytsky and the second judge. "Regarding the appointment of judges of the Constitutional Court of Ukraine under the President's quota," dated 26 November 2021, found at <https://www.president.gov.ua/en/news/shodo-priznachennya-suddiv-konstitucijnogo-sudu-ukrayini-za-71721>. When President Zelenskyy appointed two replacement judges, the Constitutional Court did not recognize the dismissals, and refused to swear in the replacements "until vacancies appear." "The President is 'upset' by the KSU's refusal to take the oath of office of new judges," dated 30 November 2021, found at <https://www.pravda.com.ua/news/2021/11/30/7315793/>.

18 "Prosecutors send case against Constitutional Court head to trial," dated 26 May 2021, found at <https://www.kyivpost.com/ukraine-politics/prosecutors-send-case-against-constitutional-court-head-to-trial.html>

19 Ironically, one individual whose whereabouts was reported was Oleksandr Tupytsky, who fled to Austria with his family. "Former Constitutional Court head declared wanted after allegedly illegally leaving Ukraine," dated 27 May 2022, found at <https://kyivindependent.com/uncategorized/former-constitutional-court-head-declared-wanted-after-allegedly-illegally-leaving-ukraine>.

20 "The Constitutional Court of Ukraine in the conditions of martial law and in a special period continues to perform constitutional functions," dated 6 April 2022, found at <https://ccu.gov.ua/novyna/konstytucijnyy-sud-ukrayiny-v-umovah-voyennogo-stanu-i-v-osoblyvyy-period-prodovzhuye-o>; "Judges of the Constitutional Court of Ukraine Discussed Issues Related to the Peculiarities of the Court's Work in Martial Law," dated 17 June 2022, found at <https://ccu.gov.ua/en/novyna/judges-constitutional-court-ukraine-discussed-issues-related-peculiarities-courts-work>.

21 *Ibid.*; "Information on the activities of the Constitutional Court of Ukraine in June: 47 meetings were held and 103 acts of the Court were adopted," dated 4 July 2022, found at <https://ccu.gov.ua/novyna/informaciya-shchodo-diyalnosti-konstytucijnogo-sudu-ukrayiny-u-cherвні-provedeno-47-sidan>.

22 "Judge of the Constitutional Court of Ukraine Oksana Hryshchuk took the oath," dated 19 May 2022, found at <https://ccu.gov.ua/novyna/suddya-konstytucijnogo-sudu-ukrayiny-oksana-gryshchuk-sklala-prysyagu>; "Oleksandr Petryshyn acquired the powers of a judge of the Constitutional Court of Ukraine," dated 21 September 2022, found at <https://ccu.gov.ua/novyna/oleksandr-petryshyn-nabuv-povnovazhen-suddi-konstytucijnogo-sudu-ukrayiny>.

23 "The appointment of Sovgyri as a judge of the KSU is a violation of the Constitution, the law and obligations to the EU," dated 27 July 2022, found at <https://blogs.pravda.com.ua/authors/zhernakov/62e163ebe2321/>.

24 "The Central Committee was once again unable to elect a head," dated 10 October 2022, found at <https://ukranews.com/ua/news/887068-ks-vkotre-ne-zmig-obraty-golovu>.

25 "The President's Office wants to 'reconsider the need for the existence' of the Constitutional Court," dated 26 May 2022, found at <https://www.radiosvoboda.org/a/news-ofis-prezydenta-isnuvannia-ksu/31869244.html>.

for Ukraine's admission to the EU was that Ukraine adopt and implement reforms of the Constitutional Court in line with the Venice Commission's recommendations.²⁶

In September 2022, responding to the Council of Europe's "suggestions," the *Rada* began consideration of a draft law to amend the procedures for selecting candidates for the Constitutional Court. The draft proposed creation of a competitive selection process for candidates for the Court. Under this scheme, a six-person Advisory Group of Experts would assess the moral qualities and the level of competence of all candidates seeking appointment by any of the three appointing bodies. The Advisory Group would consist of members selected by the President, the *Rada*, the Congress of Judges, the Venice Commission, plus two selected by other international organizations.²⁷

When the draft was presented to the Venice Commission for review, a panel of rapporteurs responded with an "urgent opinion" commenting on the draft law.²⁸ This "urgent opinion," in the view of Ukrainian civil society and other observers, backtracked on the international community's earlier strong stance requiring that international experts have effective veto power over appointments to the Constitutional Court (one of Putin's talking points).²⁹ The *Rada* on December 13, 2022 nonetheless adopted the draft law which included the controversial language.³⁰

On December 19, the Venice Commission issued a new opinion which, for only the second time in the Commission's history, did not support the rapporteurs' "urgent opinion." The new opinion, among other points, recommended that the Law be amended to provide (i) for an exclusion of Constitutional Court candidates based on professional competence, (ii) that the number of the Advisory Group of Experts should be increased to seven, with the seventh member nominated by international donors, and (iii) that the Advisory Group could make binding decisions by majority rule, *i.e.*, without the support of any of the Ukrainian representatives.³¹ The European Union later took note of the Venice Commission's revised opinion, stated that it "expects Ukraine to align its legislation" with those recommendations, and indicated that such an alignment would be critical in connection with the European Commission's opinion on Ukraine's EU membership.³² The Venice Commission also declined to appoint a member to the Advisory Group until its recommendations had been adopted.³³

On January 30, 2023, Ukrainian Prime Minister Denys Shmyhal said that the government was ready to review the recently adopted legislation on the Constitutional Court to meet the requirements of both the European Commission and the Venice Commission.³⁴ President Zelenskyy's office later balked, however, indicating that a large portion of the *Rada* felt that the concept of an internationally-appointed seventh member of the Advisory Group would

²⁶ Commission Opinion, p. 14.

²⁷ "The *Verkhovna Rada* of Ukraine adopted as a basis a draft law on improving the procedure for selecting candidates for the post of judge of the Constitutional Court of Ukraine on a competitive basis," dated 6 September 2022, found at <https://www.Rada.gov.ua/news/razom/227638.html>.

²⁸ European Commission for Democracy Through Law, "Ukraine – Urgent Opinion on the Draft Law 'On Amending Some Legislative Acts of Ukraine Regarding Improving Procedure for Selecting Candidate Judges of the Constitutional Court of Ukraine on a Competitive Basis,'" Opinion No. 1109 / 2022, CDL-REF(2022)046 (Strasbourg, 23 November 2022).

²⁹ "Ukraine's constitutional court reform on brink of catastrophe – and Venice Commission is to blame," dated 15 December 2022, found at <https://www.euractiv.com/section/europe-s-east/opinion/ukraines-constitutional-court-reform-on-brink-of-catastrophe-and-the-venice-commission-is-to-blame/>.

³⁰ "On Amending Some Legislative Acts of Ukraine Regarding Improving Procedure for Selecting Candidate Judges of the Constitutional Court of Ukraine on a Competitive Basis," Law No. 2846-IX, dated 13 December 2022.

³¹ European Commission for Democracy Through Law, "Ukraine Opinion on the Draft Law 'On Amending Some Legislative Acts of Ukraine Regarding Improving Procedure for Selecting Candidate Judges of the Constitutional Court of Ukraine on a Competitive Basis,'" Opinion No 1109/2022, CDL-AD(2022)054 (Strasbourg, 19 December 2022).

³² The Diplomatic Service of the European Union, "Ukraine: Statement by the Spokesperson on the appointments of High Council of Justice members and the reform of the Constitutional Court," dated 13 January 2023, found at https://www.eeas.europa.eu/eeas/ukraine-statement-spokesperson-appointments-high-council-justice-members-and-reform_en.

³³ Letter dated 25 February 2023, found at <https://www.venice.coe.int/webforms/documents/?pdf=CDL-PI%202023%29002-e>.

³⁴ "The government announced changes to the problematic law on the CSU even before the Ukraine-EU summit," dated 30 January 2023, found at <https://www.euointegration.com.ua/news/2023/01/30/7155127/>.

permit excessive interference with the discretion of the appointing bodies.³⁵ At this writing, the issues remain unresolved.

While this drama played out, the Constitutional Court continued to function. Russia's ongoing attacks on Ukrainian infrastructure in the autumn and winter of 2022–23 affected, but did not stop, the Court's operations. Like the rest of the country, the Court was forced to deal with air raid alerts and rolling blackouts, but continued to hear and decide cases.³⁶

Longer term, the conflict with Russia inevitably will have significant impacts on the nature of the Constitutional Court's caseload. As the ultimate arbiter of constitutional issues in the country, many thorny issues undoubtedly will be brought before it. The ongoing tension between the principle of judicial independence and concerns about the Court's neutrality suggests that these highly charged questions may exacerbate tensions between the Constitutional Court, other branches of government, and the international community.³⁷ As Ukraine grapples with these issues in a post-conflict environment, disputes over the Court's role and composition likely will continue.

Supreme Court

While the Constitutional Court has remained embroiled in controversy during the war, another high court in Ukraine, the Supreme Court, took on an enhanced role within the justice system.

The current Supreme Court structure in Ukraine is relatively new. Prior to 2016, the Supreme Court was modestly sized, composed of 48 judges, and had limited jurisdiction to hear appeals. Much of the authority to hear cassation matters lay with three other specialized courts: the Supreme Commercial Court, the Supreme Administrative Court, and the Supreme Specialized Court for Civil and Commercial Cases.³⁸ This system led to inconsistencies in the application of the law, forum shopping, and endemic corruption.

In 2016, reformers passed a law abolishing this system. In its place, a new Supreme Court was created that included a Grand Chamber and four courts of cassation: the Administrative, Commercial, Criminal, and Civil Cassation Courts. This law also fixed the number of judges in this new Court at 200.³⁹ In part, the expansion in the size of the Court was to handle the increase in the number of appeals arising from the abolition of the specialized courts. At the same time, the expansion of the Supreme Court provided potential new positions for judges from those same discredited courts.

In an effort to weed out corrupt judges from the old system, the new law provided that all candidates for the new Supreme Court must participate in a competition conducted by the HJCJ that included integrity and competence vetting. The HJCJ announced a competition in November 2016, for 120 vacancies on the new Supreme Court. Many sitting cassation judges resigned rather than go through the process, including nine judges of the Supreme Court, six judges of the Supreme Administrative Court, 18 judges of the Supreme Commercial Court and eight judges of the Supreme Specialized Court.⁴⁰ The selection process for the judges of the

35 "OP offered their version of the selection of judges to the KSU, although the EU insists on a different one," dated 27 February 2023, found at <https://www.eurointegration.com.ua/news/2023/02/27/7156985/>.

36 See "In November, the Constitutional Court of Ukraine Held 69 Sessions and Adopted 57 Acts. 19 Constitutional Complaints Lodged with the Court," dated 1 December 2022, found at <https://ccu.gov.ua/en/novina/november-constitutional-court-ukraine-held-69-sessions-and-adopted-57-acts-19-constitutional>.

37 See "Concluding Remarks of the Deputy Chairman of the Constitutional Court of Ukraine Serhiy Holovaty at the International Conference," dated 28 June 2022, found at <https://ccu.gov.ua/en/novina/concluding-remarks-deputy-chairman-constitution-al-court-ukraine-serhiy-holovaty-international>.

38 Baker McKenzie, *Dispute Resolution Around the World - Ukraine*, p. 2 (2016) found at https://www.bakermckenzie.com/-/media/files/insight/publications/2016/10/dratw/dratw_ukraine_2011.

39 "Law on the Judiciary and the Status of Judges," Law No. 1402-VIII, dated 2 June 2016,

40 "Verkhovna Rada dismisses 412 judges," dated 23 September 2016, found at <https://www.kyivpost.com/article/content/ukraine-politics/verkhovna-Rada-dismisses-412-judges-423557.html>.

new Supreme Court was drawn-out and contentious,⁴¹ in part because the HCJ and the HCJ obstructed the process. When the selections were completed in spring 2019, reformers were dismayed that of the 193 Supreme Court justices appointed, 44 had failed the integrity test.⁴²

Troubled by these setbacks, the *Rada* in 2019 amended the law to reduce the number of Supreme Court judges from 200 to 100, a move that some of Ukraine's international partners sharply criticized.⁴³ The Constitutional Court found the reduction to be unconstitutional in March 2020,⁴⁴ and the battle over the Supreme Court's composition continued.

But unlike the Constitutional Court, conflicts between the Supreme Court and President Zelenskyy's government appear to have subsided. One architect of this apparent *détente* is the President of the Supreme Court, Vsevolod Kniaziev. His predecessor, whose term as President of the Court ended in late 2021, was a critic of several of the anti-corruption measures passed by the *Rada*.⁴⁵ By Ukrainian standards, Kniaziev's election as her replacement was relatively non-controversial, and he assumed the role less than four months before the Russian invasion.⁴⁶

Since the Russian attacks began in February 2022, the chambers of the Supreme Court located in central Kyiv have avoided any damage. At the beginning of the war, when the situation in Kyiv seemed especially precarious, the Court's work was suspended. Four Supreme Court justices and 15 High Court staff volunteered for frontline military duty.⁴⁷ Courts located in Kyiv, including the Supreme Court, considered only urgent cases or cases that could be considered without calling the parties.⁴⁸ Since the public authorities were targets, judges and staff worked a reduced week, taking turns performing their duties from home.⁴⁹ Online access to information about pending cases was temporarily suspended "[t]o prevent the threat to life and health of judges and participants in martial law."⁵⁰

The Supreme Court began to resume some work in the second half of March, and eventually returned to full operations.⁵¹ Several judges who were abroad on February 24 returned to the capital and resumed work.⁵² In April 2022, the Supreme Court began operating as usual,⁵³ deciding cases and pursuing other business as the war progressed.⁵⁴ The number of meetings held in videoconference mode increased, since parties often are unable come to court. Though this procedure allowed cases to proceed, problems with establishing a quality connection often forced judges to take breaks or postpone consideration of cases.⁵⁵

41 "U.S. Embassy: Integrity concerns of Ukraine Supreme Court nominees remain," dated 31 July 2017, found at <https://www.unian.info/politics/2057401-us-embassy-integrity-concerns-of-ukraine-supreme-court-nominees-remain/>; "Each Fourth Future Judge of the New Supreme Court Is Dubious," dated 27 July 2017, found at <https://antac.org.ua/en/news/each-fourth-future-judge-of-the-new-supreme-court-is-dubious/>.

42 Åslund, Anders, "Ukrainian business leaders advocated better economic policy and rule of law: A report card," *Atlantic Council*, dated 29 June 2020, found at <https://www.atlanticcouncil.org/in-depth-research-reports/report/ukrainian-business-leaders-advocated-better-economic-policy-and-rule-of-law-a-report-card/>.

43 European Commission for Democracy Through Law, "Opinion on Amendments to the Legal Framework Governing the Supreme Court and Judicial Governance Bodies," Opinion No. 969 / 2019, CDL-AD(2019)027 (Strasbourg, 9 December 2019).

44 Constitutional Court, Decision No. 4-r/2020, dated 11 March 2020.

45 "Unnecessary court: Ukrainian Themis 'goes' into a deep crisis," dated 28 January 2021, found at <https://klymenko-time.com/en/novosti/nenuzhnyj-sud-ukrainskaya-femida-uhodit-v-glubokij-krizis-albo/>; "X Annual Judicial Forum 'Independent Judiciary - the foundation of the state in conditions of turbulence': key results of the second day and the event closing," dated 1 October 2021, found at <https://uba.ua/ukr/news/8751/print/>.

46 "Kniaziev elected new head of Ukraine's Supreme Court," dated 22 October 2021, found at <https://www.ukrinform.net/rubric-polytics/3337232-kniaziev-elected-new-head-of-ukraines-supreme-court.html>.

47 "Judges under fire: Defending rule of law with a pen and a gun in Ukraine," dated 1 November 2022, found at <https://www.cbc.ca/news/politics/ukraine-justice-war-russia-1.6635941>.

48 "Chairman of the Supreme Court Vsevolod Knyazev on the vision for the judiciary for 2023," dated 9 January 2023, found at <https://court.gov.ua/press/news/1367971/> ("Kniaziev Vision").

49 "President of the Supreme Court Vsevolod Kniaziev: 'I am ashamed of the decisions of the HCJ members who resigned two days before the war,'" dated 12 April 2022, found at <https://court.gov.ua/eng/supreme/pres-centr/zmi/1267730/> ("Kniaziev Interview").

50 See Official Website of the Supreme Court of Ukraine, found at https://supreme.court.gov.ua/supreme/gromadyanam/stan_rozgz/.

51 Kniaziev Interview.

52 *Ibid.*

53 Kniaziev Vision.

54 See Official Website of the Supreme Court of Ukraine, found at <https://court.gov.ua/eng/supreme/>; Kniaziev Interview.

55 "Iryna Bulgakova, judge of the KGS of the Supreme Court, told lawyers about the changes in the work of the court after the start of the full-scale war," dated 9 November 2022, found at <https://court.gov.ua/press/news/1343763/>.

But the Russian attacks also caused Supreme Court President Kniaziev to assume a significantly enhanced role in the justice system. With the HCJ inoperative due to the lack of a quorum (below), many critical questions facing the courts in wartime went unanswered. To partially solve these problems, the *Rada* passed an emergency law in mid-March 2022 transferring some of the powers of the non-functioning HCJ to the President of the Supreme Court.⁵⁶

From that time until the reconstitution of the HCJ in January 2023, President Kniaziev served as the *de facto* head of the judiciary, exercising many powers reserved to the HCJ. He also served as the judicial system's face to the world, presenting Ukraine's case to international authorities and audiences.⁵⁷ With the HCJ's resumption of its powers, the long-term effects of the temporary elevation of the Court President's status have yet to be seen.

Due to the war, the Supreme Court has received 31% fewer cases in 2022 than in 2021.⁵⁸ This is not surprising since the territorial jurisdictions of the Donetsk, Luhansk, and Kherson appellate courts were changed, for some time the Kharkiv and Chernihiv appellate courts were not functioning, and the Mykolayiv and Zaporizhzhia appellate courts are located in regions under frequent enemy shelling. The reduction in case intake made it possible to reduce the Court's backlog, so that about 20,500 cases were pending at the beginning of 2023.⁵⁹

At the same time, the financial burden of the war struck the Court. In the first half of 2022, the Supreme Court's revenues decreased by about 40%.⁶⁰ The Court accordingly began working on ways to optimize its operations in wartime.⁶¹ In September 2022, the Court announced the elimination of half of its assistant judges and a 30% reduction in staffing due to the financial strains caused by the conflict. This was followed by a decision in December 2022 to reduce Supreme Court staff by another 20%.⁶² This was followed by another decision in December 2022 to reduce Supreme Court staff by another 20%. This reduction affected 330 positions, of which 250 were filled and the rest were vacancies.⁶³

After regaining some stability during the summer of 2022, the Supreme Court's routine was again disrupted in the autumn when Russia launched a wide-scale attack on Ukraine's civilian infrastructure. In October 2022, the Supreme Court from time-to-time suspended normal work, and judges of the Supreme Court were advised to refrain from hearing cases in open court sessions due to threats from Russian missile attacks.⁶⁴ As one judge noted, if an air raid alert is announced during the court session: "*The court session must be stopped, a break is announced until the end of the air alert.*"⁶⁵ The Court also monitored air alarms in different cities of Ukraine so that if a participant's connection was interrupted, it could be determined if the disconnection was legitimate.⁶⁶

56 The *Verkhovna Rada* of Ukraine, "On Amendments to Section XII 'Final and Transitional Provisions' of the Law of Ukraine 'On the Judiciary and Status of Judges' on ensuring the sustainable functioning of the judiciary in the absence of the plenipotentiary composition of the High Council of Justice," dated 15 March 2022.

57 See "The Path to the Rule of Law in Ukraine: Vsevolod Kniaziev Summarized 5 Years of the Supreme Court's Activity," dated 20 January 2023, found at <https://court.gov.ua/eng/supreme/pres-centr/news/1372527/>.

58 Kniaziev Vision.

59 *Ibid.*

60 "The courts are waiting for consolidation, new technologies and tests," dated 21 September 2022, found at <https://zv.zp.court.gov.ua/sud0809/pres-centr/news/1322158/>.

61 "The Supreme Courts of Ukraine and Latvia have launched a joint project to support the capacity of the Supreme Court in the context of European integration," dated 28 September 2022, found at <https://court.gov.ua/press/news/1325952/>.

62 "The apparatus of the Supreme Court will be reduced by 30%, they also want to reduce the number of assistant judges," dated 14 September 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1319258/>.

63 Kniaziev Vision.

64 The Supreme Court Works Remotely," dated 31 October 2022, found at <https://pravo.ua/verkhovnyi-sud-pratsiuie-v-dystantsi-inomu-rezhymi/>; "The Supreme Court stopped normal work for two days due to the Russian missile attack," dated 10 October 2022, found at <https://ukranews.com/ua/news/887143-verhovnyj-sud-zupyynyv-zvyhajnu-robotu-na-dva-dni-cherez-raketnu-ataku-uf>.

65 "Iryna Bulgakova, judge of the KGS of the Supreme Court, told lawyers about the changes in the work of the court after the start of the full-scale war," dated 9 November 2022, found at <https://court.gov.ua/press/news/1343763/>.

66 *Ibid.*

Because of its linkage to the lower courts, the impacts of the conflict on courts outside Kyiv continue to influence the Court's caseload⁶⁷ so that the pre-war flow of cases reaching the Supreme Court is unlikely resume in the near future.⁶⁸ Moreover, the nature of the questions reaching the Court is evolving.⁶⁹ Issues relating to war crimes, collaboration, reparations, and other matters not previously brought before the courts are becoming a major part of many courts' dockets.⁷⁰ For example, in January 2023, the lower courts handed down 90 verdicts for crimes such as treason or collaboration.⁷¹ Many of these issues will reach the Supreme Court, be emotionally charged, and force the Court to grapple with balancing public demands for retribution with the rights of the accused.

Issues relating to collaboration have implicated the Supreme Court itself. In early October 2022, a member of the Court was accused of having Russian citizenship. Though he denied the claim, public sentiment forced the Court to vote on his dismissal. When the vote to dismiss him fell one vote short,⁷² Supreme Court President Kniaziev nonetheless issued an order dismissing him.⁷³ President Kniaziev also asked the Security Service of Ukraine on his own initiative to check all the judges of his court, and threatened to dismiss any others who were found to hold Russian passports.⁷⁴

Another issue facing the Supreme Court is its size. As discussed above, the Court has roughly 200 judicial positions. Only about 170 of those positions are currently filled, and in coming months several judges will reach retirement age. Other judges who could continue to work have suggested that they may voluntarily retire. Due to the reduction in the number of appeals to the Supreme Court during the war, the issue of reducing the number of judges on the Court may be revisited.⁷⁵

Specialized Courts

High Anti-Corruption Court. In his February 21 speech, President Putin explicitly called out the High Anti-Corruption Court (HACC), claiming that it was controlled by the United States. A linchpin of the 2016 Law, the HACC was created to be independent of the courts of general jurisdiction and tasked with hearing corruption cases, including high-level cases against political figures.

Prior to the HACC's creation, criminal cases involving alleged corruption were heard by local first instance courts, with appeals to the appropriate *Oblast* court of appeals and ultimately to the Criminal Cassation Court. The HACC usurped some of that jurisdiction, taking cases brought by the National Anti-Corruption Bureau of Ukraine (NABU) and the Specialized Anti-Corruption Prosecutor's Office (SAPO) against designated high-level officials (including ministers, deputies, members of parliament, agency leaders, judges, prosecutors, and heads of state-owned enterprises) for a specified set of corruption-related crimes that involved damages in excess of a monetary threshold.

67 See "The President of the Supreme Court will meet with judges of the affected regions (according to the list)," dated 2 June 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/anons/1280435/>.

68 Kniaziev Interview.

69 See "Stanislav Kravchenko, Chairman of the Supreme Court of Cassation, will talk about the peculiarities of criminal proceedings during martial law," dated 9 June 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/anons/1282718/>; "Judges of the CCS of the Supreme Court spoke about the problems of administering justice in wartime," dated 29 June 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/news/1290059/>.

70 See, e.g., Decree of the Cabinet of Ministers No. 505, "On the collection, processing and accounting of information on damaged and destroyed real estate as a result of hostilities, terrorist acts, sabotage caused by military aggression of the Russian Federation," dated 26 March 2022; "The implementation of criminal proceedings and martial law: what are the challenges facing the courts of Ukraine," dated 23 May 2022, found at <https://court.gov.ua/press/news/1276927/>.

71 "In January 2023, the courts handed down 90 sentences only for crimes against the foundations of national security," dated 14 February 2023, found at <https://nv.vl.court.gov.ua/sud0312/pres-centr/news/1382633/>.

72 "The Supreme Court could not release the Lviv judge, who was found to have Russian citizenship," dated October 3, 2022, found at <https://www.bbc.com/ukrainian/news-63116223>.

73 "Judge Lviv, who was found to have Russian citizenship, was dismissed from the Supreme Court," dated 5 October 2022, found at <https://www.bbc.com/ukrainian/news-63148792>.

74 "The Supreme Court asked the SBU to check all its judges for Russian passports," dated 7 October 2022, found at <https://hromadske.ua/posts/verhovnij-sud-poprosiv-sbu-pereviriti-vsih-svoyih-suddiv-na-nayavnist-pasporta-rf>.

75 Kniaziev Vision.

After lengthy negotiations, the *Rada* in June 2018 passed a law laying out the framework for the Court.⁷⁶ The HACC's most innovative – and controversial – feature was the inclusion of a role for foreign experts in the selection process for the Court's judges. The 2018 Law established a Public Council of International Experts (PCIE) composed of six foreign members recommended by international organizations and tasked to screen the integrity and ethics of HACC candidates proposed by the HQCJ. If at least three PCIE members had doubts about a candidate's integrity, the PCIE could initiate a joint meeting with the HQCJ. At that meeting, the candidate's record would be reviewed and a vote of the joint group taken. A majority vote would be required to advance the candidate's name, with at least three of those votes coming from PCIE members.⁷⁷

Initially, the process worked, and thirty-eight judges were selected for the HACC and sworn in on April 4, 2019.⁷⁸ The HACC began operations and started to examine its cases in the last quarter of 2019.⁷⁹ While a number of questions have arisen concerning the effectiveness and independence of the HACC, the fact that it was specifically targeted by Putin in his February 21, 2022 speech lends it some credibility.⁸⁰

Given Putin's antipathy, the HACC seemed likely to be in the Russian crosshairs when the invasion began. Despite Putin's ire, the HACC's headquarters in central Kyiv near the other national courts has not suffered any physical damage from Russian strikes.

The HACC was fully staffed at the beginning of the war.⁸¹ According to one report, some HACC judges joined the Ukrainian territorial defense forces,⁸² but no judges left the court or fled the country.⁸³ A number of judges, however, relocated their families outside the country. Roughly ten HACC staff members relocated outside Ukraine, mostly women with families plus two male staff members who left to study at foreign universities. Thanks to support from foreign donors, judges and staff continue to receive a full salary, though most judges donate half to support the military.⁸⁴

Compared to some other courts, the activities of the HACC have been less affected by the Russian aggression. For the first three months of the war, some judges relocated outside Kyiv, and handled their cases remotely, either using court facilities in other regions or personal computers.⁸⁵ The HACC continued to function,⁸⁶ though some the Court's public outreach was curtailed for security reasons.

At the present time, subject to disruption from air raid warnings and electrical outages, the HACC maintains its regular hours and cases are heard in open court in Kyiv.⁸⁷ The introduction of martial law, however, has required the use of special procedures for court hearings in criminal proceedings where the accused has been mobilized into the armed forces, is located in temporarily occupied territories, or has left the country.⁸⁸

76 "On the Supreme Anti-Corruption Court," Law No. 2447-VIII, dated June 7, 2018.

77 See Kuz, Ivanna, and Stephenson, Matthew, "Ukraine's High Anti-Corruption Court: Innovation for impartial justice," U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute (February 2020).

78 "Ukraine's President Creates Anti-Corruption Court," dated 11 April 2019, found at <https://www.rferl.org/a/ukraine-s-presi-dent-poroshenko-creates-anti-corruption-court/29875480.html>.

79 European Court of Auditors, "Reducing grand corruption in Ukraine: several EU initiatives, but still insufficient results," p. 51 (2021).

80 Putin Speech.

81 High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf ("HQCJ List").

82 "Tanasevych No Longer Head of Anti-Corruption Court, Pavlyshyn Took Her Place," dated 13 May 2022, found at <https://ukranews.com/en/news/856680-tanasevych-no-longer-head-of-anti-corruption-court-pavlyshyn-took-her-place>.

83 Interviews with HACC personnel.

84 *Ibid.*

85 *Ibid.*

86 "Results of the work of the High Anti-Corruption Court for 2022," dated 16 January 2023, found at <https://hacac.court.gov.ua/hcac/pres-centr/news/1370046/>.

87 Interviews with HACC personnel.

88 "HACC Judge Tetyana Gavrilenko on wartime challenges during the trial of corruption cases," dated 8 December 2022, found at <https://hacac.court.gov.ua/hcac/pres-centr/news/1355964/>.

The Court's caseload in fact has increased, in part due to the addition of new categories of cases within its jurisdiction. For example, the Ministry of Justice can now bring administrative cases in the HACC for financial sanctions against Russian oligarchs or others who support Russian aggression against Ukraine.⁸⁹

High Court of Intellectual Property. Russia's invasion of Ukraine had no impact on the day-to-day operations of the other specialized court created by the 2016 Law – the High Court of Intellectual Property (HCIP) – since that Court has never become operational. As discussed below, Ukraine is engaged in a protracted competition to choose judges for that court. While the selection procedure continued to plod forward,⁹⁰ the process stopped when the HQCJ was blocked by the Constitutional Court.⁹¹

With these setbacks, there appear to be little momentum for establishing the HCIP. In its June 2022 report, the European Commission suggested that in order to accede to the European Union, Ukraine would need to show progress regarding the implementation and enforcement of intellectual property rights.⁹² Shortly thereafter, Supreme Court President Kniaziev indicated that it was necessary for Ukraine to again push to establish the HCIP in order to fulfill the requirements set by the EU.⁹³

Nonetheless, the selection of candidates for the HQCJ continues at a snail's pace. Given the backlog of thousands of candidates for various courts that need to be considered by the HQCJ when it returns to operation, plus the subsequent steps required before judges vetted by the HQCJ can begin work, it appears unlikely that the HCIP will be operating before 2024, at the earliest.

First and Second Instance Courts

Most of the work of the Ukrainian judiciary is handled by the first and second instance courts. As in many countries, these courts are organized within existing political subdivisions, with each *Oblast* having a court of appeal⁹⁴ with general jurisdiction, first instance commercial and administrative courts, and several local, general jurisdiction first instance courts.

Prior to 2020, Ukraine's *Oblasts* were organized into hundreds of second-level administrative units known *raions*, along with various the cities and towns "of regional significance" that retained political autonomy outside the *raions*. The local, general jurisdiction first instance courts were established and named in accordance with this administrative system. The result was a hodge-podge of courts of disparate size, ranging from one to scores of judges.⁹⁵ Moreover, this structure created massive disparities in judicial workloads, with caseloads per judge in some *Oblasts* differing twelfold between courts.⁹⁶

In July 2020, the *Rada* passed a resolution reorganizing this administrative structure, consolidating the original *raions*, cities, and towns into just 136 larger *raions*.⁹⁷ Local general first instance courts were to be reorganized in accordance with that new structure, following the

89 Interviews with HACC personnel. See, e.g., "HACC recovered the property of a Russian deputy in the state's income," dated 12 January 2023, found at <https://hcac.court.gov.ua/hcac/pres-centr/news/1369306/>.

90 See Aristova, Irina, et al., "Creation of an Intellectual Property Court in Ukraine: Protection of Intellectual Property Rights in a System of Economic Security of a Country," 9 *Journal of Security and Sustainability Issues* (May 2020).

91 Constitutional Court of Ukraine, Decision No. 4-p/2020, dated 11 March 2020.

92 Commission Opinion, p. 17. See also "Draft Ukraine Recovery Plan," p. 14, prepared by the Justice Working Group of the National Council for the Recovery of Ukraine from the Consequences of the War (July 2022) ("Draft Plan").

93 "Chairman of the Supreme Court: It is necessary to create a High Court on intellectual property issues," dated 27 June 2022, found at <https://www.ukrinform.ua/rubric-society/3516221-golova-vs-neobhidno-stvoruvati-visij-sud-z-pitan-intelektual-noi-vlasnosti.html>.

94 The exception is that the Court of Appeals for the City of Kyiv also serves as the second instance court of general jurisdiction for the Kyiv *Oblast*. In addition, the Ukraine system also has separate commercial and administrative courts of appeal, each with jurisdiction over several *Oblasts*.

95 See Annex 2.

96 Draft Plan, p. 12.

97 Resolution "On formation and liquidation of districts," No. 807-IX, dated 17 September 2020.

principle that one *raion* equals one court. Courts would be reconstituted based on factors such as financial savings, accessibility for citizens, improving the quality of service, and ensuring the availability of all necessary court functions and services. This new structure, it was hoped, would solve the issue of small courts, create clear lines for court management, and streamline the structure of the court apparatus.⁹⁸ Though less openly articulated, reformers hoped that this “optimization” of the courts also would reduce the opportunities for corruption.

This new structure was scheduled to be implemented on January 1, 2022. However, in November 2021, the *Rada* postponed the launch to January 1, 2023.⁹⁹ Accordingly, when the war began, the old system remained in place, comprised of markedly different first instance courts in 25 regions ranging in size from 0 to 35 judges, each with differing per judge caseloads.¹⁰⁰

The war with Russia by far had the greatest impacts on these first instance courts, along with their commercial, administrative, and appellate counterparts. Shortly after the Russian assault began, the Congress of Judges published recommendations on court operations in wartime.¹⁰¹ Those recommendations instructed courts to suspend court proceedings in the event of a threat to life, health, and safety of visitors, court staff, or judges. They also laid out procedures for staffing courts while suspended, and scheduling proceedings to prioritize urgent matters.

Where significant hostilities were occurring, the courts followed these principles. Operational decisions to suspend the activity of courts were made by the judges of the affected court and the State Judicial Administration (SJA).¹⁰² At one point, an estimated 20% of Ukrainian courts suspended their activities due to active hostilities or occupation by the Russian army.¹⁰³ Given the danger to the judiciary, staff, and other trial participants, information on the status of court proceedings – usually published on official web portals, as well as the Register of the Court Rulings – was closed to the public.¹⁰⁴

In the initial days of the war, the overall flow of new cases into the system dramatically decreased. One estimate indicated that, by mid-April 2022, the number of new cases filed in Ukrainian courts after the beginning of the war fell by up to 90%.¹⁰⁵ As Supreme Court President Knyaziev observed: “*Today, people think less about going to court, and more on how to save the family, find a job.*”¹⁰⁶

As the military situation began to swing in Ukraine’s favor in mid-2022, some these restrictions were eased and court activity began to pick up. At the same time, the impacts on the Ukrainian justice system from the Russian assault became more apparent. Approximately 1,200,000 cases were filed during the first half of 2022 in the courts of Ukraine, 45% less than the previous year.¹⁰⁷ The greatest decrease occurred in the commercial sphere, since business activity was gravely impacted by the war.¹⁰⁸

98 “‘Optimization of local general courts: a pilot project in Zakarpattia Oblast’ – a round table meeting from the EU Project ‘Law-Justice,’” dated 28 September 2022, found at <https://lb.hr.court.gov.ua/sud2026/pres-centr/news/1326158/>.

99 “Courts are optimized within a year after the end of the war,” dated 29 November 2022, found at <https://sud.ua/uk/news/publication/255449-sudy-optimiziruyut-v-techenie-goda-posle-zaversheniya-voyny>.

100 See Annex 2.

101 “To all courts of Ukraine! The RSU has published recommendations on the operation of courts under martial law,” dated 2 March 2022.

102 Knyaziev Interview.

103 “The President of the Supreme Court informed the representatives of the Council of Europe about the urgent needs of Ukraine’s judicial system during the war,” dated 27 April 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/news/1270773/> (“Knyaziev Speech”).

104 Gvozdiy, Valentyn, “The Rule of Law in Ukraine During Martial Law: Review of Changes to the Criminal Process,” dated 27 April 2022, found at <https://golaw.ua/insights/publication/the-rule-of-law-in-ukraine-during-martial-law-review-of-changes-to-the-criminal-process/>.

105 Knyaziev Interview.

106 “Measures are currently being taken to restore justice in the Occupied Territories, and most judges are ready to begin work,” dated 15 April 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/news/1268719/>.

107 “Chairman of the Supreme Court: ‘The main thing that needs to be changed in the judicial system today is to introduce remote judicial system,’” dated 14 November 2022, found at <https://court.gov.ua/press/news/1345812/>.

108 *Ibid.*

Yet in some places, court activity increased. Many internally displaced persons (IDPs) moved to central and western Ukraine. This population explosion generated a parallel upsurge in court filings, especially since IDPs have numerous, complex civil and administrative issues to resolve.¹⁰⁹ For example, the fact of a birth, death, or marriage or the dissolution of marriage in the temporarily occupied territories can only be established under Ukrainian law through a judicial procedure typically filed in a first instance administrative court.¹¹⁰ Issues regarding an IDP's right to social benefits (which are particularly crucial in wartime for forced migrants with few resources) likewise are heard by administrative courts.¹¹¹

Since a large part of the country's population has been displaced to regions other than their normal place of residence, the administrative courts in those regions have been inundated with such issues.¹¹² For example, utilizing the workload formula typically applied by the Council of Judges, the Rivne District Administrative Court should have had 274 judges to handle its 2022 caseload, but that court had only 13 judges authorized to administer law. Using that same formula, the Zhytomyr District Administrative Court needed 188 judges to handle its 2022 caseload, but had only 18.¹¹³

The administrative appeals courts experienced similar problems. According to the Council of Judge's formula, the Sixth Administrative Court of Appeal (covering Kyiv city and the Kyiv, Cherkasy and Chernihiv *Oblasts*) needed 137 judges to handle its 2022 caseload, but had only 36. Similarly, the Eighth Administrative Court of Appeal (covering the Lviv, Ternopil, Volyn, Ivano-Frankivsk, Zakarpattia, and Rivne *Oblasts* in western Ukraine) should have had 110 judges, but had only 34.¹¹⁴

The chaotic situation caused by the war, for obvious reasons, forced a further delay in the restructuring of the local general first instance courts. In November 2022, the *Rada* postponed implementation of that "optimization" until no later than one year from the date of termination of martial law.¹¹⁵

These changes, however, are only a small part of the impact that the Russian aggression has had on the first and second instance courts:

Damage to Court Buildings. According to data from the Ukrainian government, as March 2023, Russian troops had destroyed 12 court buildings.¹¹⁶ Data from December indicated that another 94 court buildings had been damaged. This latter category includes buildings where windows were broken; power, heat, and water supplies shut down; ceilings, internal doors, and internal partitions between offices destroyed; and courtrooms damaged.¹¹⁷ The *Oblasts* where the most damage occurred to court buildings were Kharkiv (18), Donetsk (12), Kherson (10) and Mykolayiv (13).¹¹⁸

109 *Ibid.*

110 Council of Europe, "Special Report on the observance of the rights of persons affected by the armed aggression of the Russian Federation against Ukraine," p. 37 (Kyiv 2022).

111 Krakhmalova, Kateryna, "Security, Social Policy, Agency and Work of the Courts in Relation to Ukrainian Internally Displaced Persons," Cambridge University Press, 1 September 2022, found at <https://www.cambridge.org/core/journals/social-policy-and-society/article/security-social-policy-agency-and-work-of-the-courts-in-relation-to-ukrainian-internally-displaced-persons/A0305DCC3A02E2317DEC1EEE28DA3A50>,

112 "The Chairman of the Supreme Court Vsevolod Knyazev spoke about the peculiarities of justice during martial law on the air of Ukrainian Radio," dated 17 November 2022, found at <https://pm.hr.court.gov.ua/sud2030/press/noviny/1347113/>.

113 Annex 3.

114 *Ibid.*

115 "Courts are optimized within a year after the end of the war," dated 29 November 2023, found at <https://sud.ua/uk/news/publication/255449-sudy-optimiziruyut-v-techenie-goda-posle-zaversheniya-voyny>.

116 "USAID helps Ukrainian courts to resume work during the war," dated 9 March 2023, found at <https://court.gov.ua/press/news/1392669>.

117 "The SJA of Ukraine is taking measures to restore damaged court premises," dated 15 December 2022, found at <https://court.gov.ua/press/news/1358949/>.

118 This data was current as of 27 September 2022. See "Courthouses of Ukraine during the war: which suffered the most," dated 27 September 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1325067/>.

These totals may be understated, since reliable information is unavailable from areas occupied by Russian forces or where combat continues.¹¹⁹ Reports of massive damage to occupied cities such as Mariupol¹²⁰ and Severodonetsk,¹²¹ and continuing Russian attacks in various other regions suggest that the damage totals likely will increase.

While reliable data is difficult to obtain, an even more widespread issue is likely the ransacking or looting of court buildings by occupying Russians.¹²² In part, this was ordinary criminal activity, where rooms were needlessly vandalized and computer equipment and other valuables were stolen for resale on the black market. In other instances, these were intentional efforts to inflict damage on the Ukrainian judicial system.

For example, preliminary surveys of the de-occupied courts in the Kherson and Kharkiv *Oblasts* found that all had been looted during the occupation, with nearly all computer equipment stolen or damaged. In these two areas, more than 2,000 pieces of court equipment including almost 1,000 computers and about 100 pieces of server equipment, as well as more than 900 pieces of office and other equipment, were stolen or destroyed. The replacement cost of the lost equipment the Kherson and Kharkiv *Oblasts* alone was estimated at 105 million hryvnias (€2,600,000).¹²³

Ukrainian authorities have made some progress in restoring and reopening these courts. By December 2022, windows had been replaced, and roofs, facades, and interiors had been repaired in 38 court buildings. In late November and early December 2022, repair work was underway on an additional nine damaged court buildings in Mykolayiv, Sumy, Kharkiv, Kherson and Chernihiv *Oblasts*.¹²⁴ Nonetheless, the ultimate bill for repairing the war damage to court infrastructure alone will be considerable.

Loss of Files. While destruction and looting were widespread, other Russian actions have been more sophisticated. Without access to court files, pending cases were effectively ended. Russian forces accordingly destroyed files, in some instances to protect parties sympathetic to the Russian cause. In other instances, the destruction was simply to disrupt the processes of Ukrainian justice.

Moreover, court files and computers contain a wealth of information valuable to an invading foe. In today's digital age, access to electronic files opens a variety of opportunities for wrongdoing. For example, if Russians were able to obtain passwords and the electronic signatures of judges, they could access the register of judgments in the occupied territories and alter those records.

To address these concerns, judicial authorities in Ukraine attempted to remove court files from courts in the path of the Russian invasion. On March 13, 2022, the Supreme Court issued an order specifying procedures to be followed in such circumstances.¹²⁵ While allowing each court significant discretion, the order specified that priority be given to the removal of certain files and the destruction of various sensitive documents, digital information, and court symbols.

119 See Annex 1.

120 "Russia-Ukraine War: Mariupol Mayor in Bleak Assessment of City Damage," dated 22 June 2022, found at <https://www.republicworld.com/world-news/russia-ukraine-crisis/russia-ukraine-war-mariupol-mayor-in-bleak-assessment-of-city-damage-articleshow.html>.

121 "Severodonetsk is 90% destroyed – Luhansk regional governor," dated 26 June 2022, found at <https://interfax.com.ua/news/general/841814.html>.

122 Kniiaziev Speech.

123 "The equipment of the de-occupied courts was almost completely looted by the enemy," dated 2 December 2022, found at <https://court.gov.ua/press/news/1353572/>.

124 "The SJA of Ukraine is taking measures to restore damaged court premises," dated 15 December 2022, found at <https://court.gov.ua/press/news/1358949/>. See also, "In the Chervonozavodsky District Court of Kharkiv, after the repair, an updated first floor was opened," dated 11 January 2023, found at <https://court.gov.ua/press/news/1369034/>.

125 Order of the President of the Supreme Court of Ukraine No. 6/0/9-22, approving "Recommendations to the courts of first and appellate instance in case of seizure of the settlement and/or court or imminent threat of its seizure," dated 13 March 2022.

However, the courts in the areas under attack maintained tens of thousands of cases, which would have required huge amounts of transport to remove. Some judges were able to remove documents relating to especially serious crimes and high-profile cases, but the speed of the Russian advance in a number of areas meant that many files were left behind.¹²⁶

Transfers of Territorial Jurisdiction. None of these Russian actions came as a surprise to Ukrainians since they were simply a reprise of the activities of Russian-controlled forces during earlier hostilities beginning in 2014. As a result, the Ukrainian judiciary in 2022 fell back on procedures initially utilized during that earlier conflict.

Throughout the years' long conflict with Russia and its allied forces beginning in 2014, Ukraine has continued to assert its lawful right to all lands occupied by those forces, including Crimea and the Donbas (a region in southeastern Ukraine that generally encompasses the Donetsk and Luhansk *Oblasts*.) Such lands are referred to by Ukraine as "temporarily occupied territories," signifying its determination that one day they will be recovered by Ukraine. Consistent with that position, Ukraine has refused to terminate the existence of its courts in those temporarily occupied territories. Those courts, at least on paper, still exist and are a formal part of the Ukrainian court system.

At the same time, cases pending in those courts at the time of the Russian occupation required adjudication. New cases also arose within the temporarily occupied territories that, for various reasons, needed adjudication in the Ukrainian justice system. To both preserve the nominal existence of the Ukrainian courts in the temporarily occupied territories and provide for the resolution of cases from those areas, Ukraine in 2014 transferred the territorial jurisdictions of 84 courts in areas occupied by Russian forces to nearby courts in other *Oblasts*. These transfers included 35 courts in the Donetsk *Oblast*, 17 courts in the Luhansk *Oblast*, 27 courts in the Autonomous Republic of Crimea, and 9 courts in the City of Sevastopol.¹²⁷ Under this procedure, the transferee court assumed full jurisdiction over cases arising in the geographical area previously handled by the original court.

Thus, though the courts in these temporarily occupied areas continued to exist on paper, they had no jurisdiction over cases from any geographic area and were effectively deprived of any authority to enter binding judicial orders. Court buildings were abandoned and court personnel given the opportunity to move to other locations outside the temporarily occupied areas.

While the procedure looked reasonable on paper, the experience in the Donbas demonstrated that this process stumbled in practice. Because the cases arose in a war zone and the transferee courts were in areas adjacent to the hostilities, the litigants' physical access to those courts was significantly restricted and entailed substantial personal risk. These problems largely stemmed from the physical remoteness of the transferee courts, the lack of access via public transportation services, inadequate or destroyed public signage for directions to court facilities, and court locations that were difficult and inconvenient to find.¹²⁸

Moreover, as mentioned above, when cases were transferred, files often were left behind. Experience from the Donbas after 2014 showed that in the absence of case files, judges and prosecutors in criminal matters were placed in the untenable position of having to acquit suspects or revoke their pending convictions. According to some reports, authorities released persons being temporarily held in government-controlled areas if their files were inaccessible in the occupied areas. Though some enterprising litigants in civil and commercial matters

¹²⁶ Kniaziev Interview.

¹²⁷ "SJA of Ukraine on the administration of justice in wartime as of May 18, 2022," dated 18 May 2022, found at <https://court.gov.ua/press/news/1275655/>

¹²⁸ Kuibida, Roman, *et al.*, "Justice in the East of Ukraine During the Ongoing Armed Conflict," *International Journal for Court Administration*, Article 9, p. 8 (2020), found at <https://doi.org/10.36745/ijca.341>.

managed to bribe authorities in the occupied areas to retrieve their files, such “remedies” did little to solve the problems.¹²⁹

Another difficulty with this procedure is that the transfer dealt purely with the courts’ jurisdiction; the judges of the original court typically were not transferred. The original judge and the original court lost all right to take any action in connection with a case. Instead, the case was assigned to a new judge in the transferee court, who often was already overburdened. The new judge was required to reopen the case, build a new case file, and essentially start proceedings from the beginning. In virtually all instances, particularly given the other challenges facing the courts and litigants, transferred cases simply languished.¹³⁰

Nonetheless, after Russian forces invaded in February 2022, Ukraine continued the use of this transfer procedure. Beginning in early March 2022, the Supreme Court began issuing decrees transferring the territorial jurisdictions of courts in occupied or threatened areas to courts in safer regions.¹³¹ At one point, the territorial jurisdictions of 135 Ukrainian first and second instance courts were transferred to other courts in the same or a neighboring *Oblast*.¹³²

When Ukraine began to enjoy battlefield success in the north in mid-April 2022, authorities announced that work was underway to re-open approximately 40 suspended courts in the de-occupied territories of the Kyiv, Chernihiv, and Sumy *Oblasts*, and that most judges were ready to resume work.¹³³ By the end of June 2022, the territorial jurisdictions of 35 of these courts were restored.¹³⁴

While some courts gradually resumed their work,¹³⁵ the Russian destruction and looting in places such as Bucha, Borodianka, and other areas left many court staff homeless as entire communities were destroyed or damaged by Russian troops.¹³⁶ Such destruction made it impossible to resume actual court operations in some courts when their territorial jurisdictions were restored.¹³⁷

As of the end of 2022, the territorial jurisdictions of 50 courts that had been transferred during the year had been restored.¹³⁸ Nonetheless, if the previously closed courts in Crimea, Sevastopol, and Donetsk and Luhansk *Oblasts* are included, the territorial jurisdictions of 169 first and second instance courts (more than 22% of the total) had been changed – and remained changed – due to Russian aggression over the years.¹³⁹

129 *Id.*, p. 5.

130 *Ibid.*

131 *See, e.g.*, Order of the Supreme Court No 1/0/9-22, “On changing the territorial jurisdiction of court cases under martial law,” dated 6 March 2022.

132 Annex 1, “The State Security Service of Ukraine published statistics on the state of administration of justice in 2022 under martial law,” dated 21 February 2023, found at <https://dsa.court.gov.ua/tu14/pres-centr/general/1385763/>.

133 “Currently, measures are being taken to restore justice in the de-occupied territories, and the majority of judges are ready to start work – Chairman of the Supreme Court,” dated 15 April 2022, found at <https://court.gov.ua/press/news/1268724/>.

134 “DSA of Ukraine on administration of justice in conditions of war as of July 4, 2022,” dated 4 July 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1291681/>; “Territorial jurisdiction of court cases of the Borodyan District Court of the Kyiv Region has been restored,” dated 12 July 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/news/1294662/>.

135 *See, e.g.*, “Measures are currently being taken to restore justice in the Occupied Territories, and most judges are ready to begin work,” dated 15 April 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/news/1268719/>; “Representatives of the courts exchanged practical experience in organizing the work of the court during the war,” dated 29 April 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1271434/>; “Irpın City Court resumed justice,” dated 23 May 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1277100/>.

136 “Representatives of the courts exchanged practical experience in organizing the work of the court during the war,” dated 29 April 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1271434/>.

137 Kniaziev Interview.

138 Annex 1, “The State Security Service of Ukraine published statistics on the state of administration of justice in 2022 under martial law,” dated 21 February 2023, found at <https://dsa.court.gov.ua/tu14/pres-centr/general/1385763/>.

139 *Ibid.*

Even where there was no physical damage, the shuffling of cases between courts and judges complicated the resumption of work. When the territorial jurisdiction of an original court was restored, the jurisdiction of the transferee court was terminated. Case files must be moved back to the original court, and the matter assigned to a judge of that court. While the “new” judge may be the same individual who earlier handled that file, the attrition in the judicial ranks in these front-line courts further muddled the management of cases.

Conditions in Wartime

In reality, there currently are no truly safe places in Ukraine because Russia continues to attack seemingly quiet areas from long distances.¹⁴⁰ One of the most well-publicized assaults involving a court concerned the Commercial Court of Mykolayiv *Oblast*, situated in the building housing the regional state administration. Though there was no active ground combat nearby, a Russian missile struck the building, killing two court employees and badly wounding another.¹⁴¹ As a result of such continuing long-distance violence, it is estimated that about 10% of the judiciary’s employees are not ready to return to their workplaces.¹⁴²

The conflict also complicated the security situation in various courts. In the normal course of criminal proceedings, courtroom security has been an issue throughout Ukraine for several years. Prior to the current hostilities, extreme right-wing groups often posed threats to judges and others involved in court proceedings.¹⁴³

Efforts to expand court security were underway before February 2022,¹⁴⁴ and have continued since the Russian invasion.¹⁴⁵ Security concerns naturally are heightened in wartime, when the normal security personnel and equipment may be utilized elsewhere, and the nature of the cases (war crimes, treason, collaboration, sabotage) may call for enhanced precautionary measures. Thus, during the shelling of Kyiv during the early part of the war, cases were not considered in open court.¹⁴⁶ In frontline courts, cases are accepted and considered to the extent possible, but courts now must take into account the safety of the litigants and court personnel.¹⁴⁷

Security continued to be an ongoing concern despite military gains made over the summer and autumn. For example, after Ukrainian forces regained control of portions of Kherson *Oblast* in November 2022, Ukrainian authorities initially announced that the territorial jurisdictions of the Kherson *Oblast* Court of Appeals and three District Courts would be restored effective February 1, 2023.¹⁴⁸ However, after appeals from the heads of two of those courts in mid-January, authorities determined that it was impossible to resume work since those courts were within the reach of long-range Russian artillery. The HCJ accordingly has postponed the restoration of the territorial jurisdictions of those courts on three occasions, and requested that the State Security Service provide an update on the readiness of these courts to resume work.¹⁴⁹

140 See, e.g., “Russian cruise missiles from Black Sea killed at least 22 people in attack on Vinnytsia, Ukraine says,” dated 14 July 2022, found at https://www.cnn.com/europe/live-news/russia-ukraine-war-news-07-14-22/h_44_5618bcoe6522b882e3f5dcffe06054; “Ukraine regional governor says Russian missiles kill 3, injure 15 in Dnipro,” dated 15 July 2022, found at <https://www.reuters.com/world/europe/three-killed-15-injured-missile-strikes-ukraine-city-dnipro-official-says-2022-07-15/>.

141 Kniaziev Interview.

142 *Ibid.*

143 International Commission of Jurists, *Between the Rock and the Anvil: Lawyers under Attack in Ukraine*, pp. 25–32, April 2020 (“ICJ Report”).

144 “Ukraine’s youngest Law Enforcement Agency kicks off its communication strategy,” dated 21 October 2021, found at <https://www.euam-ukraine.eu/news/ukraine-s-youngest-law-enforcement-agency-kicks-off-its-communication-strategy/>.

145 See, e.g., “The Shatsky District Court of the Volyn Region was taken under protection,” dated 5 August 2022, found at <https://vl.court.gov.ua/tu03/pres-centr/news/1304178/>; “The Ilichiv city court of the Odesa region has come under the protection of the Court Security Service, dated 6 October 2022, found at <https://court.gov.ua/press/news/1330247/>; “The Pokrovsky District Court of the Dnipropetrovsk Region is under the protection of the Court Security Service,” dated 24 November 2022, found at <https://pok.dp.court.gov.ua/sud0433/pres-centr/news/1350185/>.

146 Kniaziev Interview.

147 *Ibid.*

148 See Annex 2.

149 High Council of Justice Order No. 282/0/15-23, dated 30 March 2023.

Over the past few months, the logistical problems for courts have intensified because of the lack of power, light, and heat due to Russia's massive attacks on critical infrastructure.¹⁵⁰ Courts are unable to fully distribute cases, conduct and record court sessions, submit decisions to the central registry, and undertake other routine functions.¹⁵¹ Since Ukrainian procedures typically require that audio and in some cases video recordings be made of proceedings, the lack of power and light has led to disruptions and even mass postponements of court sessions throughout Ukraine.¹⁵²

Ukrainian authorities are attempting to speed up power restoration to courts and provide alternative sources of electricity. Officials are working with energy providers seeking an uninterrupted supply of electrical power to all court buildings. The Ukrainian judiciary also is reaching out to international partners seeking a supply of generators.¹⁵³ Some courts with independent power sources have even set up public charging stations in courthouses.¹⁵⁴ Yet throughout Ukraine, courts have been forced to work remotely due to the lack of electricity.¹⁵⁵

Away from the active hostilities, most courts initially maintained relatively routine schedules. But the dramatic increase in Russian drone and missile attacks across Ukraine began to interrupt even these more remote courts. On August 5, the Council of Judges recommended that courts suspend sessions during air raid warnings, though that decision was left to the presiding judge based on the specific circumstances of each case.¹⁵⁶

As the Russian air campaign against Ukraine's energy infrastructure intensified in the autumn and winter of 2022–2023, the impacts on the courts increased. Though ostensibly not direct targets of drones or missiles, the indiscriminate nature of the Russian attacks left all buildings and citizens vulnerable to damage from strikes or falling debris. Air raid warnings periodically sounded in cities across Ukraine, causing significant stress to personnel and disruptions to court proceedings.

Some courts devised innovative solutions to the issues caused by repeated alerts. The Vinnytsia Oblast Court of Appeal, tired of frequent interruptions, equipped an air raid shelter to serve as a courtroom complete with equipment for video and audio recording, and video conferencing. The shelter was equipped with an alternative power source and a ventilation system, allowing court proceedings to carry on even during an attack on the region's power grid.¹⁵⁷

150 "Chairman of the Supreme Court discussed with representatives of the Council of Europe the challenges of the judicial system of Ukraine in the conditions of war," dated 1 February 2023, found at <https://court.gov.ua/press/news/1376778/>.

151 "Power outages, lack of water – the consequences of another Russian missile attack on Ukraine," dated 24 November 2022, found at <https://court.gov.ua/press/news/1350136/>.

152 "Court hearings on the record: How a blackout is changing the judicial process," dated 6 February 2023, found at <https://Radako.com.ua/news/sudovi-zasidannya-pid-protokol-yak-blekaut-zminyuye-sudoviy-rozglyad>.

153 "The courts will be equipped with generators and Starlinks, – DSA," dated 2 January 2023, found at <https://lg.zt.court.gov.ua/sud0612/pres-centr/1/1365399/>; "DSA of Ukraine joined the solution of energy problems," dated November 14, 2022, found at <https://court.gov.ua/press/news/1345652/>.

154 "Electrical devices can be recharged at OOAS," dated 21 November 2022, found at <https://court.gov.ua/press/news/1348652/>.

155 "Power outages, lack of water – the consequences of another Russian missile attack on Ukraine," dated 24 November 2022, found at <https://court.gov.ua/press/news/1350136/>.

156 "A judge seconded to another court must be enrolled in the staff of the court – the Council of Judges," dated 8 August 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1304355/>.

157 "A sheltered courtroom was equipped at the Vinnytsia Court of Appeal," dated 1 February 2023, found at <https://court.gov.ua/press/news/1377262/>.

One proposal for overcoming these conflict-induced issues advocated by some in the Ukrainian legal community is the development of a virtual, electronic court system.¹⁵⁸ But this concept faces legal, technological, and financial hurdles. Ukrainian law does not accept or accommodate virtual proceedings in many instances. Moreover, despite spending tens of millions of Euros, prior efforts to create an electronic court system in Ukraine have had little success.¹⁵⁹ An initiative has been developed to introduce and recognize remote justice, but the *Rada* thus far has not supported it.¹⁶⁰

Other solutions have been hampered by lack of funds. Beginning in March 2022, the judicial system began deploying StarLink satellite communication stations to support the operation of critical infrastructure and services in the courts.¹⁶¹ But the major financial problems facing the judiciary have constrained the resources available for this work. Money from the central budget is very limited, as the country directs its resources toward the military.

Moreover, the dramatic decrease in court filings led to a dramatic decrease in receipts from court fees, a primary source of revenue for the judiciary. For example, while the courts anticipated revenue of UAH 500 million (€16 million) in March and April 2022, only UAH 126.6 million (€4.1 million) was received.¹⁶²

These financial impacts from the war are deep and real. The judicial budget for 2023 anticipates a 22.6% reduction over 2022.¹⁶³ Funding for salaries has been reduced by 12%.¹⁶⁴ Reductions in funding have made it difficult to rebuild damaged or destroyed court buildings, purchase new computers and supplies, and maintain court staff.¹⁶⁵

Even smaller cuts have created major impacts. Funding cutbacks have forced the courts from time-to-time to stop postal deliveries of documents.¹⁶⁶ Telephone services to some courts were terminated for non-payment.¹⁶⁷

With each shift in the hostilities, the justice system will continue to adjust. Buildings, equipment, files, personnel, security, finances – all of these issues must be addressed. Given the role of the courts, the ultimate outcome of this effort will be pivotal in shaping a democratic Ukraine.

158 “Chairman of the Supreme Court: ‘The main thing that needs to be changed in the judicial system today is to introduce remote judicial system’,” dated 14 November 2022, found at <https://court.gov.ua/press/news/1345812/>.

159 Kniaziev Interview.

160 Kniaziev Speech.

161 See, e.g., “The Borodyan District Court of the Kyiv Region received the StarLink satellite communication system,” dated 3 August 2022, found at <https://court.gov.ua/press/news/1303146/>; “Training on connecting the StarLink satellite communication system was conducted at PZAGS,” dated 2 December 2022, found at <https://court.gov.ua/press/news/1353745/>.

162 “SJA of Ukraine on the administration of justice in wartime as of May 18, 2022,” dated 18 May 2022, found at <https://court.gov.ua/press/news/1275655/>.

163 “International judicial and legal forum !!!” dated 15 September 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1319905/>.

164 Kniaziev Interview.

165 Kniaziev Speech; “Oleksiy Salnikov, head of the State Security Service of Ukraine, met with the heads of courts of the Donetsk region,” dated 8 July 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1293764/>.

166 Kniaziev Interview.

167 “Landlines are disabled in the bodies of the justice system of Lviv region,” dated 29 April 2022, found at <https://lv.court.gov.ua/tu14/pres-centr/1/1271370/>.

The Judiciary

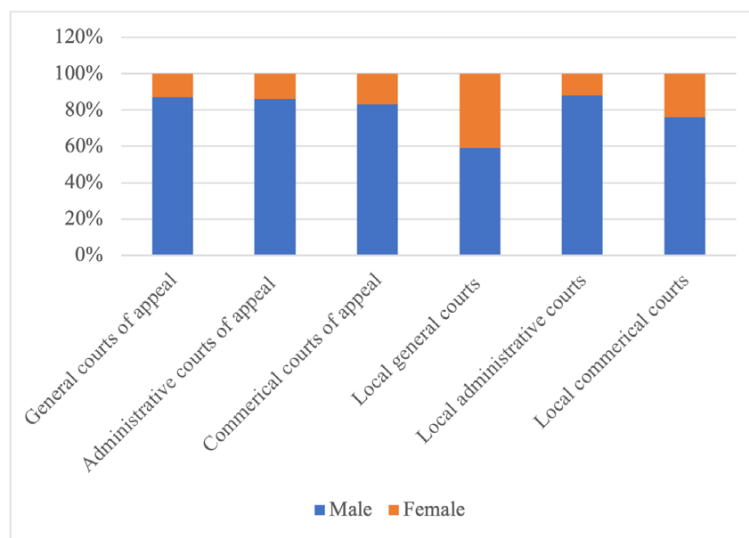
Since February 24, 2022, Ukrainian judges have endured the unthinkable as a result of the Russian attacks across the country. In some areas, members of the judiciary became targets of direct attacks. Other judges – like the rest of the populace – suffered from the effects of indiscriminate Russian assaults. For the entire judiciary, the war forced previously inconceivable changes to their lives.

The Ukrainian Judiciary

The demographics of the Ukrainian judiciary reflect a common pattern in justice systems around the world. Reports in 2020¹⁶⁸ and 2022¹⁶⁹ indicate that the overall gender distribution of judges is roughly equal: about 54% of judges were women, while 46% were men. Court staff was far more skewed, with women representing 82% and men 18% of the workforce.¹⁷⁰

However, men were overwhelmingly elected to the positions of heads of first and second instance courts. As of July 1, 2022, the numbers were stark: 76% of the heads of courts were male and 24% were female.¹⁷¹

Gender composition of heads of local and appellate courts of Ukraine as of January 1, 2022¹⁷²



Similar patterns are apparent in other leadership positions in second instance courts, with men serving as deputy presidents in 68% of the second instance courts.¹⁷³ At the same time, women have been overwhelmingly appointed to head the non-judicial staff of local and appellate courts,¹⁷⁴ and to staff positions in the SJA.¹⁷⁵

¹⁶⁸ European Commission for the Efficiency of Justice, *European judicial systems: CEPEJ Evaluation Report, Part 2*, p. 136 (September 2022) (“CEPEJ Report”).

¹⁶⁹ State Judicial Administration of Ukraine, “Generalization of the gender composition of appellate and local courts of Ukraine, the State Judicial Administration of Ukraine and its territorial departments as of July 1, 2022,” p. 2, found at https://dsa.court.gov.ua/userfiles/media/new_folder_for_uploads/dsa/gen_1_%202022.pdf (“Gender Composition”).

¹⁷⁰ *Ibid.*

¹⁷¹ *Id.*, p. 8.

¹⁷² *Ibid.*

¹⁷³ *Id.*, p. 7.

¹⁷⁴ *Id.*, p. 8.

¹⁷⁵ *Id.*, p. 12.

Ironically – or perhaps, purposefully – Russian aggression came at time of great change in the Ukrainian judiciary. As discussed below, these reforms in the latter part of the 2010s caused thousands of judges to leave the system, slowed the filling of vacancies, and created a cohort of judges classified as “not able to administer justice,” *i.e.*, unable to perform judicial functions (below). Other judges were being removed as a result of anti-corruption investigations; 67 were charged in 2021 alone.¹⁷⁶ As a result, as of December 31, 2020, Ukraine had slightly more than 13 professional judges per 100,000 inhabitants, significantly less than the Council of Europe’s median of 17 per 100,000 inhabitants.¹⁷⁷ The Ukrainian judiciary thus faced a major shortage of judicial personnel even prior to February 24, 2022, estimated to be in the range of 2000 judges.¹⁷⁸

But these were not the only issues facing the judiciary when Russian forces invaded. For years, judges and prosecutors reported widespread attempts to influence trials and judicial decision-making by supporters of the accused or other parties to a case. These efforts, often promoted by extreme right-wing groups, included (i) demonstrations in front of courts or prosecutors’ offices and (ii) occupying public seating in courtrooms with support and advocacy teams, which included, *inter alia*, Ukrainian parliament members. Most often, such “observers” came to support defendants from the Ukrainian military or paramilitary groups.¹⁷⁹

Judges also faced – and continue to face – pressure from other interests. In one recent case, the entire panel of the Southwest Commercial Court of Appeal appealed to the HCJ and the Prosecutor General alleging that the Mayor of Odesa had posted two videos intended to pressure the Court by falsely asserting that the Court had engaged in criminal activities in handling an appeal involving a building claimed by the City.¹⁸⁰

Though many acts of intimidation go unreported, during the years 2016–2021, judges reported 1846 incidents of interference in their activities to the HCJ. Of the 283 reports filed in 2021, 247 involved psychological pressure on the judge (sending appeals, complaints, publishing and disseminating false information, insults and threats in the courtroom), 33 related to intimidation by officials (opening criminal proceedings, conducting investigative actions, pursuing administrative sanctions), 17 related to blocking the work of the court (unauthorized protests, obstruction of access to the judge’s workplace, damage to court property), and the remainder involved other activities.¹⁸¹

Those complaints primarily involved actions by citizens and their associations or mass media (194 complaints), along with instances of alleged intimidation by law enforcement agencies (37), attorneys and other representatives (40), and politicians or other judges (14). The largest number of complaints came from judges located in the city of Kyiv and Kyiv *Oblast* (58), followed by the Dnipropetrovsk (33) and Kharkiv *Oblasts* (32). Ivano–Frankivsk, Chernivtsi, Ternopil, and Kirovohrad *Oblasts* registered the fewest number of complaints.¹⁸²

176 “Anti-corruption victories of 2021: who’s imprisoned and who’s next,” dated 3 January 2022, found at <https://antac.org.ua/en/news/anti-corruption-victories-of-2021-who-s-imprisoned-and-who-s-next/> (“AntAC Report”). See, e.g., “Anti-Corruption Court Finds Guilty Ex-Judge of Severodonetsk City Court of Luhansk Region,” dated 8 November 2022, found at <https://hcac.court.gov.ua/hcac/pres-centr/news/1343200/>.

177 CEPEJ Report, Part 2, p. 136.

178 “Unnecessary court: Ukrainian Themis ‘goes’ into a deep crisis,” dated 28 January 2021, found at <https://klymenko-time.com/en/novosti/nenuzhnyj-sud-ukrainskaya-femida-uhodit-v-klubokij-krizis-albo/>; “Ukraine tracking thousands of war crimes despite judicial system woes: chief justice,” dated 1 November 2022, found at <https://ottawa.citynews.ca/local-news/ukraine-tracking-thousands-of-war-crimes-despite-judicial-system-woes-chief-justice-6035995>.

179 Kuibida, p. 7.

180 “Judges of PZAGS turned to HCJ and the Prosecutor General due to pressure from the authorities! dated 2 March 2023, found at <https://swag.court.gov.ua/sud4872/pres-centr/news/1390186/>. See also “Rusov’s house no longer belongs to Odessa: who got the most beautiful building,” dated 24 February 2023, found at <https://odessa-life.od.ua/uk/article-uk/budinok-russo-va-bilshe-ne-nalezhit-odesi-komu-distalasia-najkrasivisha-budivlja>.

181 High Council of Justice, “Review of practice of consideration by the High Council of Justice of reports of judges on interference in their activities as judges in the administration of justice and other decisions of the High Council of Justice on taking measures to ensure the independence of judges and the authority of justice in 2021,” (Kyiv 2022).

182 *Ibid.*

Ukrainian judges also face a barrage of complaints against them filed with the HCJ. Unsuccessful litigants routinely file disciplinary complaints against a judge rather than, or in tandem with, appeals to a higher court. In some instances, these complaints are intended for intimidation or retribution against the judge. With the HCJ non-functional for many months, over 8,000 of these complaints continue to pend against judges without resolution.¹⁸³

Judges and the War

Two days before the war began, 5,282 judges were assigned to various positions in the Ukrainian judiciary.¹⁸⁴ A few weeks later, judges were no longer working in many courts. Statistics show that as of May 2022, courts were making only 11,000 – 11,500 decisions per day, compared with approximately 30,000 – 35,000 decisions per day in the pre-war period.¹⁸⁵

As the military situation stabilized, judges began to return to a more normal routine. The reopening of courts in previously occupied or frontline areas allowed some judges to return. Others were seconded to courts further west that needed additional judges. As a result, as of December 31, 2022, data reflected that the Ukrainian judiciary had suffered a net loss of slightly more than 400 first and second instance judges (or about 8.5%) since the war began.¹⁸⁶

Displacement. By far the most prevalent reason for judges leaving their positions at the outset of the war was displacement. When Russian forces poured across the border and missiles began striking the cities, judges scrambled like most Ukrainian citizens to protect their families. As previously mentioned, at one point more than 20% of Ukrainian courts had suspended their activities due to active hostilities or occupation by Russian forces.¹⁸⁷

No data has been located regarding the precise number of judges or court staff who left their positions during the war. Anecdotal information indicates that many judges of the first and second instance courts, particularly from the areas involved with or threatened by active hostilities, initially fled to western Ukraine or abroad.¹⁸⁸ Even judges of the Supreme Court took their families to safe territory.¹⁸⁹ Court staff are considered to be civil servants and a nationwide survey of all civil servants (not limited to the judicial staff) found that 13.6% were IDPs and 3% were abroad.¹⁹⁰ These percentages presumably were much higher for courts in occupied or frontline areas.¹⁹¹ According to information from February 2023, 585 staff positions remained vacant in appellate courts and 2,351 in local courts.¹⁹²

Countless displaced judges and their families received support from others in the judiciary. The SJA initiated a program to find housing for judges and staff from areas subject to hostilities.¹⁹³ Judges in western Ukraine received the families of colleagues at their homes. The Supreme Court also found some housing in quieter areas and negotiated with Ukrainian universities

183 “Eight thousand disciplinary complaints: how to organise the work of the new HCJ effectively?” dated 21 February 2023, found at <http://en.dejure.foundation/tpost/k2ipzaog71-eight-thousand-disciplinary-complaints-h>.

184 HQCJ List.

185 Ministry of Justice of Ukraine, Directorate of Justice and Criminal Justice, “Operational Monitoring: Justice in the Conditions of War,” p. 23 (2022) (“Operational Monitoring”).

186 Annex 3.

187 Kniaziev Speech.

188 Kniaziev Interview.

189 *Ibid.*

190 “The vast majority of civil servants (83.4%) did not change their location during the war,” dated 17 June 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1285741/>.

191 *See, e.g.*, “Courts in conditions of war: evacuation from Bakhmut and rescue from Mariupol of the Donetsk Court of Appeal,” dated 18 July 2022, found at https://dsa.court.gov.ua/dsa/inshe/courts_work_war/1296891/?fbclid=IwAR0sI2JUanctcplc8rvhroIE-2QUS-RiB-SwTbDjYc9nrrnTQ7XEdRsXab4ec.

192 “The State Administrative Court of Ukraine has published information on vacant positions in the courts of Ukraine,” dated 16 February 2023, found at <https://lg.zt.court.gov.ua/sud0612/pres-centr/1/1383859/>.

193 “SJA of Ukraine has introduced a service of free assistance in finding housing for employees of bodies and institutions of the justice system,” dated 25 March 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1264908/>.

where dormitories were not full. European judges' associations provided assistance, including housing their fellow judges.¹⁹⁴

Judges from the temporarily occupied territories also sought transfer to other courts. However, the power to formally reassign judges to new courts lay with the HCJ, which was not functioning. To sidestep this requirement, Supreme Court President Kniaziev in mid-April 2022 created a procedure to allow judges displaced from courts in the Donetsk, Zaporizhzhia, Luhansk, Mykolayiv, Kharkiv, and Kherson *Oblasts* whose territorial jurisdictions had been transferred to apply for temporary "business trips" to certain other courts where additional support was needed.¹⁹⁵

Since April 2022, about 500 such judges have been seconded to other courts. These "business trips" were intended to both provide employment for the transferred judges and equalize the workload between the courts. In some places, the seconded judges were sent to areas where the courts were not working prior to the war due to the lack of judges, or to significantly understaffed courts where 1–2 judges worked before the war.¹⁹⁶ As the process wore on, administrative changes were made to terminate, extend, or change the location of the secondments for several judges.¹⁹⁷

The precise contours of the secondment process are unclear. President Kniaziev initially announced that the transferee courts should determine many of those issues, with the sitting judges to decide the assignment of seconded judges, the procedure for allocating cases to such judges, whether they can participate in the election of the court leadership, and other organizational issues.¹⁹⁸ The Council of Judges, however, later stated that a temporarily seconded judge should be included in the court's staff, stating: "*A judge on secondment receives all the rights of a member of the court staff, has the right to participate in judicial self-government, has the right to be nominated for administrative positions and must be elected to administrative positions.*"¹⁹⁹

When the HCJ resumed operations in mid-January 2023 (below), it assumed authority over the secondment process.²⁰⁰ Under its management, the secondment process became competitive, with open spots announced so that judges could apply to fill them.²⁰¹

Other uncertainties remain. Will displaced judges return to their original courts if the Ukrainian military recovers the territory where they are situated? Like millions of other Ukrainian citizens, displaced judges will need to make difficult and very personal decisions. Some judges found new lives or professions in their adopted homes and will choose not to return. Families, once uprooted, may resist returning to areas still threatened by future conflict. Whatever the reason, an unknown percentage of displaced judges may not return to their positions.

194 Kniaziev Interview.

195 Supreme Court of Ukraine, "On the beginning of the procedure for sending judges of local courts located in the territories in which combat operations are conducted actions whose territorial jurisdiction was changed by the orders of the President of the Supreme Court," dated 11 April 2022, found at https://supreme.court.gov.ua/userfiles/media/new_folder_for_uploads/supreme/vidr_2022/Ogosh_vidr_2022.pdf.

196 Kniaziev Vision.

197 "HCJ published the Information and Analytical Report on the activities in 2022," dated 2 February 2023, found at <https://court.gov.ua/press/news/1377782/>.

198 "The head of the Supreme Court discussed with the judges the urgent problems of the justice system that arose during the war," dated 7 July 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1281822/>.

199 "A judge seconded to another court must be enrolled in the staff of the court – the Council of Judges," dated 8 August 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1304355/>.

200 "The HCJ extended the term of secondment of judges to two courts," dated 30 January 2023, found at <https://court.gov.ua/press/news/1375895/>.

201 See "HCJ publishes Information and Analytical Report on Activities in 2022," dated 2 February 2023, found at <https://court.gov.ua/press/news/1377782/>; "Digest of events of the High Council of Justice for March 6 – 12, 2023," dated 14 March 2023, found at <https://blk.hr.court.gov.ua/sud2003/pres-centr/news/1394794/>.

Enlistment. The judicial workforce has also been affected by the broad Ukrainian military mobilization in response to the Russian invasion. Shortly after the new Russian aggression began, the Congress of Judges outlined procedures for judges who elected to enlist in the Armed Forces or Territorial Defense units.²⁰² No official data is available, but according to some reports, in addition to those from the Supreme Court, 60 Ukrainian judges and 311 court staff from lower courts joined the military after the war began.²⁰³ While these enlistments may not be substantial in number, they reflect the ongoing dislocation in the judiciary caused by the war.

Threats and Detention by Russian Forces. While many judges fled from areas occupied by Russia, others chose to stay or could not evacuate.²⁰⁴ At least three judges – all women – have been killed since the outbreak of expanded hostilities. Two died in a missile attack in Odesa in July, and the other was shot by Russian troops as she tried to flee the city of Chernihiv in March.²⁰⁵

Some judges remained in the occupied territories awaiting transfer to a new court outside the occupation zone. But for many, it was a matter of personal security. When the war began, judges were forced to evacuate the occupied areas on their own. Because few humanitarian corridors were established, they risked being attacked. Especially in places like Kherson, Melitopol, Mariupol, and some areas of the Kharkiv *Oblast*, the Russian military reportedly had lists of judges and did not allow them to leave. Afraid of violence if caught in the open, some judges went into hiding,²⁰⁶ while others attempted to destroy documentation reflecting their status as members of the judiciary.²⁰⁷

Other reports suggest that Russian troops in some areas actively looked for judges.²⁰⁸ Though the evidence is primarily anecdotal, the so-called “filtration” campaign by Russian forces and their pro-Russian allies allegedly targeted Ukrainian government officials for interrogation, imprisonment, torture, and/or murder.²⁰⁹ Ukrainian judges who remained in Russian-controlled territory unquestionably are at risk from these “cleansing” operations.

Despite these precautions, some judges have reportedly been arrested in order to intimidate other judges and try to prevent them from considering cases against Russian soldiers.²¹⁰ When judges were captured, they often were subjected to inhuman treatment and torture. They allegedly were treated more harshly than ordinary citizens, particularly if the judge had previously acted against Russian interests. For example, a judge from the Donetsk *Oblast* who had sentenced separatists and collaborators for offences in 2014–2015 was found and imprisoned by Russian forces after February 2022. Detained and kept in prison in the Donetsk People’s Republic (DPR), she was later released and described the torture that Russian forces inflicted on prisoners, particularly women.²¹¹

202 “The head of the Supreme Court discussed with the judges the urgent problems of the justice system that arose during the war,” dated 7 July 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1281822/>.

203 Kniaziev Interview; “Judges under fire: Defending rule of law with a pen and a gun in Ukraine,” dated 1 November 2022, found at <https://www.cbc.ca/news/politics/ukraine-justice-war-russia-1.6635941>.

204 “Andriy Smirnov: ‘Judges now give 50 percent of their salaries to the needs of the Armed Forces of Ukraine. This decision was made by the judiciary of each court,’” dated 30 March 2022, found at <https://lv.court.gov.ua/tu14/pres-centr/1/1265601/>.

205 “Judges under fire: Defending rule of law with a pen and a gun in Ukraine,” dated 1 November 2022, found at <https://www.cbc.ca/news/politics/ukraine-justice-war-russia-1.6635941>.

206 Kniaziev Interview.

207 “Ukraine tracking thousands of war crimes despite judicial system woes: chief justice,” dated 1 November 2022, found at <https://ottawa.citynews.ca/local-news/ukraine-tracking-thousands-of-war-crimes-despite-judicial-system-woes-chief-justice-6035995>.

208 Human Rights Watch, “Ukraine: Apparent War Crimes in Russia-Controlled Areas,” dated 23 April 2022, found at <https://www.hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas>.

209 See “OSCE Envoy Says Evidence Of ‘Filtration Camps’ Emerging From Areas Of Ukraine Claimed By Russian Forces,” dated 28 April 2022, found at <https://www.rferl.org/a/russia-ukraine-filtration-camps-osce/31825625.html>.

210 “Ukraine tracking thousands of war crimes despite judicial system woes: chief justice,” dated 1 November 2022, found at <https://ottawa.citynews.ca/local-news/ukraine-tracking-thousands-of-war-crimes-despite-judicial-system-woes-chief-justice-6035995>.

211 “Chairman of the Supreme Court: ‘The main thing that needs to be changed in the judicial system today is to introduce remote judicial system,’” dated 14 November 2022, found at <https://court.gov.ua/press/news/1345812/>.

Ukrainian authorities lost contact with some judges, leaving their fate unknown. Others are known to be in captivity under the control of Russian forces or their allies.²¹² While the Ukrainian government is attempting to free them, it seems probable that the judiciary will suffer further losses due to the actions of occupation forces.

Collaboration. Among the thorniest issues facing judges is cooperation with Russian forces. In the aftermath of the 2014 Russian invasion of the Donbas, 75 judges from Ukrainian courts joined the courts organized in the Russian-controlled areas.²¹³ Mindful of this experience, the Supreme Court of Ukraine in 2022 explicitly ordered that judges and court staff located in occupied areas “should avoid negotiations with the occupiers ... [and] not agree to proposals of cooperation.”²¹⁴

Within weeks after the invasion, evidence began to emerge of collaboration by some judges, particularly in newly-occupied and frontline areas.²¹⁵ The issue came to the forefront in mid-July 2022 when President Zelenskyy replaced the Prosecutor General due to concerns about the loyalty of individuals under her supervision.²¹⁶ Though focused on prosecutors’ offices, pretrial investigation bodies, and other law enforcement agencies, the President’s message was unmistakable.

Within days, the HCJ (which did not have a quorum) announced that it had received “the same alarming information about representatives of the judiciary,” and that these allegations needed to be investigated. Though recognizing that their proposal was unconstitutional, members of the HCJ proposed that the *Rada* “immediately delegate partial disciplinary powers of the HCJ to the Chairman of the Supreme Court as an *ex-officio* member of the Council, or to temporarily restore the work of the Council in its existing composition.”²¹⁷

The proposal was not adopted, but the drumbeat for increased efforts to find collaborators in the judicial system continued. By early August 2022, the Council of Judges announced that it had received information that certain judges had decided to cooperate with the enemy, had deliberately remained in the occupied territories, and were actively recruiting former court employees to work for the Russians.²¹⁸

In mid-September 2022, the Council of Judges stated that it “that it categorically condemns any manifestations of collaboration, including among judges and representatives of the judicial system,” and that even the slightest deviation from loyalty to the state by members of the judicial system “will be considered as actions that entail criminal prosecution.”²¹⁹ At the same time, the sitting members of the HCJ demanded the “adoption of legislative changes that will

212 “The Chairman of the Supreme Court discussed with representatives of the Council of Europe and the Venice Commission the challenges of the judicial system of Ukraine in the conditions of war,” dated 24 June 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/news/1288143/> (“Report on COE Conference”).

213 Kuibida, pp. 13–14. See, e.g., “In Ukrainian courts, the number of cases against officials who went to cooperate with Russia continues to increase,” dated 26 September 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1324254/>.

214 Order of the President of the Supreme Court of Ukraine No. 6/0/9–22, dated 13 May 2022.

215 “SBI reported on suspicion of treason to the heads of two district courts in Luhansk and Kharkiv regions,” dated 15 May 2022, found at <https://dbr.gov.ua/news/dbr-povidomilo-pro-pidozru-u-derzhavnij-zradi-golovam-dvoh-rajonnih-sudiv-na-lugan-shhini-ta-harkivshhini>; “Prosecutor’s office completes investigation into traitor judge from Vovchansk,” dated 6 September 2022, found at https://khar.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=319235&fp=190; “The Court of Appeal upheld the amount of bail of a judge who was waiting for the Russian occupiers in Kyiv,” dated 6 October 2022, found at <https://ifa.court.gov.ua/sud4808/pres-centr/news/1330470/>.

216 Zelensky address. She was later appointed as Ukraine’s Ambassador to Switzerland. “Ex-Prosecutor General Venediktova Appointed Ambassador to Switzerland,” dated 17 November 2022, found at <https://www.rbc.ua/ukr/news/eks-genprokuro-ra-venediktovu-priznachili-1668698882.html>.

217 “HCJ calls for an urgent regulation of the legislation to counter manifestations of collaborative activity and treason in the judicial system,” dated 21 July 2022, found at <https://court.gov.ua/press/news/1298280/>.

218 “The decision of August 5, 2022 was published on the official website of the Council of Judges of Ukraine,” dated 10 August 2022, found at <https://court.gov.ua/press/news/1305465/>.

219 “Statement of the press service of the Council of Judges of Ukraine,” dated 15 September 2022, found at <https://court.gov.ua/press/news/1319743/>.

make it possible, despite the absence of a full membership of the Council, to bring to justice judges who have violated their oath.”²²⁰

In addition to judicial disciplinary proceedings, Ukrainian authorities after President Zelenskyy’s speech began accelerating the process of bringing criminal charges against and trying defecting judges *in absentia* as a warning to future defectors. Many of these cases involved judges from Crimea and Sevastopol, who joined the Russian court system after 2014. By September 2022, the prosecutor’s office for the region (which remained active albeit housed outside Crimea) had notified 225 former Ukrainian judges of suspicion of treason and sent 66 indictments of judges to court.²²¹ As months passed and the anti-collaboration drive intensified, these highly publicized efforts continued.²²²

Presently, the full extent of “defections” by Ukrainian judges to serve in Russian courts in occupied areas is unclear. Some reports have highlighted a handful of specific cases, and other investigations are underway.²²³ Given the experience in Crimea and the Donbas, and recent revelations concerning the prosecution and security services, the Ukrainian judiciary undoubtedly lost judges who elected to join the occupying forces.²²⁴

Retirement from the Profession. For most Ukrainians, even those who were not displaced or directly under attack, the war with Russia has been traumatic. Some have been forced by infrastructure damage to travel for more than three hours to reach court. Many have performed their duties to the sound of air raid sirens and missile explosions, exposed without hardened shelters in government buildings that are potential targets. And, at the end of the day, like their fellow citizens, they must find their way home before curfew.

While the media and the Ukrainian government highlight the heroic workers who continue to brave these dangers, these experiences are deeply traumatizing. One judge interviewed by the author in early 2023 described being emotionally exhausted, and the nagging fear for their safety even in Kyiv. Some judges, though not directly in the line of fire, elected to leave their positions out of fear or simple fatigue from the stresses of the war. Still others reached retirement age or retired for other personal reasons.²²⁵

220 “The HCJ demands to urgently approve the mechanism for bringing to justice collaborating judges,” dated 15 September 2022, found at <https://court.gov.ua/press/news/1319642/>.

221 “Ihor Ponochevny: ‘Traitors of Ukraine who decided to build a new ‘career’ in occupied Crimea should remember the inevitability of punishment,’” dated 6 September 2022, found at https://ark.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=319251&fp=50.

222 “The Prosecutor’s Office of the Autonomous Region accuses another 11 judges from Crimea who defected to the enemy’s side of treason,” dated 8 November 2022, found at https://ark.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=325742&fp=30; “State treason: the Prosecutor’s Office of the Autonomous Region referred to the court indictments against 8 occupation judges from Crimea,” dated 6 December 2022, found at https://ark.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=325825&fp=20; “‘February 26 case’: Crimean judge sentenced to 12 years for criminal prosecution of one of the leaders of the Mejlis of the Crimean Tatar people,” dated 15 December 2022, found at https://ark.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=325830&fp=10; “They went over to the side of the enemy: two occupation judges from Crimea were convicted on the charges of the autonomous prosecutor’s office,” dated 11 January 2023, found at https://ark.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=325844; “The Prosecutor’s Office of the Autonomous Region accuses 6 occupying ‘judges’ from Crimea of treason,” dated 12 January 2023, found at https://ark.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=325911; “Deportation of Ukrainians from Crimea: the occupying Crimean judge will be tried *in absentia*,” dated 17 January 2023, found at https://ark.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=326217.

223 Kniaziev Interview; “SBI reported on suspicion of treason to the heads of two district courts in Luhansk and Kharkiv regions,” dated 15 May 2022, found at <https://dbr.gov.ua/news/dbr-povidomilo-pro-pidozru-u-derzhavnij-zradi-golovam-dvoh-rajon-nih-sudiv-na-luganshhini-ta-harkivshhini>.

224 Office of the President of Ukraine, “Actions and inaction of every official in the security sector and in law enforcement agencies will be evaluated – address of the President of Ukraine,” dated 17 July 2022, found at <https://www.president.gov.ua/news/diyi-ta-bezdiyalist-kozhnoyi-posadovoyi-osobi-v-sektori-bez-76529> (“Zelenskyy Address”). See, e.g., “The head of the district court from Luhansk Region faces life imprisonment,” dated 9 February 2023, found at https://lug.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327720.

225 See, e.g., “Another 15 judges resigned – the decision of the HCJ,” dated 16 February 2023, found at https://zib.com.ua/ua/154916-sche_15_suddiv_viyshli_u_vidstavku_rishennya_vrp.html; “Two vacant positions of judges in 5AAS,” dated 27 February 2023, found at <https://5aa.court.gov.ua/sud4854/pres-centr/news/1387885/>; “Judge Oleg Hlukhanchuk resigned,” dated 28 February 2023, found at <https://adm.od.court.gov.ua/sud1570/pres-centr/news/1388579/>.

In fact, when the HCJ was finally reconstituted (below), it was faced with resignation requests from dozens of judges. At least 19 resignation requests were from appellate court judges, including four from the Supreme Court.²²⁶ But the HCJ has the power to refuse or terminate judicial resignations (and thus deny a judge's pension). In early February 2023, with a quorum in place, the HCJ terminated the resignations of four judges convicted of intentional crimes.²²⁷ Later in the month, the HCJ agreed to dismiss 43 judges, including two judges of the Supreme Court and 18 other appellate judges, who had submitted their resignations. At the same time, it either refused or delayed consideration of three requests to resign by other judges.²²⁸

Holes in the Judiciary

As mentioned above, two days before the Russian invasion, official statistics reflected that 5,282 judges were assigned to positions in the Ukrainian judiciary.²²⁹ But as of December 31, 2021, the Ukrainian judiciary had authorized positions for 7,304 judges.²³⁰ In other words, only about 72% of the judicial positions in the country were filled at the beginning of the war.

In part, this shortfall can be attributed to the efforts to cleanse the judiciary of corrupt and inept judges. Many of the judges' publicly available asset declarations – required by the anti-corruption reforms – revealed wealth incongruous with their salaries, while investigations disclosed that others registered property in the names of relatives so that the assets would not appear on declarations. This asset declaration system soon became a cornerstone in Ukraine's anti-corruption reforms, and an anathema to many judges.²³¹

The 2016 Law also directed the HQCJ to evaluate the competence and integrity of the existing Ukrainian judicial corps under a strict set of standards and remove those found lacking. By 2017, roughly one-third of Ukraine's judges had opted to retire rather than to subject themselves to such assessments.²³²

Such retirements ostensibly were good for the system, since they rid the judiciary of many inept and tainted judges. But the reforms also included mechanisms that were used to hamstring the reform process. The power of appointment of new judges was vested in the HCJ, which could select from a list of candidates proposed by the HQCJ. When the HQCJ and HCJ ceased to function, no new judges could be nominated to replace the retiring judges. Thus, in 2022, only 30 new judges were appointed by the President, all of them vetted by the HQCJ and nominated by the HCJ before those entities ceased operating.²³³

Moreover, the 2016 Law automatically reappointed judges who did not retire for five-year terms, anticipating that the vetting process would be completed before their terms expired. If the vetting was not completed, the Law provided that their judicial powers terminated at the end of their five-year term. Such judges remained on the judicial rolls but were classified as “not able to administer justice,” *i.e.*, disqualified from performing their judicial functions.

For reasons discussed below, the vetting process was slowed and eventually ground to a halt. At the start of the war, the HQCJ had not completed the vetting process for 2,030 sitting judges,

226 “Fifty more judges were going to resign,” dated 21 February 2023, found at https://zib.com.ua/ua/154956-sche_pivstotni_suddiv_zazbiralisya_u_vidstavku_zasidannya_vr.html.

227 “The resignation of four judges was suspended due to the entry into force of the guilty verdict,” dated 2 February 2023, found at <https://court.gov.ua/press/news/1377563/>.

228 “HCJ dismissed 43 judges,” dated 22 February 2023, found at <https://sf.dp.court.gov.ua/sud0439/pres-centr/novinu/1385878/>.

229 HQCJ List.

230 High Qualification Commission of Judges of Ukraine “Regarding the report of the High Qualification Commission of Judges of Ukraine for 2021,” dated 19 January 2022, found at <https://vkksu.gov.ua/en/news/regarding-report-high-qualification-commission-judges-ukraine-2021> (“HQCJ Report”).

231 Channell–Justice, *supra*.

232 Council of Europe, *Evaluation of the judicial systems* (2018 – 2020) Ukraine, pp. 55–56 (2020).

233 “HCJ publishes Information and Analytical Report on Activities in 2022,” dated 2 February 2023, found at <https://court.gov.ua/press/news/1343763/>.

leaving roughly 40% of those on the bench “unable to administer justice.”²³⁴ Reportedly, there were about a dozen courts in which there was not a single judge authorized to administer justice. Even when judges were physically present, out of 20 judges showing up in some courts, only five to seven were actually authorized to administer justice and working.²³⁵

The impacts of these problems in the vetting process on individual courts were unevenly spread across the system. For example, while 36 judges had been appointed to the Pechersky District Court in the City of Kyiv, only 17 judges were allowed to “administer justice.” In the nearby Shevchenkivskyi District Court in Kyiv City, only 25 out of 42 judges had the authority to consider cases. On the other end of the scale, 23 out of 26 judges appointed to the Kievsky District Court in Odesa were authorized to administer justice.²³⁶

In short, the Ukrainian judiciary at the start of the war was substantially understaffed, a problem that will be significantly exacerbated at the close of the conflict. The attrition spread across all levels of the courts. For example, of the 196 authorized positions on the Supreme Court,²³⁷ as of March 23, 2023, about 172 were filled.²³⁸

With the attrition since the war began and the pending resignation requests, Ukraine at the beginning of 2023 faced the prospect of approximately 2500 unfilled judicial vacancies, almost 40% of the total number of authorized judges.²³⁹ Though the HCJ has recently begun functioning, the HQCJ is months away from restarting. By the time those agencies are fully operational in later 2023 or sometime in 2024, they will be tasked with filling somewhere between 2500 and 3000 vacant positions, representing almost half of the Ukrainian judiciary.²⁴⁰

Even when the HCJ and HQCJ are operational, it will be years before the deficit in judges can be remedied. The current process for selecting and approving judicial nominees is both inherently cumbersome and slowed by protracted delaying tactics. Some young people are reticent to apply given the judiciary’s reputation for corruption. Moreover, the requirements for training of new judges through the National School of Judges is lengthy, meaning that even when appointed, new judges may not assume their roles for another two years.²⁴¹

Some members of the HCJ have proposed, as a stopgap measure, restoring the powers of most judges who currently cannot “administer justice” due to the expiration of their five-year terms.²⁴² Others have suggested streamlining the training process. Such proposals, however, signal a backtracking on Ukraine’s commitment to reform, a move that gives pause to both reformers and international donors. Finding ways to expeditiously rebuild the Ukrainian judiciary, without sacrificing competence or integrity, will remain one of the country’s greatest challenges in upcoming years.

234 HQCJ Report.

235 “Unnecessary court: Ukrainian Themis ‘goes’ into a deep crisis,” dated 28 January 2021, found at <https://klymenko-time.com/en/novosti/nenuzhnyj-sud-ukrainskaya-femida-uhodit-v-glubokij-krizis-albo/>.

236 “The ten busiest courts of Ukraine have been identified: details,” dated 2 June 2022, found at <https://yaizakon.com.ua/opredele-na-desyatka-samyh-zagruzhennyh-sudov-ukrainy-detali/>.

237 HQCJ Report.

238 Website of the Supreme Court of Ukraine, “Judges,” found at https://court.gov.ua/eng/supreme/pro_sud/sud_korpus/.

239 “Competition to the High Qualifications Commission of Judges during the War: General Preparation of the Judiciary for EU Accession,” dated 12 January 2023, found at <https://court.gov.ua/press/news/1369420/>. But see “The State Security Service of Ukraine published statistics on the state of administration of justice in 2022 under martial law,” dated 17 February 2023, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1384015/>.

240 Zernakov, Mykhailo and Barchuk, Nestor, “Fresh challenges threaten to reverse Ukraine’s judicial reform progress,” *Atlantic Council*, dated 12 December 2022, found at <https://www.atlanticcouncil.org/blogs/ukrainealert/fresh-challenges-threaten-to-reverse-ukraines-judicial-reform-progress/>.

241 “Mykola Onishchuk talked about the priority tasks of training judges during the war,” dated 23 September 2022, found at <https://su.court.gov.ua/tu19/pres-centr/news/1323301/>.

242 “HCJ advocates early settlement of the issue of restoration of powers of judges of ‘five-year,’” dated 3 June 2022, found at <https://su.court.gov.ua/tu19/pres-centr/news/1281050/>.

The Gatekeepers

Ukraine long has suffered from corruption, particularly the abuse of high-level power by oligarchs and vested interests.²⁴³ A bulwark of this kleptocracy has been the judiciary,²⁴⁴ and for decades Ukraine has struggled to control judicial corruption. The Russian invasion came as Ukraine finally was in the midst of a determined effort to reform its judiciary and root out the oligarchs' entrenched enablers.

At the center of this effort were bodies such as the HACC and HQCJ, added to the judicial structure by the 2016 Law. These entities were tasked to identify and remove corrupt oligarchs, judges, and other vested interests. Many of those individuals were allies of President Putin, anti-democratic actors aligned with his view of Russian hegemony.

Unfortunately, these reforms created a bureaucratic web overlaid with a labyrinth of often hostile interest groups, which provided multiple opportunities to slow or stymie reform. Prior to the expanded Russian aggression in 2022, various actors were fighting – but slowly losing – a rearguard action to stall the reforms. These obstacles are the primary reason for the previously discussed vacancy rate in judicial positions in Ukraine.²⁴⁵

Some believe, based on Putin's rambling speech of February 21, 2022, that he saw the imminent success of these reforms as a threat.²⁴⁶ Regardless of his motives, the hostilities further slowed the torturous pace of implementing the reforms and stymied efforts to fill the holes in the Ukrainian judiciary.

The European Union and the United States, on the other hand, have emphasized the need for Ukraine to implement these reforms. Indeed, the second "suggestion" listed by the Council of Europe for admission to the EU was that Ukraine finalize the integrity vetting of the candidates for the HCJ and the selection of candidates to reconstitute the HQCJ.²⁴⁷ Ukraine's success in implementing that "suggestion" will be a major factor in its ability to create a legal system capable of dealing with the myriad issues inherent in a post-war environment.

High Qualification Commission of Judges. Central to the judicial reforms included in the 2016 Law was the creation of the HQCJ which was tasked with (i) evaluating the competence and integrity of the existing Ukrainian judicial corps under a strict set of standards, and (ii) arranging competitions for vacant judicial positions. The law further provided that the HQCJ would send recommendations for vacant posts from among those chosen in the selection competition to the HCJ, which would choose the final nominees and submit the names to the President for appointment.

The immediate impact of this process on judicial staffing was dramatic. By 2017, roughly one-third of Ukraine's judges had opted to retire rather than to subject themselves to such assessments.²⁴⁸ Yet the reforms still did not produce the results desired by reformers, primarily due to the perception that the HQCJ and HCJ were failing to remove corrupt judges from the system. For example, out of 2,827 judges who underwent a qualification test after 2014, only 35 were dismissed.²⁴⁹

²⁴³ See, e.g., United States Department of State, "Ukraine 2021 Human Rights Report," (2021); European Court of Auditors, "Reducing grand corruption in Ukraine: several EU initiatives, but still insufficient results," (2021).

²⁴⁴ See, e.g., Zhemakov, Mykhailo, "It's time to start treating Ukraine's corrupt judiciary as a criminal syndicate," *Atlantic Council* (December 1, 2020); Kashporov, Volodymyr, "Judiciary System and Reform," Razom, Inc. (2022).

²⁴⁵ HQCJ Report.

²⁴⁶ Putin Speech.

²⁴⁷ Commission Opinion, p. 20.

²⁴⁸ Council of Europe, *Evaluation of the judicial systems (2018 – 2020) Ukraine*, pp. 55–56 (2020).

²⁴⁹ Halushka, Olena, and Chyzyh, Halyna, "Is Ukraine's new judicial reform a step forward?" *Atlantic Council* (October 29, 2019).

Accordingly, in October 2019, the *Rada* passed a law proposed by newly elected President Zelenskyy terminating the authority of the then-existing HQCJ.²⁵⁰ The new law created a reconstituted HQCJ, and included a provision creating an Integrity and Ethics Panel, attached to the HCJ, to vet appointments to the HQCJ.

However, in March 2020, the Constitutional Court annulled key parts of that Law, ruling that the Panel could not overrule decisions by the HCJ and rejecting several amendments for strengthening disciplinary procedures against judges.²⁵¹ This ruling effectively blocked the creation of a new HQCJ. Later that year, the Constitutional Court went further, invalidating much of Ukraine's 2014 anti-corruption reform effort as unconstitutional.²⁵² The result was that the work of the HQCJ, and the vetting and appointment of judges, ground to a halt.

In August 2021, the *Rada* passed a bill proposed by the President to relaunch the HQCJ.²⁵³ Among the salient provisions of the law was the creation of a Selection Commission to vet candidates to be proposed to the HCJ for appointment to the HQCJ. This Commission was to be composed of three judges nominated by the Council of Judges and three experts nominated by international organizations.

The creation of the Selection Commission proceeded smoothly, with the experts appointed and beginning work in November 2021.²⁵⁴ In January 2022, the Commission announced the process and schedule for the competition to select the sixteen proposed members of the new HQCJ,²⁵⁵ with applications to be accepted from February 4 to March 4, 2022.²⁵⁶

Russia's aggression on February 24, 2022, thwarted that schedule. Eventually, the Commission set a new application deadline of August 22, 2022,²⁵⁷ and on October 6 published a list of 301 approved candidates (206 male and 95 female) for the 16 vacant positions on the HQCJ.²⁵⁸ In late February 2023, the Commission interviewed 64 candidates for those positions,²⁵⁹ and in mid-March recommended 32 final candidates for the 16 vacant positions.²⁶⁰ Interestingly, though half (8) of the HQCJ's members must be judges, the Selection Commission recommended only ten judicial candidates, thus giving the HCJ a narrow pool from which to select those nominees.²⁶¹

Until the new members of the HQCJ are selected by the HCJ, appointed by the President, and begin work, no further vetting of existing judges or competitions for vacancies can be

250 Law No. 193-IX, dated 16 October 2019.

251 Constitutional Court of Ukraine, Decision No. 4-p/2020, dated 11 March 2020.

252 Constitutional Court of Ukraine, Decision No. 13-r/2020, dated 27 October 2020.

253 Law No. 1629-IX, dated 5 August 2021.

254 "The competition commission for the selection of new members of the High Qualification Commission of Judges of Ukraine has begun preparatory work," dated 22 November 2021, found at <https://court.gov.ua/press/news/1215977/>.

255 High Qualification Commission of Judges, "Announcement of the start of the first competitive selection of members of the High Qualifications Commission of Judges of Ukraine," dated 21 January 2022.

256 See "Selection Mission," dated 4 February 2022, found at <https://pravo.ua/articles/selection-mission/>.

257 "The Competitive Commission for the Selection of Candidates for the Positions of Members of the VKKS Resumed its Work and Determined the New Dates for the Submission of Documents from Candidates," dated 13 July 2022, found at <https://pravo.ua/konkursna-komisiiia-z-doboru-kandydativ-na-posady-chleniv-vkks-vidnovyla-robotu-ta-vyznachyla-novi-daty-dlia-podachi-dokumentiv-vid-kandydativ/>.

258 "301 lawyers, or 19 people per seat, participate in the competition for the positions of members of the Higher Qualification Commission of Judges of Ukraine - Competition Commission," dated 6 October 2022, found at <https://court.gov.ua/press/news/1330519/>; "In the competition for the positions of members of the Higher Qualification Commission of Judges," dated 6 October 2022, found at <https://hcj.gov.ua/news/u-konkursi-na-posady-chleniv-vyshchoyi-kvalifikaciynoi-komisiyi-sud-div-ukrayiny-beru-uchast>.

259 "The CC will conduct the final interviews with the candidates for the HQCJ," dated 21 February 2023, found at https://zib.com.ua/ua/154962-ostanni_spiibesidi_iz_kandidatami_do_vkks_provede_kk.html.

260 Approved candidates for the High Qualification Commission of Judges," dated 17 March 2023, found at <https://centreua.org/en/monitoring/approved-candidates-for-the-high-qualification-commission-of-judges/>.

261 "Thirty-two recommended candidates: Who will join the new High Qualification Commission of Judges?" dated 15 March 2023, found at <http://en.dejure.foundation/tpost/6kzke15pk1-thirty-two-recommended-candidates-who-wi>; "There are no obstacles to the formation of the High Qualification Commission of Judges," dated 16 March 2023, found at <http://en.dejure.foundation/tpost/acyfafn6j1-there-are-no-obstacles-to-the-formation>.

completed. Put differently, until the new HCJ is formed, the work of vetting sitting judges and selecting new judges remains stalled.

The impacts of these delays on the post-war Ukrainian judicial system will be immense. Rebuilding the Ukrainian judiciary in a post-war environment may effectively be stymied by the snail's pace progress of the HCJ.

High Council of Justice. Perhaps no institution in Ukraine is more pivotal to the operation of the judiciary than the HCJ. For that reason, it has been a political battleground between those forces seeking and resisting reform. These political conflicts were impacted by the Russian aggression, and in turn have greatly impacted the judiciary's response to the war.

The HCJ was created by the *Rada* in December 2016.²⁶² Previously, the power of judicial appointment lay with the *Rada*, a function which many considered one of the primary sources of judicial corruption. Under the 2016 Law, the process was altered so that the HCJ would receive judicial nominations from the HQCJ, make the final decisions about judicial candidates, and send a final list of judicial nominees to the President. The HCJ also was given the power to control the discipline of judges, and generally serve as the highest judicial administrative authority in the country.

Reformers envisioned the HCJ as a diverse group of professionals dedicated to building the integrity into the judiciary. Toward that end, the 2016 Law provided that the HCJ would be composed of 21 members. Ten members would be appointed by the Congress of Judges of Ukraine, while the *Rada*, the President, the Congress of Lawyers, a congress composed of representatives from law schools and scientific institutions, and the All-Ukrainian Conference of Employees of the Procuracy would appoint two each. The President of the Supreme Court of Ukraine rounded out the HCJ, serving as an ex officio member.

However, the HCJ soon became mired in controversy, accused of corruption and protecting tainted judges.²⁶³ As mentioned above, in October 2019, the *Rada* passed another judicial reform law which included the creation of an Integrity and Ethics Panel to vet appointments to the HCJ.²⁶⁴ This initiative ultimately was eviscerated by the Constitutional Court, effectively blocking any oversight of that body.²⁶⁵

In August 2021, the *Rada* passed a law proposed by President Zelenskyy to revamp the HCJ by adding an Ethics Council including experts nominated by international and foreign organizations to vet both the existing members and persons nominated for appointment to that body.²⁶⁶ While the HCJ balked at appointing its three members to the Ethics Council, it was nonetheless formed by operation of law.²⁶⁷

By January 2022, as the Ethics Council began its work, turmoil again erupted. The Supreme Court, acting at the request of members of the then-existing HCJ, asked the Constitutional Court to invalidate the portion of the law that required vetting of sitting members. That litigation is still pending.²⁶⁸

²⁶² "On the High Council of Justice," Law No. 1798-VIII, dated 21 December 2016.

²⁶³ See "High Council of Justice tries to undermine the judicial reform once again," dated 10 March 2017, found at <https://nabu.gov.ua/en/novyny/high-council-justice-tries-undermine-judicial-reform-once-again>; "227 judges who persecuted Maidan activists remain in their posts," dated 26 February 2019, found at <https://khhg.org/en/1551141773>; "Whistleblowing in Ukraine: Judge Larya Holnyk, an Update," dated 28 March 2019, found at <https://www.rechters voorrechters.nl/whistleblowing-in-ukraine-judge-larya-holnyk-an-update/>.

²⁶⁴ Law No. 193-IX, dated 16 October 2019.

²⁶⁵ Lough, John, "Is Ukraine about to cut the Gordian knot of judicial reform?" *Atlantic Council* (10 May 2021).

²⁶⁶ Law No. 1635-IX, dated 5 August 2021.

²⁶⁷ "Judicial reform in Ukraine: a short overview," dated May 2022, found at <http://en.dejure.foundation/library/judicial-reform-in-ukraine-what-has-changed-for-the-last-three-years>.

²⁶⁸ "The Constitutional Court is considering the submission of the Supreme Court regarding the reform of the High Council of Justice," dated 13 February 2023, found at <http://en.dejure.foundation/tpost/egv9fvgu11-the-constitutional-court-is-considering>.

At about the same time, two sitting HCJ members resigned rather than face an ethics review.²⁶⁹ Two members appointed by the Ukrainian National Bar Association soon followed.²⁷⁰ The Congress of Judges – which appointed ten members of the HCJ – stated that it was unacceptable to participate in the evaluation procedures initiated by the Ethics Council and terminated the powers of the HCJ members that it had appointed. On February 22 – two days before the Russian invasion – ten more members of the HCJ resigned.²⁷¹

Accordingly, when the war began on February 24, 2022, the HCJ was left with only the President of the Supreme Court and four appointed members, later reduced to three when one was disqualified by the Ethics Council.²⁷² Interviews to replace resigned members of the HCJ were suspended. Under Ukrainian law, the HCJ could not exercise its powers unless it has at least fifteen sitting members.²⁷³ Thus, while the war raged, the HCJ (and the Ukrainian judiciary along with it) was effectively neutralized by opponents of the reform initiatives, powerless to take many actions vital to maintaining the judicial system in wartime.

To at least partially resolve this situation, the *Rada* passed an emergency law in mid-March 2022 transferring some powers of the non-functioning HCJ to the President of the Supreme Court.²⁷⁴ These legislative changes, among other things, allowed the President to change the territorial jurisdictions of the courts in the occupied territories, thus referring cases from those courts to others with the capacity to hear them, and to send judges from occupied territories on “business trips” to other courts (as explained above.)

However, other important powers of the HCJ remained outside the President of the Supreme Court’s power such as forming the HQCJ and recommending judicial appointments to the President. The HCJ’s power to discipline or dismiss judges also remained blocked, even though thousands of disciplinary complaints against judges were pending.²⁷⁵

Slowly the various stakeholders began to rebuild the HCJ. In mid-August 2022, the *Rada* appointed two new members under its quota.²⁷⁶ That vote was followed a few days later by that appointment of a member by the Congress of Legal Scholars,²⁷⁷ though the Congress’s second member was rejected by the Ethics Council.²⁷⁸ While efforts were made to have the Congress select a new candidate,²⁷⁹ it is not scheduled to meet and select this member until April 2023.²⁸⁰

269 “Tainted top judicial officials resign ahead of reform,” dated 20 January 2022, found at <https://kyiv.independent.com/national/tainted-top-judicial-officials-resign-ahead-of-reform/>.

270 “Representatives of the Bar in the HCJ resigned because of disagreement with unconstitutional status restrictions,” dated 20 January 2022, found at <https://en.unba.org.ua/activity/news/7396-representatives-of-the-bar-in-the-hcj-resigned-be-cause-of-disagreement-with-unconstitutional-status-restrictions.html>.

271 “Judicial reform in action: most members of the High Council of Justice have resigned,” dated 22 February 2022, found at <https://en.dejure.foundation/tpost/m2ec3xumit-judicial-reform-in-action-most-members-o>; “Oksana Blazhivska outlined the problems that are relevant for judicial governance bodies and courts,” dated 15 July 2022, found at <https://court.gov.ua/press/news/1296167>.

272 *Ibid.*

273 “On the High Council of Justice,” Law No. 1798-VIII, Article 131, dated 21 December 2016.

274 Law No. 2128-IX, “On Amendments to Section XII ‘Final and Transitional Provisions’ of the Law of Ukraine ‘On the Judiciary and Status of Judges’ on ensuring the sustainable functioning of the judiciary in the absence of the plenipotentiary composition of the High Council of Justice,” dated 15 March 2022.

275 “Eight thousand disciplinary complaints: how to organise the work of the new HCJ effectively?” dated 21 February 2023, found at <http://en.dejure.foundation/tpost/k2ipzaog71-eight-thousand-disciplinary-complaints-h>. See also “Disciplinary responsibility of judges: Larisa Rogach noted the need to improve the disciplinary procedure,” dated 15 July 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/news/1296301/>.

276 “Judicial reform in Ukraine: a short overview,” dated November 2022, found at <http://en.dejure.foundation/library/judicial-reform-in-ukraine-what-has-changed-for-the-last-three-years>.

277 *Ibid.*

278 “Congress of scientists will be held on December 16 in Kyiv: What is Known,” dated 26 October 2022, found at <https://www.sud.ua/uk/news/publication/252729-sezd-uchenykh-sostoitsya-16-dekabrya-v-kieve-cto-izvestno>.

279 *Ibid.*; “16 candidates from the congress of scientists are applying for the position of a member of the HCJ,” dated 16 November 2022, found at <https://jur-gazeta.com/golovna/na-posadu-chlena-vrp-vid-zyizdu-naukovciv-pretenduyut-16-kandidativ.html>.

280 “The Ministry of Education and Science of Ukraine Has Changed the Time of the Congress of Representatives of Legal Higher Educational Institutions and Scientific Institutions,” dated 10 February 2023, found at <https://mon.gov.ua/ua/news/ministerstvo-osviti-i-nauki-ukrayini-zminilo-chas-provedennya-zyizdu-predstavnikov-yuridichnih-vishih-navchalnih-zakladiv-ta-naukovih-ustanov10022023>.

But the key cohort needed to raise a quorum and allow the work of the HCJ to resume were the ten members appointed by the Congress of Judges. In May 2022, the HCJ's Secretariat began accepting documents from candidates seeking to be nominated for these positions, with an eye toward having a slate of candidates ready for the meeting of that Congress scheduled for early July 2022.²⁸¹

This schedule soon evaporated. Citing the need for security, and over the objections of various non-governmental organizations, the Ethics Council decided that candidates would be interviewed behind closed doors.²⁸² Moreover, the Council also announced that it could not complete its work before the July 2022 meeting of the Congress of Judges, so that assembly was indefinitely postponed.²⁸³ However, the Congress finally met and selected ten members for the HCJ in mid-January 2023.²⁸⁴ While some of these selections were met with criticism by civil society,²⁸⁵ the HCJ finally had a quorum.

Meanwhile, the selection of HCJ members by other bodies languished. An extraordinary all-Ukrainian conference of prosecutors was scheduled for August 2022 to select the prosecutors' two members of the HCJ,²⁸⁶ but was soon postponed.²⁸⁷ Eventually, the Ethics Council selected 14 prosecutors for interviews, but four withdrew their applications and six failed the professional ethics and integrity criteria.²⁸⁸ On March 1, 2023, after a quorum had already been achieved for the HCJ, two prosecutorial candidates were elected.²⁸⁹

Similarly, in the summer of 2022, President Zelenskyy announced the creation of a commission to conduct a competition for the selection of candidates for the appointment of one remaining member of the HCJ under his presidential quota.²⁹⁰ While 22 candidates applied, only 14 candidates passed the preliminary ethics and integrity review. Again, it was not until late January 2023 that eight of those candidates were selected for interviews²⁹¹ and three were interviewed by the Ethics Council on March 1.²⁹² As of this writing, no nominations had yet been approved by that Council.

The only remaining organization with the power to elect members to the HCJ is the Congress of Bars of Ukraine. In early September 2022, the Bar Council voted to convene the Congress for the

281 "Judicial reform in Ukraine: a short overview," dated May 2022, found at <http://en.dejure.foundation/library/judicial-reform-in-ukraine-what-has-changed-for-the-last-three-years>.

282 "Ukraine: Why Justice Reform is More Vital Than Ever," dated 23 August 2022, found at <https://iwpr.net/global-voices/ukraine-why-justice-reform-more-vital-ever>.

283 "The Council of Judges of Ukraine resumed preparations for the Congress of Judges of Ukraine," dated 2 November 2022, found at <https://court.gov.ua/press/general/1340768/>.

284 "The Supreme Council of Justice is Empowered Again: The Congress of Judges Elected All Eight Necessary Members of the Supreme Judicial Council," dated 12 January 2023, found at <https://www.presscenter.company/vyshha-Rada-pravosuddyia-zn-ovu-povnovazhna-zyzid-suddiv-obrav-usih-visim-neobhidnyh-chleniv-vrp/>.

285 "Civic watchdog: 'Worst' candidates with links to Russia appointed to top judicial body," dated 12 January 2023, found at <https://news.yahoo.com/civic-watchdog-worst-candidates-links-174536775.html>. *But see* "Statement of the press service of the Council of Judges of Ukraine," dated 1 December 2022, found at <https://kz.pl.court.gov.ua/sud1611/pres-centr/news/1353219/>.

286 "The regional prosecutor's office summed up the results of work for the first half of 2022 and elected delegates to participate in the extraordinary all-Ukrainian conference of prosecutors," dated 20 July 2022, found at https://myk.gov.ua/ua/news.html?_m=publications&_t=rec&id=316553&fp=170.

287 "Announcement about postponing the date All-Ukrainian Conference of Prosecutors," dated 29 June 2022, found at https://old.gov.ua/ua/file_downloader.html?_m=fslib&_t=fsfile&_c=download&file_id=220878.

288 "The Ethical Council decided on the compliance of candidates for the position of a member of the HCJ from the All-Ukrainian Conference of Prosecutors with the criterion of professional ethics and integrity," dated 23 January 2023, found at <https://court.gov.ua/press/news/1372576/>.

289 "There were two more prosecutors in the HCJ," dated 1 March 2023, found at https://zib.com.ua/ua/155077-u_vrp_stalo_na_dvoh_prokuroriv_bilsh.html.

290 Decree of the President of Ukraine, No. 527/2022, dated 23 July 2022.

291 "Judges, lawyers, scientists: the Ethics Council has decided who will be a candidate for the position of a member of the Supreme Council of Justice according to the President's quota," dated 20 January 2023, found at <https://sud.ua/uk/news/publication/259775-sudi-advokaty-uchenye-eticheskij-sovet-reshil-kto-budet-kandidatom-na-dolzhnost-chlena-vysshego-soveta-pravosudiya-po-kvote-prezidenta>.

292 "The EP will meet with the last candidates for a place in the HCJ from the President," dated 1 March 2023, found at https://zib.com.ua/ua/155072-er_zustrinetsya_z_ostannimi_pretendentami_na_misce_u_vrp_vid.html.

purpose of electing its two members,²⁹³ but that meeting never occurred and apparently has not been rescheduled.

Regardless of this sluggishness in nominations and appointments, on January 19, 2023, the first meeting of the renewed HCJ was held with 15 members in attendance.²⁹⁴ A new chairman was elected,²⁹⁵ and the HCJ began its work. Its workload is daunting. Now that it has a quorum, the HCJ reassumed its responsibility for the changes of territorial jurisdiction of courts and the secondment of judges (above).²⁹⁶ When the HQCJ is reconstituted, the HCJ must consider and act on the appointment or reappointment of thousands of judges needed to rebuild the judicial corps.

Equally challenging, the HCJ must tackle the backlog of work that had not been transferred to the President of the Supreme Court, including matters that existed when it was deactivated and others that accumulated in the intervening year. For example, the HCJ must process about eight thousand open complaints against judges.²⁹⁷ In October 2022, the *Rada* authorized funding for 26 disciplinary inspectors for the HCJ in 2023.²⁹⁸ Forming a service of highly qualified disciplinary inspectors will not be an easy task,²⁹⁹ though the HCJ took an initial step in January 2023 by forming a separate independent unit in its secretariat to oversee judicial inspectors.³⁰⁰

While controversies and foot-dragging continue, there is hope that the reactivation of the HCJ will contribute to post-conflict efforts to rebuild the Ukrainian judiciary.³⁰¹

Prosecutors and the Rule of Law

Few segments in the Ukrainian legal system have been impacted by the Russian aggression as significantly as the country's prosecutors. Once a powerful force in the post-Soviet hierarchy, prosecutors saw their influence threatened by the reform movement that swept Ukraine in the latter part of the last decade. Amid that makeover, the Russian invasion radically changed the paradigm, thrusting prosecutors to the forefront of the country's national security efforts. Prosecutors now have assumed a substantially different role, though many pre-war issues remain.

The Historic Role of the Prosecutor

The traditional role of Ukrainian prosecutors is a manifestation of the country's political and legal inheritance from Imperial Russia and the Soviet Union. For almost 300 years, the procuracy served as the "eyes of the sovereign," an institution that secured the overarching power of the state rather than serving the larger principles of the rule of law.³⁰² This principle survived the fall of the Soviet Union, so that the Prosecutor General's Office, heir to the

293 "RAU passed a decision on convening the Sixth Congress of Bar Associations of Ukraine," dated 6 September 2022, found at <https://unba.org.ua/news/7582-rau-uhvalila-rishennya-pro-sklikannya-shostogo-zizdu-advokativ-ukraini.html>.

294 "What is the judicial mafia afraid of in the Anticorruption Program?" dated 26 January 2023, found at <https://www.pravda.com.ua/columns/2023/01/26/7386501/>.

295 "Digest of events of the High Council of Justice for January 16–27, 2023," dated 30 January 2023, found at <https://court.gov.ua/press/news/1375560/>.

296 "The HCJ extended the term of secondment of judges to two courts," dated 30 January 2023, found at <https://court.gov.ua/press/news/1375895/>.

297 "Eight thousand disciplinary complaints: how to organise the work of the new HCJ effectively?" dated 21 February 2023, found at <http://en.dejure.foundation/tpost/k2ipzaog71-eight-thousand-disciplinary-complaints-h>.

298 "The Supreme Council of Justice will have 26 disciplinary inspectors," dated 4 October 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1328863/>.

299 "The members of the HCJ discussed the issue of resuming consideration of disciplinary complaints," dated 13 July 2022, found at <https://court.gov.ua/press/news/1295275/>.

300 "A new division has been created in the secretariat of the HCJ – the service of disciplinary inspectors," dated 9 February 2023, found at <https://pl.court.gov.ua/tu17/pres-centr/news/1380367/>.

301 "Ukraine: EU welcomes appointment of eight new members to the High Council of Justice," dated 16 January 2023, found at <https://euneighbourseast.eu/news/latest-news/ukraine-eu-welcomes-appointment-of-eight-new-members-to-the-high-council-of-justice/>.

302 Pomeranz, William and Nesterenko, Oksana, "Breaking the Ukrainian Procuracy," *Kennan Cable*, No. 14 (January 2016).

Soviet-era prokuratora, remained predominant in the post-independence Ukrainian legal system. Under this system, prosecutors in Ukraine had a long tradition of political dependence, questionable competence, and corruption.³⁰³

To carry out the State's bidding, the prosecution service included an army of lawyers. Ukraine's procuracy in 2015 was swollen with more than 18,500 prosecutors.³⁰⁴ Even after some reductions, in 2018 Ukraine had 21 prosecutors per 100,000 inhabitants, compared with the European average of 12.³⁰⁵ Using another measure, Ukraine had 21 prosecutors – versus only 13 judges – per 100,000 inhabitants.³⁰⁶

In early 2016, one of Ukraine's top prosecutors resigned with a blistering condemnation of his profession: "*Today, the General Prosecutor's office is a brake on the reform of criminal justice, a hotbed of corruption, an instrument of political pressure, one of the key obstacles to the arrival of foreign investment in Ukraine.*"³⁰⁷ Exasperated with the ongoing graft and abuses of power, Ukrainian reformers and international donors alike demanded institutional change.

Prosecutors and the 2019 Law

After several prior unproductive efforts, President Zelenskyy in September 2019 signed a new law substantially replacing the then-existing prosecution service with new structures intended to bring about meaningful reform.³⁰⁸ On one level, the changes were organizational. Mirroring the courts, a three-tiered structure was adopted with the Prosecutor General at the top, regional prosecutor's offices in each *Oblast*, and local prosecutor's offices reporting to the regional prosecutor.

At the heart of these reforms, like the changes to the judiciary, was a vetting process referred to as "attestation." All existing prosecutors were required to undergo a comprehensive re-evaluation including integrity checks and tests of legal knowledge and general aptitude. In addition to increasing the integrity and competence in the prosecution service, the reforms had the stated goal of reducing the total number of prosecutors in Ukraine to less than 10,000, to be more in line with the *per capita* average of prosecutors in other European countries.³⁰⁹

This ambitious reform was launched at the end of 2019.³¹⁰ Though the prosecutors' attestation procedures suffered from similar ills as the judiciary's vetting processes, they moved forward with reasonable speed. The first stage – the "attestation" of the prosecutors in the Prosecutor General's Office – concluded at the end of December 2019. Out of 1083 prosecutors in that office who underwent the process, 629 successfully passed. Combined with those who resigned rather than participate, more than 700 prosecutors in that Office were dismissed.³¹¹

303 Prokip, Andrian, "Why Ukraine's Public Prosecutor's Office Remains Toothless," dated 22 October 2020, found at <https://www.wilsoncenter.org/blog-post/why-ukraines-public-prosecutors-office-remains-toothless>. See, e.g., "NABU, SAPO complete investigation into ex-Lviv region deputy prosecutor," dated 11 November 2022, found at <https://nabu.gov.ua/en/novyny/nabu-sapo-complete-investigation-ex-lviv-region-deputy-prosecutor>.

304 De Waal, Thomas, "Fighting a Culture of Corruption in Ukraine," Carnegie Europe, dated 18 April 2016, found at <https://carnegie-europe.eu/2016/04/18/fighting-culture-of-corruption-in-ukraine-pub-63364>.

305 Commission Opinion, p. 9.

306 *Ibid.*

307 "Ukrainian prosecutor quits over corruption as government teeters," dated 15 February 2016, found at <https://www.reuters.com/article/us-ukraine-crisis-politics/ukrainian-prosecutor-quits-over-corruption-as-government-teeters-idUSKCN0V01I>.

308 "On Amendments to Certain Legislative Acts of Ukraine on Priority Measures for the Reform of the Prosecutor's Office," Law No. 113-IX, dated 19 September 2019.

309 EU Advisory Mission to Ukraine, "Justice: Ukraine's Prosecution Attestation Process reaches its final stage," dated 14 May 2021, found at <https://www.euam-ukraine.eu/news/opinion/justice-ukraine-s-prosecution-attestation-process-reaches-its-final-stage/>.

310 CEPEJ Report, Part 2, p. 136.

311 Office of the Prosecutor General of Ukraine, "Results of reforming the prosecutor's office," found at <https://gp.gov.ua/ua/posts/rezultati-reformuvannya-prokuraturi>.

The next stage involving attestations at the regional level resulted in 2,647 of 3,697 prosecutors passing the test. Later, when local prosecutors were vetted, of the 6,130 taking part in the process, 4,671 passed. When the process was completed in Spring 2021, a total of 7,947 prosecutors had successfully passed the attestation process.³¹² About 30% failed and had to leave the service.³¹³ However, as of mid-2021, almost 1,800 individuals who failed to pass re-attestation had initiated lawsuits against the prosecution service, and efforts continued to annul the law governing the reform of the prosecution service on constitutional grounds.³¹⁴

During this same time, the planned organizational reforms were being implemented. The reorganized Office of the Prosecutor General started its work on January 2, 2020, and a Training Center of Prosecutors of Ukraine was established in Kyiv shortly thereafter. The new regional and district prosecutor's offices began working, respectively, on September 11, 2020 and March 15, 2021.³¹⁵

While no comprehensive data has been located, prior to February 24, 2022, new regional offices had been established and prosecutors were working in all 24 *Oblasts* plus the City of Kyiv.³¹⁶ Roughly 180 district offices had been established, and at least another 156 departmental offices were operational around the country.³¹⁷

Data on the staffing of individual offices is scarce. It appears that there were approximately 8,000 prosecutors in Ukraine at the beginning of the war, with somewhere in the neighborhood of 15% attached to the national Prosecutor General's Office headquartered in Kyiv. Another 30% or so were assigned to regional prosecutor's offices, while the remainder are working in local district or departmental offices.³¹⁸

No detailed information has been located regarding the number of non-prosecutorial staff in these offices. However, it appears that unlike the history of abundant staffing of prosecutors, Ukrainian prosecutors' offices have not been as liberal in hiring non-prosecutorial staff. For example, in 2020 the Ukrainian prosecution service had about 40% fewer non-prosecutorial staff *per capita* than prosecutors' offices in other European countries.³¹⁹

Available data from some regional offices provides insights into staffing levels. For example, data produced by the Zakarpattia Regional Prosecutor's Office indicated that the Regional Office was authorized to employ 76 prosecutors, but ten positions were vacant and another six prosecutors were on maternity leave. In addition to prosecutors, the office employed 45 civil servants, maintenance, or other workers. Another 92 prosecutors were assigned to the five district prosecutor's offices, and 43 were located in outlying departmental offices.³²⁰

Information from the Ivano-Frankivsk Regional Prosecutor's Office was similar. According to that data, the Office was authorized to hire a total of 264 employees, of which 183 were prosecutorial positions. Of the prosecutors, 69 were assigned to the regional prosecutor's office, while 114 were located in district or departmental prosecutor's offices. The Office reported that

³¹² *Ibid.*

³¹³ CEPEJ Report, Part 2, p. 136.

³¹⁴ "A new vision for Ukraine's Prosecution Service," dated 13 May 2021, found at <https://www.atlanticcouncil.org/blogs/ukrainealert/a-new-vision-for-ukraines-prosecution-service/>.

³¹⁵ Office of the Prosecutor General of Ukraine, "History of the prosecutor's office," found at <https://www.gp.gov.ua/ua/posts/istoriya-prokuraturi>.

³¹⁶ Office of the Prosecutor General of Ukraine, "Sites of regional prosecutor's offices," found at <https://gp.gov.ua/ua/posts/sajti-oblasnih-prokuratur>.

³¹⁷ Annex 4. No information has been located from nine *Oblasts* regarding the existence or locations of any departmental offices.

³¹⁸ Office of the Prosecutor General of Ukraine, "Results of reforming the prosecutor's office," found at <https://gp.gov.ua/ua/posts/rezultati-reformuvannya-prokuraturi>.

³¹⁹ EU Advisory Mission to Ukraine, "Justice: Ukraine's Prosecution Attestation Process reaches its final stage," dated 14 May 2021, found at <https://www.euam-ukraine.eu/news/opinion/justice-ukraine-s-prosecution-attestation-process-reaches-its-final-stage/>.

³²⁰ Zakarpattia Region Prosecutor's Office, "The structure of the regional prosecutor's office," found at <https://zak.gp.gov.ua/ua/structure.html>.

13 of the prosecutorial positions were vacant, 10 prosecutors had been dismissed or retired during the year, and 11 new prosecutors had been added.³²¹ While not definitive, these data suggest that the majority of prosecutors in a region were assigned to work in the district or departmental offices, while roughly 35–40% worked in the main regional prosecutor's office.

Other data reflect the character of the prosecution service. In 2020, the two *Oblasts* assigned the largest number of prosecutors *per capita* were Kherson and Mykolayiv, two regions close to the Black Sea and the occupied territories in Crimea and the Donbas. At the other end of the spectrum was the far western region of Ivano–Frankivsk, a less volatile area which was assigned less than half the number of prosecutors per capita as the Kherson and Mykolayiv *Oblasts*.³²²

The nature of the Ukrainian system can be seen in other data. For example, at the end of 2020, slightly more than 40% of prosecutors were female, yet only 4% heads of prosecution offices were women.³²³ While the Prosecutor General piloted a new procedure in 2021 for a transparent, merit-based selection of management-level prosecutors, five heads of regional prosecutors' offices appointed in January 2023 were all males.

The public perception and faith in the prosecution prior to the war was low. One study taken in July 2020 found that prosecutors were not trusted by 73% of respondents.³²⁴ Thus, when the Russians invaded on February 24, 2022, the Ukrainian prosecution service was dealing with an ongoing – but incomplete – reform effort that had been roiling the prosecutors' ranks for roughly three years.

The Specialized Anti-Corruption Prosecutor's Office

While reforms among the general prosecutors lurched forward, another initiative moved on a different track. In late 2015, the Specialized Anti-Corruption Prosecutor's Office (SAPO) was formed to prosecute cases before the HACC. Reformers hoped that this independent agency of hand-picked prosecutors, working with the investigators at the National Anti-Corruption Bureau of Ukraine (NABU), would bring integrity and a commitment to pursuing the oligarchs and their henchmen behind much of the country's corruption.

SAPO was formed in a timely fashion and began pursuing its anti-corruption agenda in earnest in the late 2010s. Indeed, Putin found its work so odious that he singled out SAPO, HACC and NABU for special mention in his February 21, 2022 speech, asserting that they were “directly controlled” by the United States.³²⁵

Some of SAPO's momentum slowed when the head of the agency resigned in August 2020. An independent selection process was commenced to choose a replacement, but the process was repeatedly delayed. In late December 2021, the SAPO selection commission failed to approve the clear winner of the selection competition on the same day that the entire selection process was invalidated by the Kyiv District Administrative Court.³²⁶ Throughout this time, SAPO continued to function under the direction of the deputy head of the Office.

³²¹ Ivano–Frankivsk Region Prosecutor's Office, “Information on the results of the activities of the prosecutor's office of Ivano–Frankivsk region in 2021,” found at https://ifr.gp.gov.ua/userfiles/file/informaciya_pro_rezultati_diyalnosti_organiv_prokuraturni_ivano_frankivskoyi_Oblasti_u_2021_roci.pdf.

³²² Annex 4.

³²³ CEPEJ Report, p. 136; Venediktova, Iryna, “A new vision for Ukraine's Prosecution Service,” *Atlantic Council* (May 13, 2021).

³²⁴ “Ukrainians trust the army, the Church and volunteers, while their trust in the government is plummeting: opinion poll,” dated 4 September 2020, found at https://risu.ua/en/ukrainians-trust-the-army-the-church-and-volunteers-while-their-trust-in-the-government-is-plummeting-opinion-poll_n111733.

³²⁵ Putin Speech.

³²⁶ “As derailing of anti-graft prosecutor appointment continues, panel members appeal to Prosecutor General,” dated 30 December 2021, found at <https://euromaidanpress.com/2021/12/30/as-derailing-of-anti-graft-prosecutor-appointment-continues-panel-members-appeal-to-prosecutor-general/>.

Russia's attacks on February 24 changed this dynamic. Materials relating to criminal proceedings, office files, valuable property, and servers were removed to a safe place. Some employees of SAPO and NABU moved to Lviv, but most remained in Kyiv. While some top-level corruption investigations continued, the agencies shifted to working with military and security agencies to address threats arising from the war.³²⁷

Shortly after the Russian attacks began, the acting head of SAPO and 11 other employees sent their families west and joined the Kyiv Territorial Defense Forces.³²⁸ A new acting head was appointed,³²⁹ and the remaining staff continued to carry on SAPO's work, albeit under difficult conditions.³³⁰

European and the U.S. governments, who were pouring billions in aid into Ukraine, pushed for the country to renew its commitment to fighting corruption. Thus, the third "suggestion" listed by the Council of Europe for Ukraine's admission to the EU was that Ukraine complete the appointment of a new head for SAPO.³³¹ When the president of the European Commission, Ursula von der Leyen, urged Ukraine's *Rada* to press forward with anti-corruption reforms, she pointed to SAPO and told the lawmakers: "You have created an impressive anti-corruption machine. But now these institutions need teeth, and the right people in senior posts."³³²

Perhaps spurred by these statements, President Zelenskyy in mid-July 2022, acknowledged the importance of SAPO and announced that he had instructed the Prime Minister "to intensify the process of launching the relevant competition" to fill the director's position.³³³ On July 28, a new head of SAPO was appointed.³³⁴

Since that time, SAPO has continued to pursue its mission. Anti-corruption efforts reportedly were stepped up over the summer under a new director of SAPO.³³⁵ In the second half of 2022, 149 persons received notices of suspicion from NABU and SAPO, more than in any 12 months of either 2020 or 2021.³³⁶ Overall in 2022, SAPO prosecutors filed 109 indictments in 42 cases, and obtained 25 convictions.³³⁷

Other signs suggest that this progress will continue. In October a competition was opened for the hiring of eight prosecutors for the SAPO staff,³³⁸ with interviews held in December.³³⁹ Despite this progress, public corruption remains a major problem in Ukraine and questions remain concerning the depth of the commitment to reform.³⁴⁰

327 "NABU adapts to work under war conditions: discussion," dated 16 June 2022, found at <https://nabu.gov.ua/en/novyny/nabu-adapts-work-under-war-conditions-discussion>.

328 "Anti-Corruption Prosecutors Holding Molotov Cocktails," dated 13 March 2022, found at <https://www.slidstvo.info/english-stories/anti-corruption-prosecutors-holding-molotov-cocktails/>.

329 "Dovhan Becomes SACPO Acting Head," dated 18 April 2022, found at <https://ukranews.com/en/news/850567-dovhan-becomes-sapco-acting-head>.

330 "NABU adapts to work under war conditions: discussion," dated 16 June 2022, found at <https://nabu.gov.ua/en/novyny/nabu-adapts-work-under-war-conditions-discussion>.

331 Commission Opinion, p. 20.

332 "Address of President von der Leyen to the Ukrainian Parliament following the European Council decision granting Ukraine candidate status," dated 1 July 2022, found at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_22_4253.

333 Zelenskyy Address.

334 "Nomination of SAPO Head to boost fight against corruption," dated 28 July 2023, found at <https://nabu.gov.ua/en/novyny/nomination-sapo-head-boost-fight-against-corruption>.

335 "Ukraine's parallel war on corruption to unlock door to West," dated 23 December 2022, found at <https://www.reuters.com/world/europe/ukraines-parallel-war-corruption-unlock-door-west-2022-12-23/>.

336 "293 new investigations, 149 suspects, 68 accused - NABU, SAPO's results in the second half of 2022," dated 10 February 2023, found at <https://nabu.gov.ua/en/novyny/293-new-investigations-149-suspects-68-accused-nabu-sapos-results-second-half-2022>.

337 "Ukraine's parallel war on corruption to unlock door to West," dated 23 December 2022, found at <https://www.reuters.com/world/europe/ukraines-parallel-war-corruption-unlock-door-west-2022-12-23/>.

338 "Announcement of the beginning of the competition and the beginning of the reception of documents," dated 7 October 2022, found at <https://www.gp.gov.ua/ua/posts/11-14334>.

339 "Schedule of interviews," found at https://old.gp.gov.ua/ua/file_downloader.html?_m=fslib&_t=fsfile&_c=download&file_id=224126.

340 "Ukraine: Are Kyiv's anti-corruption efforts serious?" dated 4 February 2023, found at <https://www.dw.com/en/ukraine-are-kyivs-anti-corruption-efforts-serious/a-64608249>; "Fighting Corruption in Wartime Ukraine," dated 13 February 2023, found at <https://www.wilsoncenter.org/blog-post/fighting-corruption-wartime-ukraine>.

The Impacts of the War on Infrastructure and Staff

When Russian forces invaded Ukraine in February 2022, the prosecution service was in turmoil. The power of prosecutors was under assault, and many old hands were being assailed in the attestation process. Though judicial challenges to those proceedings were finding some success, resignations and dismissals both reduced the numbers and diminished the influence of many long-time members of the procuracy.

At the same time, the “new” prosecution service was still in its infancy. The reorganized regional and district offices had been operational for about a year. During most of that time, the pandemic substantially impacted the ability of prosecutors to work, interact, and train. The expanded Russian aggression in February 2022 upended this state of affairs.

Damage to Physical Infrastructure. Like the courts, prosecutors’ offices suffered substantial physical damage from the Russian assault. More than 40% of Ukrainian prosecutors’ offices were in the nine *Oblasts* that suffered the heaviest attacks by Russian forces. Statistics received from the Office of the Prosecutor General in December 2022 indicate that of the offices that can be reached, nine were completely destroyed, 19 suffered moderate damage, and another 21 suffered relatively minor damage.³⁴¹ However, these statistics do not account for more than 80 prosecutors’ offices in the temporarily occupied areas that cannot be inspected.³⁴²

Displacement. Like other citizens, the immediate response of many Ukrainian prosecutors to the Russian invasion was to protect their families and themselves. Many of those in frontline areas were moved to safer locations. Unlike the courts, however, no explicit transfers of territorial jurisdiction occurred within prosecutors’ offices. Instead, the various offices continued to work, albeit from locations further away from the lines of contact.

As mentioned above, official data concerning the prosecution service is scarce. No information has been located concerning the number of prosecutors working when the war began, or the number of those working today. If the events after 2014 in the Donbas are a guide, survey results after that conflict suggested that the number of employees significantly decreased in prosecutors’ offices in the area.³⁴³ This is consistent with statements made by President Zelenskyy’s appointee as Prosecutor General in July 2022, who indicated that investigations had begun concerning more than 600 prosecutors who “crossed the border” in the first days of the war.³⁴⁴

When the current hostilities began in February 2022, the dramatic push to cleanse and reduce the size of the prosecution service was already playing out. Whether related or not, in January 2023 the Deputy Prosecutor General was voluntarily dismissed his post.³⁴⁵ A few days later, the heads of the Zaporizhzhia, Kirovohrad, Poltava, Sumy and Chernihiv regional prosecutor’s offices resigned.³⁴⁶

341 See Annex 4. These totals include damage to military prosecutors’ offices, which do not appear in Annex 4.

342 Information provided by Office of the Prosecutor General of Ukraine as of December 5, 2022.

343 Kuibida, p. 12.

344 “Prosecutor’s office expects new ‘cleansing’ of ranks – Prosecutor General,” dated 2 August 2022, found at <https://sud.ua/ru/news/publication/245776-prokuraturu-ozhidaet-novaya-chistka-ryadov-generalnyy-prokuror>.

345 “Oleksiy Symonenko dismissed from the post of Deputy Prosecutor General,” dated 24 January 2023, found at <https://gp.gov.ua/ua/posts/oleksiya-simonenka-zvilnenno-z-posadi-zastupnika-genprokurora>.

346 “Five heads of regional prosecutor’s offices were dismissed,” dated 25 January 2023, found at <https://gp.gov.ua/ua/posts/zvilnenno-z-posad-pyat-kerivnikiv-oblasnix-prokuratur>.

Enlistment. No official data is available concerning the number of prosecutors who joined the Ukrainian military. Some prosecutors enlisted, though apparently not in large numbers. For example, data from the Ivano–Frankivsk and Zakarpattia *Oblasts* indicates that around 2% of the prosecutors in those regions enlisted.³⁴⁷ One report indicated that as of December 1, 2022, four prosecutors in Ukraine had been killed in combat.³⁴⁸ Anecdotal reports describe several such deaths.³⁴⁹ Under the circumstances, while enlistments may cause some attrition, they likely will not be a major factor in maintaining the workforce in prosecutors' offices.

Detention or Injury by Russian Forces. As Ukrainian government officials, prosecutors likely have been targeted by Russian forces when they remained in occupied areas of the country. Most likely for security reasons, however, the Ukrainian government has not made any public announcements regarding such detentions.

Physical risks to prosecutors have increased. Even in peacetime, prosecutors face threats from suspects, convicted persons, and their cohorts. Such risks are magnified in wartime when weaponry is readily available and norms against violence are weakened. Prosecutors handling cases against those allied with Russian forces face not only personal intimidation, but also threats against their relatives in occupied areas.³⁵⁰ They may also be at risk from right-wing extremists or other Ukrainian “patriots” who either demand retribution against their perceived enemies or absolution for themselves and their colleagues, regardless of the evidence. Again, using the earlier experience in the Donbas as a benchmark, a 2018 survey showed that 53 percent of prosecutors in Donetsk and Luhansk *Oblasts* believed that the Ukrainian government did not take into account political sensitivities and personal security risks attendant to working in armed conflict and enemy-occupied areas.³⁵¹

Collaboration. One area of particular concern regarding prosecutors is the level of collaboration with the invading forces. During the first months of the war, the issue of defection and collaboration among the prosecution services bubbled just below the surface. A few anecdotal instances were reported, such as allegations that the head of one of the district prosecutor's offices in the Mykolayiv *Oblast* had systematically leaked information to the Russians in the hopes that he would be allowed to continue working in the prosecutor's office if the enemy captured the region.³⁵²

However, in mid-July 2022, President Zelenskyy announced that he was replacing the Prosecutor General due to serious concerns about the loyalty of individuals under her supervision. He announced that 651 criminal investigations had been commenced as of July 17 regarding high treason and collaborative activities of employees of prosecutor's offices, pretrial investigation bodies, and other law enforcement agencies. Equally concerning, more than 60 employees of prosecutor's offices and the state security service allegedly remained occupied territories and were working with the Russians.³⁵³

347 Ivano–Frankivsk Region Prosecutors' Office, “Information on the results of the activities of the prosecutor's office of Ivano–Frankivsk region in 2021,” found at https://ifr.gp.gov.ua/userfiles/file/informaciya_pro_rezultati_diyalnosti_organiv_prokuraturi_ivano_frankivskoyi_oblasti_u_2021_roci.pdf; Zakarpattia Region Prosecutor's Office, “The structure of the regional prosecutor's office,” found at <https://zak.gp.gov.ua/ua/structure.html>.

348 “Oleksandr Filchakov congratulated the team on the Day of Prosecutors,” 1 December 2022, found at https://khar.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=323851&fp=10.

349 See, e.g., “Condolences to the family and colleagues of the deceased prosecutor-defender of Ukraine,” dated 5 October 2022, found at <https://gp.gov.ua/ua/posts/spivcuttya>; “We sympathize with the tragic death of former prosecutor Sergei Menzhinsky,” dated 18 October 2022, found at https://lug.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=321506.

350 Kuibida, p. 6.

351 *Id.*, p. 7.

352 Embassy of Ukraine in the USA, “War Bulletin,” dated 5 April 2022, found at <https://smallwarsjournal.com/blog/ukraine-war-bulletin-april-5-530-pm-est>. See also “The prosecutor in the Zaporozhye region went over to the side of the Russian Federation. He was suspected,” dated 5 November 2022, found at <https://www.rbc.ua/ukr/news/prokuror-zaporizkiy-oblasti-perey-shov-storonu-1667658474.html>.

353 “Zelensky Takes Aim at Hidden Enemy: Ukrainians Aiding Russia,” dated 18 July 2022, found at <https://www.nytimes.com/2022/07/18/world/europe/zelensky-ukraine-russian-spies.html>.

The new Prosecutor General soon announced large-scale “cleansings” in the prosecutors’ offices and the public service system as a whole. He signed an order directing that internal investigations start regarding employees of the prosecutors’ offices in front-line regions, including those who were under temporary occupation.³⁵⁴

At the same time, Russia began setting up parallel prosecutors’ offices in the temporarily occupied regions of Zaporizhzhia, Kherson, Donetsk and Luhansk.³⁵⁵ Whether former members of the Ukrainian procuracy have joined or will join the new Russian entities is unclear, but the evidence from other occupied regions suggests that some will defect.³⁵⁶

Cases of corruption among prosecutors continue to surface, even at the highest levels.³⁵⁷ Recent HCJ appointments offer a glimpse into the ongoing integrity issues with prosecutors. Out of 14 candidates who were advanced to the interview stage for positions as members of the HCJ from the All-Ukrainian Conference of Prosecutors, six were disqualified by the Ethics Council and another four withdrew.³⁵⁸

The Impacts of the War on the Role of Prosecutors

In February 2022, Ukrainian prosecutors were in the midst of a reform process intended to dramatically shrink their numbers, “clean house” after decades of corruption, and transform their role from enforcers of state power to defenders of the rule of law. The Russian assault substantially altered this landscape.

On one level, the pace of the prosecutors’ usual work slowed, both because fewer crimes were being reported and the damage to the country’s infrastructure made any task more difficult and time-consuming.³⁵⁹ Moreover, especially for prosecutors handling cases from areas that were occupied or involved in active combat, the conflict greatly complicated the processing of individual cases. Files were lost when courts and prosecution offices ceased to function, and danger levels precluded retrieving them. As reflected in the experience in the Donbas after 2014, prosecutions suffered when court facilities were destroyed by shelling, or files were stolen by Russian-separatist armed groups, vandals, or parties against which claims were pending. Without the case files, prosecutors were placed in the untenable position of having to drop cases against suspects or to revoke pending convictions.³⁶⁰

But the events of February 2022 also changed the role of prosecutors within the Ukrainian justice system. Instead of reducing the power of the prosecution, new regulations coinciding with the imposition of martial law gave prosecutors enhanced powers in handling cases. For example, prosecutors were given expanded powers to require pretrial detention, previously matters that required the involvement of an investigating judge. Prosecutors also were given decision-making authority on a variety of issues related to access to documents and other evidence, searches or seizures of property, and the utilization of certain covert investigative

354 “Prosecutor’s office expects new “cleansing” of ranks – Prosecutor General,” dated 2 August 2022, found at <https://sud.ua/ru/news/publication/245776-prokuraturu-ozhidaet-novaya-chistka-ryadov-generalnyy-prokuror>.

355 “The Russians brought their “prosecutors” to the temporarily occupied territories of Ukraine,” dated 13 November 2022, found at https://gazeta.ua/articles/np/_rosiyani-zavezli-svoyih-prokuroriv-na-timchasovo-zahopleni-teritoriyi-ukrayini/1120602.

356 See, e.g., “Contributed to the establishment of the occupying prosecutor’s office on the peninsula: 4 Crimean “prosecutors” will be tried *in absentia*,” dated 21 October 2022, found at <https://qirim.news/novosti-uk/spryalyi-stanovlennyyu-okupatsijnyh-organiiv-prokuratury-na-pivostrovi-zaochno-sudytymut-4-krymskyh-prokuroriv/>.

357 “PGO prosecutor exposed on incitement to bribery and fraud,” dated 13 January 2022, found at <https://nabu.gov.ua/en/novyny/pgo-prosecutor-exposed-incitement-bribery-and-fraud>.

358 “The Ethical Council decided on the compliance of candidates for the position of a member of the HCJ from the All-Ukrainian Conference of Prosecutors with the criterion of professional ethics and integrity,” dated 23 January 2023, found at <https://court.gov.ua/press/news/1372576/>.

359 “The war has made its own adjustments’: Interview with the Deputy Prosecutor of the Mykolayiv region,” dated 2 April 2022, found at <https://news.pn/ru/RussiaInvadedUkraine/269970>.

360 Kuibida, p. 5.

techniques.³⁶¹ As the direct threats receded in some regions such as Kyiv, complaints surfaced about the alleged misuse of these powers by prosecutors.³⁶²

Prosecutors also took on caseloads laden with matters seldom seen during peacetime. The Prosecutor General directed prosecutors to give priority to the “effective investigation and prosecution of war crimes, cases of treason and acts of collaboration.”³⁶³ At the forefront of these efforts is the extraordinary campaign to document and prosecute alleged Russian war crimes. The Prosecutor General stated that the top priority for prosecutors is to ensure the punishment of each war criminal by the proper recording and documentation of every alleged crime, so that the evidence will be admissible and result in convictions in court.³⁶⁴

Ukrainian prosecutors had scant expertise on these issues prior to the war.³⁶⁵ Millions of dollars and countless missions from the international community have recently poured into Ukraine to assist in this effort. Prosecutors now spend many hours in training and later documenting thousands of alleged atrocities. In areas where the hostilities are or have been intense, prosecutors are spending substantial amounts of time on this documentation effort.³⁶⁶

War crimes investigations have arisen far from the primary combat zones. For example, prosecutors from the Kyiv *Oblast* are conducting investigations in western Ukraine, interviewing refugees who have sought shelter far from the frontlines.³⁶⁷ Even prosecutors assigned to the relatively peaceful central and western regions are drawn into investigating allegations of war crimes that occurred in distant areas,³⁶⁸ or handling alleged, albeit isolated, war crimes in their own jurisdictions.³⁶⁹ Prosecutors in western areas are also bringing cases involving residents and actions occurring in the east, apparently since they have the time and resources to do so.³⁷⁰

The amount of work for prosecutors is staggering. As of the end of February 2023, authorities had registered more than 66,000 alleged Russian war crimes and 17,000 crimes against national security.³⁷¹ Yet, while massive numbers of cases have been documented, few have resulted in actual prosecutions and convictions. According to one report, in the 12 months since

361 Gvozdiy, *supra*. “Features of criminal proceedings during martial law,” dated 29 June 2022, found at <https://Radako.com.ua/news/osoblivosti-kriminalnogo-provadhennya-pid-chas-voiennoho-stanu>; “Procedural aspects: problematic issues of pre-trial investigation and court proceedings under martial law,” dated 14 July 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/news/1295799>.

362 “In Kyiv, seized property of Russian and Belarusian companies worth almost UAH 8 billion, we hand it over to the ARMU and ZSU – the head of the prosecutor’s office,” found at https://kyiv.gp.gov.ua/ua/news.html?_m=publications&_t=cat&id=114168.

363 “The IBA interview: Andriy Kostin, Prosecutor General of Ukraine,” dated 4 October 2022, found at <https://www.ibanet.org/interview-Andriy-Kostin-Prosecutor-General-of-Ukraine>.

364 “Cherkasy Regional Prosecutor’s Office held a coordination meeting on important issues of combating crime under martial law,” dated 21 September 2022, found at https://chk.gp.gov.ua/ua/actual_chk?_m=publications&_c=view&_t=rec&id=320111.

365 “‘Absolutely new work for us.’ How Ukrainian prosecutors investigate war crimes,” dated 13 June 2022, found at <https://www.bbc.com/ukrainian/features-61750728>.

366 *See, e.g.*, “Mortar shelling by the Russian military of Sumy region – a pre-trial investigation is underway,” dated 19 June 2022, found at <https://gp.gov.ua/ua/posts/minometni-obstrili-rosiiskimi-viiskovimi-sumshhini-provoditsya-dosudove-rozsliduvannya>; “Prosecutors have documented another crime committed by the Russian military in the Kharkiv region,” dated 7 June 2022, found at <https://gp.gov.ua/ua/posts/prokurori-zadokumentovali-cergovii-zlocin-rosiiskix-viiskovix-na-xarkivshhini>.

367 “Meet the Ukrainians documenting Russian war crimes, in real-time,” dated 19 May 2022, found at <https://www.politico.eu/article/ukraines-sprawling-unprecedented-campaign-to-document-russian-war-crimes/>.

368 *See, e.g.*, “War crimes: Prosecutors of Kirovohrad region continue to collect evidence of armed aggression of the Russian Federation,” dated 20 May 2022, found at https://kir.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=313714&fp=30.

369 *See, e.g.*, “For the first time since the beginning of the war, Russia launched a missile strike on Transcarpathia – an investigation has been launched,” dated 4 May 2022, found at https://zak.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=313069&fp=110.

370 *See, e.g.*, “A mercenary of the Wagner military company will be tried in Prykarpattia,” dated 25 November 2022, found at https://ifr.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=323552&fp=82; “The leader of the terrorist group ‘Swat,’ which opposed the forces of the ATO of Ukraine, was sentenced to 15 years in prison,” dated 24 October 2022, found at https://od.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=321807&fp=80; “In Ternopil Oblast, a LPR terrorist was sentenced *in absentia* to 13 years in prison,” dated 29 November 2022, found at https://tern.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=323657&fp=63.

371 “Criminal jurisdiction during martial law: the results of activity for 2022 were discussed at the CCS of the Supreme Court,” dated 7 February 2023, found at <https://lp.vn.court.gov.ua/sud0213/pres-centr/news/1379072/>.

February 24, 2022, 25 Russians were convicted of war crimes. The accused was present for only ten of those convictions, while the rest were handed down *in absentia*.³⁷²

While there is pressure for this tempo to increase, the efficacy of this effort has been questioned. Again, as of mid-November 2022, the 60 war crimes prosecutions had resulted in 12 convictions.³⁷³ Most convictions are *in absentia*, meaning that the defendants will suffer no punishment unless they are arrested by Ukrainian authorities in the future.

Many cases, though valid prosecutions, are symbolic given the lack of any real mechanism for enforcement. For example, the prosecutors of the regional prosecutor's office in the western Oblast of Khmelnytskyi indicted 46 deputies of the Russian State Duma who voted to recognize the Luhansk People's Republic (LPR) and the Donetsk People's Republic (DPR), alleging that this vote contributed to implementing a plan to launch a full-scale invasion of Ukraine.³⁷⁴ The symbolism of these charges is unmistakable, yet it is unlikely that any judgment can be enforced. For a legal system short on resources, such a massive undertaking in some instances may be detrimental to the prosecutors' other work.³⁷⁵

The war also has spawned an abundance of other offenses focused on Ukrainian citizens that prosecutors are now handling. With the imposition of martial law, legislation was enacted to make changes to pre-trial investigation and criminal proceedings, abolish criminal liability for certain crimes, create new offenses and, in some cases, increase sentences.³⁷⁶

Some offenses such as treason were recognized prior to the war. Scores of treason cases have been filed, many involving Ukrainian citizens who joined the DPR or LPR. Among the most difficult challenges for prosecutors to determine is whether to charge those who remained in their official positions in occupied territories after the Russian invasion. Is a public servant who continues to perform his or her seemingly apolitical duties after occupation nonetheless a collaborator?³⁷⁷

A significant number of these cases were filed by prosecutors in courts in western Ukraine which had no relation with the defendants or the alleged crimes. While some prosecutions involved defendants who had been captured during the fighting,³⁷⁸ others were *in absentia* against persons who were outside the reach of Ukrainian authorities.³⁷⁹

Though less well publicized, Ukrainian prosecutors are also involved in prosecuting draft evaders. In the nine months after Ukraine declared martial law and implemented a general mobilization in response to Russia's invasion, more than 12,000 Ukrainian men tried to illegally leave the country. Prosecutors, mostly in western Ukraine, initiated more than 2,100 criminal

372 "War criminals in Ukraine: how many Russians and what were convicted for a year of full-scale invasion," dated 24 February 2023, found at <https://zmina.info/articles/voyenni-zlochynczi-v-ukrayini-skilkoh-rosiyan-ta-za-shho-zasudyly-za-rik-povno-masshtabnogo-vtorgnennya/>.

373 "12 occupiers have already been convicted in Ukraine for war crimes - Prosecutor General," dated 20 November 2022, found at <https://war.obozrevatel.com/v-ukraine-uzhe-osudili-12-okkupantov-za-sovershennyie-voennyie-prestupleniya-gen-prokuror.htm>.

374 "46 deputies of the State Duma of the Russian Federation who voted for the recognition of the 'L/DNR' will be tried," dated 23 January 2023, found at https://khamel.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=326506&fp=40.

375 See, e.g., "The war has made its own adjustments": Interview with the Deputy Prosecutor of the Mykolayiv region," dated 2 April 2022, found at <https://news.pn.ru/RussiaInvadedUkraine/269970>.

376 Gvozdiy, *supra*.

377 See "A difficult and painful question': Ukraine ponders how to punish collaborators," dated 4 June 2022, found at <https://www.theguardian.com/world/2022/jun/04/ukraine-collaborators-treason-russia-war>; "Work in the Occupation: Will There Be Criminal Prosecution?" dated 3 January 2023, found at <https://justice-km.gov.ua/news/view/6826-robot-a-v-okupaciji-chi-bude-kriminal-ne-peresliduvannya>; "Lawyers of the Kherson Region Are Returning to Work — Inna Mokina," dated 6 January 2023, found at <https://pivdenukraine.com.ua/2023/01/06/advokati-xersonshhni-povertayutsya-do-roboti-inna-mokina/>.

378 See, e.g., "15 years in prison for switching to the side of the enemy - the prosecutor's office has achieved the maximum punishment for treason," dated 4 May 2022, found at https://vin.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=313055&fp=60; "Deprivation of liberty with confiscation of property - 13 militants of the so-called 'LPR' were sentenced in Lviv," dated 10 February 2023, found at https://lviv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327781.

379 "Ukraine: How Collaborators Are Being Tried in the Dnipropetrovsk region, in eastern Ukraine," dated 30 January 2023, found at <https://www.justiceinfo.net/en/111767-ukraine-collaborators-tried-dnipropetrovsk.html>.

proceedings for falsification of documents, illegal transport of persons, and draft evasion. About 950 people were charged and 350 have been convicted.³⁸⁰

The war – and Ukraine’s response to the war – has also generated a new category of offenses. In March 2022, the *Rada* created a new offense of “collaborationism” imposing criminal liability for cooperation with the aggressor state in the information, educational, political, military, administrative, economic, and labor spheres.³⁸¹ The scope of this law is quite broad.³⁸² In addition to active collaboration, the *Rada* criminalized and allowed the seizure of assets based on other behaviors including:

- Justification, recognition as lawful, or denial of the armed aggression by the Russian Federation against Ukraine as well as glorification of its participants;
- Dissemination of information concerning the location of weapons, equipment, and soldiers;
- Incitement of regional hatred;
- Defamation of soldiers’ honor and dignity, and threats against soldiers; and
- Illegal use of humanitarian aid.³⁸³

The widespread use of social media has meant that hundreds of Ukrainians have been investigated under this law, and many charged with being part of “Russia world.” Prosecutors apply the new collaboration law to citizens for social media posts legitimizing or glorifying the Russian invasion, expressing support for President Putin, or accusing Ukrainians as being “Russophobic” or fascists.³⁸⁴ Unfortunately, these concepts are vague and subject to alternative interpretations. Care must be taken to distinguish collaborative activity from treason and from aiding the Russian aggressors. As one lawyer who defends such cases indicated: “[J]udges will have a lot of work to do in order to correctly apply this legislation, and I would like to express the hope that despite martial law, we will still remain a rule of law country.”³⁸⁵

To date, finding hard data on collaboration prosecutions is difficult, since many of these cases are closed to the public for security reasons. For example, as of December 2022, out of 45 of collaboration cases tried by the courts in Dnipropetrovsk *Oblast*, only five were publicly available. Interestingly, those five cases involved individuals who had committed relatively low-level crimes, had “repented,” and had reached plea agreements with prosecutors. In these instances, the sole punishment allowed by law is the deprivation of the right to hold certain public positions or engage in certain activities.³⁸⁶ Accordingly, the sentences consisted of a prohibition from holding an official position in a state or local government for a period of years.³⁸⁷

380 “More Than 12,000 Men Have Tried to Leave Ukraine Illegally Since Martial Law,” dated 30 December 2022, found at <https://www.rferl.org/a/ukraine-border-service-arrests/32201615.html>.

381 Gvozdiy, *supra*.

382 See “Collaborators: what punishment awaits traitors,” dated 31 January 2023, found at <https://vnr.vn.court.gov.ua/sud0203/pres-centr/news/1378003/>; “What are collaborators judged for: judgments through the eyes of lawyers,” dated 23 January 2023, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1372793/>.

383 “The Key Legislative Changes: What has changed in criminal law and procedure in 2022?” dated 9 June 2022, found at <https://www.lexology.com/library/detail.aspx?g=83d10eb2-cede-4417-9a3f-9a535949585f>. See also, “On Amendments to Certain Legislative Acts of Ukraine on Improving the Effectiveness of Sanctions Related to Assets of Individuals,” Law No. 2257-IX, dated 12 May 12, 2022.

384 See, e.g., “In the Carpathian region arrested an Internet agitator who published anti-Ukrainian posts and justified the aggression of the Russian Federation,” dated 31 May 2022, found at https://ifr.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=314114&fp=54; “Publicly approved the armed aggression of Russia and the actions of Putin – the prosecutor’s office once again charged for pro-Russian propaganda,” dated 3 May 2022, found at https://vin.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=313004&fp=60.

385 “Lawyers of the Kherson Region Are Returning to Work – Inna Mokina,” dated 6 January 2023, found at <https://pivdenukraine.com.ua/2023/01/06/advokati-xersonshhini-povertayutsya-do-roboti-inna-mokina/>.

386 “Verdict in the case of collaborative activity,” dated 5 May 2022, found at <https://rg.zt.court.gov.ua/sud0622/pres-centr/news/1272674/>.

387 “Ukraine: How Collaborators Are Being Tried in the Dnipropetrovsk region, in eastern Ukraine,” dated 30 January 2023, found at <https://www.justiceinfo.net/en/111767-ukraine-collaborators-tried-dnipropetrovsk.html>. See also, “She paid for collaborationism: in Zhytomyr, a music teacher was deprived of her right to teach,” dated 23 February 2023, found at https://zhit.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328534.

These prosecutorial activities suggest that, with Ukraine on a war footing, the position of the prosecution service again has changed. Their “muscular” presence is appreciated as they investigate and prosecute the country’s foreign and domestic enemies. Efforts to reform and end corruption within their ranks, though not forgotten, appear to have less urgency in the face of a vicious foe.

But some reforms have continued. In March 2023, the *Rada* passed and President Zelenskyy signed long-pending amendments to the law governing the prosecution service creating a new system for recruiting prosecutors. The requirement of two years of professional experience was abolished. Now, a Ukrainian citizen who has a Master’s of Law degree can become a “trainee prosecutor” based on a competitive selection process. Trainees will be educated, mentored, and serve a two-year probation before they can become full-time prosecutors.³⁸⁸

Whether the realignment of the prosecution service during the war coupled with initiatives such as these will provide the necessary impetus for reform has yet to be seen. Precisely how the procuracy will emerge at the end of the hostilities will be an important factor in Ukraine’s reconstruction.

Lawyers in Wartime

On February 28, 2022, as a result of the Russian invasion of Ukraine, the Pavlove Pole microdistrict in Kharkiv was hit by Grad rockets. My apartment, where I lived with two minor children, was partially damaged. The windows were blown out. Damaged heating. Now I have to leave the city of Kharkiv with my elderly parents and minor children to a village in order to, at least, provide my loved ones with a warm home. I have no livelihood.

– Lawyer from Kharkiv region³⁸⁹

Some stories are inspiring: lawyers abandoning their law practices to take up arms and fight Russian aggression.³⁹⁰ Other vignettes are heartrending with descriptions of chaos and the tearing apart of families.³⁹¹ Like all Ukrainian citizens, those in the legal profession dealt with massive changes to their way of life as a result of Russian attacks over the past year. As the conflict drags on, the profession itself faces numerous hurdles in moving the country closer to a democratic state governed by the rule of law.

Advokats and Lawyers

Like the systems in several former Soviet states, the legal profession in Ukraine is not a unified body. Rather, the profession is split into two groups:

- Licensed law graduates who can represent individuals and businesses in courts on all matters (often called *advokats*); and
- Unlicensed law graduates who are allowed to give legal advice and represent clients in civil, family, or labor (but not criminal) matters in court.

³⁸⁸ Law No. 2203-IX, dated 13 March 2023.

³⁸⁹ “International Charitable Assistance for UNBA during martial law,” dated 30 June 2022, found at https://unba.org.ua/assets/uploads/7832054cdf7c94b36320_file.pdf (“UNBA Assistance.”)

³⁹⁰ See, e.g., “Ukraine lawyer-turned-soldier: ‘We will fight for each street,’” dated 8 March 2022, found at <https://www.reuters.com/legal/legalindustry/ukraine-lawyer-turned-soldier-we-will-fight-each-street-2022-03-08/>; “From the frontline: from lawyer to soldier,” dated 6 April 2022, found at <https://www.rnz.co.nz/national/programmes/ninetonoon/audio/2018837187/from-the-frontline-from-lawyer-to-soldier>.

³⁹¹ See, e.g., “In Ukraine, Lawyers With Ukrainian Bar Association and NYSBA Chapter Help Refugees to Safety, or Take Up Arms in the Streets,” dated 21 March 2022, found at <https://www.law.com/newyorklawjournal/2022/03/21/in-ukraine-lawyers-with-ukrainian-bar-association-and-nysba-chapter-help-refugees-to-safety-or-take-up-arms-in-the-streets/>; “Refugee lawyer describes harrowing invasion of Ukraine,” dated 14 April 2022, found at <https://www.abajournal.com/web/article/at-aba-panel-refugee-lawyer-describes-harrowing-invasion-of-ukraine>.

While *advokats* must hold a master's degree in law and meet additional requirements to become licensed, unlicensed practitioners may provide legal services with only a bachelor's or lesser degree in law. Although no official statistics are available, it is estimated that there are several hundred thousand unlicensed legal practitioners in Ukraine.³⁹²

Since unlicensed legal practitioners, by definition, are not required to belong to any official body, there is no central organization governing or providing information regarding them. One voluntary national organization, the Union of Lawyers of Ukraine, publicizes that its membership consists of more than 100,000 individual members plus nearly as many lawyers from institutional and organizational members.³⁹³ Though the organization continues to operate,³⁹⁴ it does not appear particularly active.

Licensed lawyers in Ukraine, or *advokats*, are subject to the "Law on the Bar and Practice of Law," adopted in 2012.³⁹⁵ The 2012 Law established the principle that all *advokats* would be required to be members and subject to the authority of the Bar Council of Ukraine and a variety of subsidiary entities. Licensing of *advokats*, however, is handled by self-governing bar councils at the *Oblast* level.

Unfortunately, implementation of the Law was hamstrung by ongoing infighting within the *advokats'* ranks.³⁹⁶ By late 2021, however, this rancor seemingly had somewhat dissipated as the Ukrainian National Bar Association (UNBA) emerged as the pre-eminent professional organization for *advokats*.

The UNBA is organized as a self-governing, non-governmental organization that has assumed and exercises many of the functions of the Bar Council.³⁹⁷ For example, though the 2012 Law specifies that the Bar Council will manage the master list of all licensed *advokats* in the country known as the Unified Register of Attorneys of Ukraine (URAU), the UNBA has assumed that function.

The activities of the UNBA, though seen as progress by many, nonetheless generated some controversy.³⁹⁸ For example, the UNBA joined forces with other groups opposed to the creation of a Selection Commission to vet candidates for the HCJ, recommended in early 2022 that the Bar-appointed members to the body resign, and has not yet selected its new members for the HCJ.³⁹⁹

In part due to these controversies, another voluntary organization for lawyers, the Ukraine Bar Association (UBA) also continues to operate. Claiming a membership of over 6,000 lawyers,⁴⁰⁰ the UBA on occasion offers alternative perspectives to the positions taken by the UNBA.⁴⁰¹

392 ICJ Report, p. 12.

393 See "History of SUU," found at <https://lawyersunion.org.ua/istoriya-syuu/>.

394 "A plenary session of the executive governing body – the Council of the Union of Lawyers of Ukraine – took place," dated 17 November 2021, found at <https://lawyersunion.org.ua/vidbulosya-plenarne-zasidannya-vykonavchogo-kerivnogo-orga-nu-rady-soyuzu-yurystiv-ukrayiny/>.

395 Law No 5076-VI, dated 5 July 2012.

396 ICJ Report, pp. 12-14.

397 Ukrainian National Bar Association, "System of the Bar Self-Government Bodies in Ukraine," found at <https://en.unba.org.ua/unba>.

398 See United States Agency for International Development, Agency for Legislative Initiatives, *The Bar of Ukraine: the Lessons Learned from the Early Years of Self-Governance* (Kyiv 2018) ("USAID Report"); "CSOs condemn attorneys' pressure on HACC judges and expect harsh response from Prosecutor General," dated 10 December 2020, found at <https://antac.org.ua/en/news/csos-condemn-attorneys-pressure-on-hacc-judges-and-expects-harsh-response-from-prosecutor-general/>; Kaleniuk, Daria, "Why is the bar afraid of the Anti-Corruption Court?" *Ukrayinska Pravda*, dated 19 February 2020, found at <https://www.pravda.com.ua/columns/2020/02/19/7240999/>; "The draft law, that preserves the leadership of the Ukrainian National Bar Association and threatens judicial reform, was registered in the *Verkhovna Rada*," dated 18 February 2022, found at <http://en.dejure.foundation/tpost/h89b70a611-the-draft-law-that-preserves-the-leaders>.

399 "Representatives of the Bar in the HCJ resigned because of disagreement with unconstitutional status restrictions," dated 20 January 2022, found at <https://en.unba.org.ua/activity/news/7396-representatives-of-the-bar-in-the-hcj-resigned-be-cause-of-disagreement-with-unconstitutional-status-restrictions.html>.

400 See "About APU," found at <https://2022.uba.ua/aboutuba/>.

401 See Letter from Ukraine Bar Association to the Chairman of the *Verkhovna Rada* Committee on Economic Development, dated 6 May 2022.

The Legal Profession Before the Conflict

Prior to the Russian attacks in February 2022, the Ukrainian legal profession faced several long-standing problems:

Too Many Lawyers. A major dilemma for the Ukrainian justice system has been an oversupply of individuals offering legal services, coupled with a lack of effective qualification and disciplinary controls over those individuals. As mentioned above, there are no controls on the quality and integrity of those offering legal services unless they seek to become licensed *advokats*.

Even though there were thousands of individuals providing some form of legal services in Ukraine, as of December 14, 2020, only 58,999 lawyers were registered as *advokats* on the URAU.⁴⁰² Moreover, of that number, 14,814 *advokats* (or 25%) were listed as suspended or terminated.⁴⁰³ The latter individuals could not represent criminal clients in court, but otherwise could continue their work as lawyers. In other words, as of December 2020, 44,185 legal professionals were allowed to practice as *advokats*.⁴⁰⁴ The remaining legal practitioners remained outside the *advokat* system of licensing and discipline.

Nor was the problem easing. One report stated that in the year prior to 2020, an estimated 10,659 individuals graduated with Masters of Law degrees from Ukrainian institutions.⁴⁰⁵ While 5,329 professionals were added to the URAU between December 2019 and December 2020,⁴⁰⁶ during that same time 3,681 *advokats* had their right to practice law suspended or terminated.⁴⁰⁷ In short, though incremental progress was being made to increase the number of licensed legal practitioners subject to quality and disciplinary controls by the Bar, the number of those able to offer legal services outside that system remained staggering.

Corruption. Not surprisingly, legal professionals have been part of the corruption that permeated the Ukrainian justice system. One aspect of this problem has been the participation of lawyers in the corrupt schemes to influence the courts and the outcome of cases.⁴⁰⁸ The perception of corruption in the legal profession is widespread, and occasionally acknowledged.⁴⁰⁹

Unlike the judiciary and prosecutors, however, the organized Bar did not implement any mechanism to vet its members. Under the 2012 Law, discipline within the Bar is handled by the Higher Qualification and Disciplinary Commission of the Bar (HQDCB). Disciplinary proceedings are seldom invoked for corruption-related activities, and critics/reformers within the Bar have faced resistance.⁴¹⁰ At the same time, the HQDCB has resisted calls for *advokats* serving on Bar disciplinary councils to provide asset declarations, with the head of that body describing the proposal as a “*direct intervention of the state in the work of the self-government bodies of lawyers.*”⁴¹¹ He went on to argue that “*If we calculate the time spent by these persons and multiply it by the cost of*

⁴⁰² Ukrainian National Bar Association, Annual Report for 2020, p. 7 (Kyiv, 2021).

⁴⁰³ *Id.*, p. 8.

⁴⁰⁴ *Ibid.*

⁴⁰⁵ Mudruk, Sergey, The only professional entrance test in the context of the analysis of regulatory influences and the effectiveness of the educational service, p. 76, Kyiv: Organization for Security and Cooperation in Europe, 2021 (Mudruk 1”).

⁴⁰⁶ Ukrainian National Bar Association, Annual Report for 2020, p. 7 (Kyiv, 2021).

⁴⁰⁷ *Id.*, p. 118.

⁴⁰⁸ See AntAC Report; “Whom and for what the High Anti-Corruption Court sentenced in two years of work?” dated 7 September 2021, found at <https://antac.org.ua/en/news/whom-and-for-what-the-high-anti-corruption-court-sentenced-in-two-years-of-work/>; “\$3,500 ‘for the judge’ for a reduced sentence – the lawyer was detained,” dated 1 September 2022, found at https://kyiv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=319035&fp=100.

⁴⁰⁹ ICJ Report, p. 18.

⁴¹⁰ “The draft law, that preserves the leadership of the Ukrainian National Bar Association and threatens judicial reform, was registered in the *Verkhovna Rada*,” dated 18 February 2022, found at <http://en.dejure.foundation/tpost/h89b70a6it-the-draft-law-that-preserves-the-leaders>.

⁴¹¹ “Even in wartime, we are forced to defend the independence of the Institute of Advocacy,” – Serhii Vylkov, Head of the VKDKA,” dated 20 January 2023, found at <https://vkdka.org/navit-u-vojennij-chas-mi-vimusheni-vidstoyuvati-nezalezhnist-institutu-advokaturi-sergij-vilkov-golova-vkdka/>.

working hours, I am convinced, we will receive millions of wasted funds that could be redirected to help the Armed Forces in all its forms."⁴¹²

Another aspect of corruption has been allegations of corruption in the admission of new *advokats* for registration on the URAU. As one report noted, corruption risks increase significantly when a large number of lawyers are seeking a license to practice as an *advokat*.⁴¹³ Given the large numbers of legal professionals in Ukraine, obtaining a license as an *advokat* is not only a professional privilege, but a financial prize.

In order to become licensed, a graduate holding a Masters of Law degree must serve an unpaid internship under, or be hired as an assistant lawyer by, a licensed *advokat*. However, under the Law, the qualification procedures and issuance of a certificate to practice as an *advokat* are controlled by regional bar councils. In the past, there have been allegations of corruption in this process.⁴¹⁴ In one 2018 survey, more than 47% of attorney-respondents were aware of instances where attorneys seeking to qualify made corrupt proposals to those handling the qualification process, and almost 38% were aware of corrupt proposals made to candidates by those handling the qualification process.⁴¹⁵ Despite calls for standardized national exams for Master's graduates, the UNBA has stated in the past that it is "categorically opposed" to substituting such a standardized exam for the current Bar-run system.⁴¹⁶

A related issue has been the abuse of disciplinary proceedings, particularly against lawyers who were participating in "parallel" associations of lawyers. While recent reports indicate that abusive disciplinary proceedings are no longer common,⁴¹⁷ the use of such proceedings in the past to threaten the livelihoods of dissident lawyers has worried international servers.⁴¹⁸

Intimidation. Another significant issue impacting the Ukrainian legal profession is attacks on lawyers involved in the defense of clients in politically sensitive criminal cases.⁴¹⁹ Reports have described efforts to influence the outcome of cases through intimidation or actual physical attacks.⁴²⁰ The UNBA reported more than 2,500 attacks on lawyers from 2014–2018 including:

- 9 murders;
- 6 attempted murders;
- 144 cases of criminal prosecution of lawyers;
- 41 cases of physical violence against lawyers;
- 150 cases of destruction of lawyers' property;
- 983 cases of searches of lawyers' premises;
- 16 cases of secret investigative actions against lawyers;
- 31 cases of interrogation of lawyers as witnesses; and
- 1378 cases of interference and obstruction of lawful activities of lawyers.⁴²¹

⁴¹² "Even in wartime, we are forced to defend the independence of the Institute of Advocacy," – Serhii Vylkov, Head of the VKDKA," dated 20 January 2023, found at <https://vkdkka.org/navit-u-vojennij-chas-mi-vimusheni-vidstoy-uvati-nezalezhnist-institutu-advokaturi-sergij-vilkov-golova-vkdkka/>.

⁴¹³ USAID Report, p. 18.

⁴¹⁴ "KDKA members of Kyiv region organized a corruption scheme for obtaining a lawyer's certificate, – military prosecutor's office," dated 13 October 2018, found at https://antikor.com.ua/articles/263880-chleni_kdka_kijivsjskoji_Oblasti_organizuvali_koruptsijnju_shemu_otrimannja_svidotstva_advokata_-_vijs; "In Ternopil exposed the corruption 'scheme' of obtaining a lawyer's certificate," dated 14 December 2018, found at https://ternopil.depo.ua/ukr/ternopol/u-ternopoli-vikrili-korupciyu-nu-shemu-oderzhannya-advokatskogo-posvidchennya-foto-201812148_86392. See also, ICJ Report, p. 18.

⁴¹⁵ USAID Report, p. 34. See also, ICJ Report, p. 18.

⁴¹⁶ "Legal education in Ukraine calls for reform, goals contested," dated 16 December 2019, found at <https://www.kyivpost.com/ukraine-politics/legal-education-in-ukraine-calls-for-reform-goals-contested.html>.

⁴¹⁷ *But see*, "RAU initiated the dismissal of the Deputy Minister of Justice of Ukraine Valeria Kolomiets from her position and the initiation of disciplinary action against her as a lawyer," dated 16 December 2022, found at <https://unba.org.ua/news/7794-rau-iniciyuvala-zvil-nennya-zastupnici-ministra-yusticii-ukraini-valerii-kolomiec-iz-zajmanoip-posadi-ta-iniciyuvannya-prityagnennya-ii-do-disciplinarnoi-vidpovidal-nosti-yak-advokata.html>.

⁴¹⁸ ICJ Report, p. 19.

⁴¹⁹ United States Department of State, Bureau of Democracy, Human Rights and Labor, Ukraine 2021 Human Rights Report, pp. 14–15 (Washington: April 2022).

⁴²⁰ ICJ Report, pp. 26–27.

⁴²¹ Committee for the Protection of Lawyers' Rights and Guarantees of Advocacy, Ukraine National Bar Association, "Violations of the rights of lawyers in Ukraine in 2014–2018," dated 19 December 2019, found at https://unba.org.ua/assets/uploads/news/UNBA_Zahyst_Prav_2019.pdf.

Individuals told of hearings in which judges, lawyers, litigants, and families were attacked in the courtroom.⁴²² Some of these attacks were committed by law enforcement officers who physically assaulted lawyers in local police departments, their own offices, or before witnesses and clients to intimidate the lawyer. Intimidation efforts even have included the arrest of lawyers.⁴²³

Other attacks have been carried out by far-right Ukrainian groups. Operating mostly in Kyiv and other large cities, these far-right groups portray themselves as non-governmental organizations protecting the “Ukrainians” and “looking for traitors.” In addition to attacking individual lawyers, these groups also have obstructed Bar activities.⁴²⁴

Lawyers often alleged that law enforcement and other authorities did not seriously pursue such cases.⁴²⁵ In the months prior to February 2022, some efforts were being made by the Ukrainian government to reduce the intimidation of lawyers and other judicial officials.⁴²⁶ However, these concerns remained when the Russian aggression began.

Legal Aid. A pivotal feature of the practice of law in Ukraine is the “free legal aid” (FLA) system. Ukrainian law provides that citizens, foreigners, and stateless persons, including refugees or persons in need of additional protection, are guaranteed legal services fully financed by the state budget.⁴²⁷ Overall management of this system was delegated to the Ministry of Justice, which in turn established the Coordinating Center for the Provision of Legal Aid to oversee the program.

Since its establishment, the FLA system has grown significantly. By 2021, there were 84 centers and 436 legal aid bureaus in Ukraine. These centers during 2021 provided legal assistance in 806,272 cases to 433,810 clients.⁴²⁸

Under the Law, legal assistance is divided into two categories: primary and secondary legal assistance. Of the engagements provided in 2021, 627,281 were primary legal aid and 178,991 were secondary legal aid. The former category consisted primarily of providing legal information (64%), consultations and clarifications of legal issues (33%), and assistance in drawing up statements/complaints and other legal documents (5%).⁴²⁹ Much of this primary assistance was provided by employees of the FLA system working at the system’s centers and bureaus around the country. Two-thirds of those seeking primary legal aid were women.⁴³⁰

Secondary legal assistance involves representation in criminal matters, an area where *advokats* from the UNBA are active. As of 2021, 8,156 *advokats* – roughly 20% of all lawyers qualified to appear in court in criminal matters – were registered as part of the FLA system, though only 3,989 had signed contracts.⁴³¹ These lawyers were chosen by a competitive selection process managed by the Qualification and Disciplinary Commission of the local bar council, and signed contracts to provide legal services under the FLA system. According to the UNBA, many

422 *Id.*, pp. 25–26; “Report on the human rights situation in Ukraine,” UN Doc A/HRC/40/CRP 3, dated 16 November 2018 to 15 February 2019, ¶166.

423 ICJ Report, p. 28; “Violators of Professional Rights and Guarantees of Legal Practice,” found at <https://Radako.com.ua/pro-raduk-aktualni-pitannya>.

424 *Id.*, pp. 26–28.

425 “Now finally. The verdict against the killers of the lawyer was upheld in the Supreme Court,” dated 14 December 2022, found at <https://Radako.com.ua/news/teper-ostatochno-virok-proti-vbivc-advokata-vstoyav-u-verhovnomu-sudi>.

426 “Ukraine’s youngest Law Enforcement Agency kicks off its communication strategy,” dated 21 October 2021, found at <https://www.euam-ukraine.eu/news/ukraine-s-youngest-law-enforcement-agency-kicks-off-its-communication-strategy/>.

427 Law on Free Legal Aid, Law No. 3460-VI, dated 2 June 2011 (as amended).

428 “Free Legal Aid 2021,” found at <https://legalaid.gov.ua/wp-content/uploads/2022/08/zvitbpd-2021.pdf>.

429 “Report of UNBA Free Legal Aid Committee on current issues of the functioning of the free legal aid system in Ukraine,” p. 10, found at https://en.unba.org.ua/assets/uploads/news/zvity/Report%20of%20UNBA%20Free%20Legal%20Aid%20Committee_2022.pdf. In some cases, multiple services were provided.

430 “The gender strategy of the BPD system was presented in Ukraine,” dated 3 December 2018, found at <https://trybuna.sumy.ua/uncategorized/v-ukrayini-prezentuvaly-gendernu-strategiyu-sistemy-bpd/>.

431 “Free Legal Aid 2021,” found at <https://legalaid.gov.ua/wp-content/uploads/2022/08/zvitbpd-2021.pdf>.

advokats who entered into contracts for the provision of FLA services rely upon such work as their main source of income.⁴³²

The UNBA estimated that in 2021, *advokats* handled in 61% of all criminal proceedings under contract with the FLA system.⁴³³ While the statistics vary from region to region, in some areas, particularly small cities, 100% of those providing legal assistance in criminal proceedings are *advokats* under contract with the FLA system.⁴³⁴

Since the beginning of the war, the number of lawyers providing free secondary legal assistance has slightly decreased since some of them are in the military, while others have become IDPs or gone abroad.⁴³⁵ According to one report:

*The big problem is to find lawyers and, accordingly, to ensure the provision of free secondary legal aid in regions where active hostilities continue. Although we are trying to solve it. For example, if there is no lawyer in Donetsk region, and no one from nearby regions can come, then detained citizens are brought to the city of Dnipro. Accordingly, the investigators, by their decision, engage a defense attorney who works in the Dnipropetrovsk region. Also, not all lawyers, even in regions where it is relatively calm, agree to go out for detention at night because of the curfew.*⁴³⁶

Nonetheless, in 2022, almost 17,000 orders to provide free secondary legal assistance were issued to *advokats* cooperating with the FLA system.⁴³⁷

Lawyers and the War

The chaos created by the Russian aggression impacted lawyers throughout Ukraine in much the same fashion as other citizens:⁴³⁸

Displacement. No definitive statistics have been located on the number of lawyers physically displaced by the war. Nonetheless, the available data provide some context.

Nine *Oblasts* have borne the brunt of the Russian attacks: Kharkiv, Donetsk, Luhansk, Kherson, Mykolayiv, Zaporizhzhia, Odesa, Dnipropetrovsk and Poltava.⁴³⁹ Approximately 25,000 (or about 40%) of the Ukrainian *advokats* registered in the URAU as able to practice as of December 2020 were licensed in those nine *Oblasts*.⁴⁴⁰ When the *advokats* from the City of Kyiv – where large numbers of citizens fled in the opening days of the hostilities – are added, the total rises to 50% of all those registered on the URAU.⁴⁴¹ Since stories of violence suffered by *advokats* in those areas mirror the general suffering of the Ukrainian people,⁴⁴² logic suggests that many of them joined the exodus to the west.

432 “Report of UNBA Free Legal Aid Committee on current issues of the functioning of the free legal aid system in Ukraine,” p. 8, found at https://en.unba.org.ua/assets/uploads/news/zvity/Report%20of%20UNBA%20Free%20Legal%20Aid%20Committee_2022.pdf.

433 *Id.*, p. 11. In some cases, multiple services were provided.

434 *Id.*, p. 8.

435 “How Other Parts of the FAL System Work Under Martial Law Conditions,” dated 10 August 2023, found at <https://minjust.gov.ua/news/ministry/yak-pratsyuyut-cherhgovyi-chastini-sistemi-bpd-v-umovah-voennogo-stanu>.

436 *Ibid.*

437 “How specialists of the BPD system of Ternopil *Oblast* worked in 2022,” dated 8 February 2023, found at <https://legalaid.gov.ua/novyny/yak-praczyuvaly-fahivczy-systemy-bpd-ternopilshhyny-u-2022-roczni/>.

438 Khotynska-Nor, Oksana and Bakaianova, Nana, “Transformation of Bar in Wartime in Ukraine: On the Way to Sustainable Development of Justice (on Example of the Odesa Region),” *Access to Justice in Eastern Europe*, p. 151 (15 August 2022).

439 Annex 1.

440 Annex 6.

441 See “Ukrainian Lawyers Share Tales of War and Ways to Help,” dated 8 April 2022, found at <https://www.law360.com/pulse/in-house/articles/1480686/ukrainian-lawyers-share-tales-of-war-and-ways-to-help>.

442 UNBA Assistance.

A non-scientific survey completed in early April 2022 supports this conclusion. It found that 46% of responding law firms had assisted their employees in relocating.⁴⁴³

- 21% of law firms relocated up to 30%;
- 24% of law firms relocated 31–50%;
- 34% of law firms relocated 50+%;
- 21% of law firms relocated 100%.⁴⁴⁴

Of the total number of relocated staff, 60% remained in Ukraine and 40% moved abroad.

Based on requests for assistance received by the UNBA, the largest number of lawyers left Donetsk (158) followed by Kyiv Oblast (69), Kharkiv (66), Kyiv City (34), and Chernihiv (27).⁴⁴⁵ The most frequent destinations for relocated lawyers in Ukraine were Lviv and Ivano-Frankivsk, followed by the Ternopil, Volyn, Chernivtsi, and Zakarpattia regions. The most common destinations for relocation in Europe were Poland (36%) and Germany (32%).⁴⁴⁶

In recent months, the situation appears to have stabilized, though some requests for assistance continue.⁴⁴⁷ As one lawyer put it, everyone who can leave has left.⁴⁴⁸ While not all *advokats* fled those areas, and some have returned, displacement within the Bar remains significant.⁴⁴⁹

Enlistment. Prior to the Russian attacks in February 2022, *advokats* could lose their license by joining the Ukrainian military. In early March 2022, the Bar Council removed that restriction.⁴⁵⁰

While specific data is not available on the number of lawyers serving in the Ukrainian military, anecdotes abound.⁴⁵¹ A report from the UNBA indicates that dozens of *advokats* joined the Armed Forces.⁴⁵² Based on other informal reports, it appears that hundreds of interns, assistant attorneys, and other legal professionals also joined the Armed Forces and Territorial Defense Forces.⁴⁵³ According to one non-scientific survey completed in early April 2022, 43% of responding law firms had employees serving in the Armed Forces or the Territorial Defense units.⁴⁵⁴ As of August 1, 2022, ten lawyers serving in the military had been killed.⁴⁵⁵

Remaining in the Occupied Territories. Apart from anecdotes, little is known about the fate of lawyers living in areas now occupied by Russian forces or their allies. While current data is unavailable, Ukraine's history from the areas in the Donbas occupied in 2014 may provide a

⁴⁴³ Ukraine Bar Association, "People, Resources, Support, Cooperation: How is the Ukrainian Legal Business Doing Now," p. 1 (2022).

⁴⁴⁴ *Id.*, p. 2.

⁴⁴⁵ Ukraine National Bar Association, "Report on international charitable assistance to Ukrainian lawyers," dated December 2022, found at https://unba.org.ua/assets/uploads/news/zvity/Report%20on%20international%20charitable%20assistance_UNBA_UKR%2009.12.2022.pdf.

⁴⁴⁶ Ukraine Bar Association, "People, Resources, Support, Cooperation: How is the Ukrainian Legal Business Doing Now," p. 2 (2022).

⁴⁴⁷ "Another 10 lawyers received financial assistance from UNBA," dated 17 November 2022, found at <https://unba.org.ua/news/7726-she-10-advokativ-otrimali-groshovu-dopomogu-vid-naau.html>.

⁴⁴⁸ "I'll be honest, when I'm preparing for meetings, I cry for a long time," dated 9 December 2022, found at <https://unba.org.ua/publications/7774-skazhu-vidverto-koli-ya-gotuyus-do-zasidan-ya-dovgo-plachu.html>.

⁴⁴⁹ See "Women Lawyers at War: Volunteerism as a Panacea," dated 30 May 2022, found at <https://uba.ua/ukr/news/9242/>.

⁴⁵⁰ "Completion of military service does not violate requirements regarding incompatibility with the status of a lawyer," dated 1 April 2022, found at <http://osav.vn.ua/2022/04/01/2022-04-01-viyskova-slugba/>.

⁴⁵¹ See e.g., Website entitled "Lawyers in the Army," found at <https://pravo.ua/tag/iurysty-v-armii/>; "Ukraine lawyer-turned-soldier: 'We will fight for each street,'" dated 8 March 2022, found at <https://www.reuters.com/legal/legalindustry/ukraine-lawyer-turned-soldier-we-will-fight-each-street-2022-03-08/>; "From the frontline: from lawyer to soldier," dated 6 April 2022, found at <https://www.rnz.co.nz/national/programmes/ninetoon/audio/2018837187/from-the-frontline-from-lawyer-to-soldier>.

⁴⁵² UNBA Assistance.

⁴⁵³ See "100 days of full-scale war. How the Anti-Corruption Action Center readjusted the work of organization," dated 3 June 2022, found at <https://antac.org.ua/en/news/100-days-of-full-scale-war-how-the-anti-corruption-action-center-readjusted-the-work-of-organization/>.

⁴⁵⁴ Ukraine Bar Association, "People, Resources, Support, Cooperation: How is the Ukrainian Legal Business Doing Now," p. 6 (2022).

⁴⁵⁵ "The bodies of the self-government of lawyers during the period of martial law work in a continuous and stable mode - Lidia Izovitova," dated 1 August 2022, found at <https://unba.org.ua/news/7541-organi-advokats-kogo-samo-vryaduvannya-v-period-voennogo-stanu-pracyuyut-v-bezperernomu-ta-stabil-nomu-rezhimi-lidiya-izovitova.html>.

guide. Studies from those areas reflect that a significant number of lawyers working in Donetsk and Luhansk *Oblasts* moved to government-controlled regions after the Russian occupation.⁴⁵⁶

At the same time, some did not flee. Both the LPR and DPR established lawyers' self-governing bodies and adopted legislation regulating the legal profession. Beginning in 2015, Ukrainian lawyers could "renew" their licenses in those territories. According to one report, around 300 lawyers registered with the new Bar organization in the DPR, while 90 lawyers registered in the LPR.⁴⁵⁷ By way of contrast, as of December 2020, the URAU listed 2,884 *advokats* with active licenses in the Donetsk *Oblast*, and 701 *advokats* with active licenses in the Luhansk *Oblast*.⁴⁵⁸ While a large number of lawyers quit the profession or fled the occupied territories in 2014, somewhere in the range of 10% remained, accepted the new terms, and continued to practice.

Some of these decisions no doubt were ideological, while others likely were more pragmatic based on family or other considerations. Not surprisingly, reports indicate that lawyers who stayed in Russian-controlled territories after 2014 were subject to intimidation, and received little support from these new bar associations.⁴⁵⁹ Time will tell whether similar ratios will be seen in the territories newly occupied during the current conflict.

Collaboration. In early September 2022, reports circulated that the Prosecutor General had instructed regional prosecutors' offices to compile lists of "disloyal lawyers."⁴⁶⁰ To date, no substantial evidence has emerged suggesting that lawyers have been significantly involved in collaboration (as defined by the new Ukrainian law). On the other hand, very real concerns have been raised that *advokats* who defend alleged war criminals or collaborators will themselves be labeled as collaborators for providing a defense to such unpopular defendants.⁴⁶¹

The Impacts of the War on Lawyers.

Economic Impacts. In addition to the disruption and displacement suffered by all Ukrainians, the economic situation created by the war hit the legal community with particular force. As noted above, case filings dropped precipitously. Coupled with the issues related to physical displacement, one estimate is that 30% of Ukraine's law firms have shut down since the war began.⁴⁶² In an informal survey completed in early April 2022, 87% of those responding indicated that their law firm's workload and income had decreased by more than 30%.⁴⁶³ In certain areas, many lawyers have no income.⁴⁶⁴

Some efforts have begun to assist displaced lawyers to maintain their practices. For example, the Dnipropetrovsk *Oblast* Bar Council opened offices for *advokats* from other regions whose

⁴⁵⁶ Kuibida, p. 7.

⁴⁵⁷ ICJ Report, p. 49.

⁴⁵⁸ Ukrainian National Bar Association, Annual Report for 2020, p. 8 (Kyiv 2021).

⁴⁵⁹ ZMINA Human Rights Center, "Submission to the report on protection of lawyers," dated 6 December 2021, found at https://www.ohchr.org/sites/default/files/2022-04/zmina-submission_0.pdf.

⁴⁶⁰ "RAU appealed to the Prosecutor General regarding the veracity of the information on the compilation of lists of 'disloyal lawyers'," dated 6 September 2022, found at <https://unba.org.ua/news/7583-rau-zverulasya-do-general-nogo-prokurora-sho-do-pravdivosti-informacii-pro-skladannya-spiskiv-neloyal-nih-advokativ.html>.

⁴⁶¹ "UNBA Vice President Valentyn Gvozdiy spoke at the meeting of the CCBE in Brussels: focus on attacks on the Bar," dated 31 March 2023, found at <https://en.unba.org.ua/activity/news/7992-unba-vice-president-valentyn-gvozdiy-spoke-at-the-meeting-of-the-cbe-in-brussels-focus-on-attacks-on-the-bar.html>.

⁴⁶² "Ukrainian Lawyers Share Tales of War and Ways to Help," dated 8 April 2022, found at <https://www.law360.com/pulse/in-house/articles/1480686/ukrainian-lawyers-share-tales-of-war-and-ways-to-help>.

⁴⁶³ "Ukraine Bar Association, "People, Resources, Support, Cooperation: How is the Ukrainian Legal Business Doing Now," p. 4 (2022).

⁴⁶⁴ Khotynska-Nor, p. 151.

cases had been transferred to courts in Dnipropetrovsk *Oblast*.⁴⁶⁵ A number of displaced lawyers joined the FLA or became involved in volunteer activities.⁴⁶⁶

With the Russian onslaught against Ukraine's energy infrastructure in the winter of 2022–2023, lawyers across the country – including those far from the frontlines – faced major hurdles with even the basic necessities of practicing law. In November, the UNBA and regional Bar Councils organized a series of Support Points for lawyers. These sites provide lawyers with access to digital court systems, remote court proceedings, and office necessities such as printing of documents during blackouts. Lawyers could also access more fundamental necessities such as a warm room to work, hot coffee and tea, and the ability to charge mobile devices and access the Internet. All were equipped with a first aid kit in the event of injuries from a missile strike.⁴⁶⁷

Assistance from foreign colleagues also helped. Lawyers from Poland France provided the Bar with six generators along with solar panels, solar lamps and headlamps. The group also provided a new “home on wheels” (car trailer) for lawyers who completely lost their homes during the Russian invasion.⁴⁶⁸

To further ease the burden on lawyers in the midst of war, continuing legal education requirements for 2022 were waived.⁴⁶⁹ The Bar Council also established a list of categories of lawyers who may be exempted from the payment of annual fees, or have their fees reduced or postponed.⁴⁷⁰ In addition, the Council reduced the risks of disciplinary liability for lawyers who are unable appear in court during martial law.⁴⁷¹

While Russian aggression has thrown the lives of many lawyers into shambles, the post-conflict situation will present its own professional challenges. For many, law practices and offices must be restarted, rebuilt, or created from the ground-up. Connections must be re-established with clients, if they survived the war and the mass migration.⁴⁷² The pre-war surfeit of lawyers may or may not reappear.

⁴⁶⁵ “Offices for lawyers from other regions are opening in Dnipro and Kryvyi Rih,” dated 15 March 2022, found at <https://advokaty.dp.ua/u-dnipri-ta-kryvomu-rozi-vidkryvayutsya-robotchi-kabinety-dlya-advokativ-z-inshyh-regioniv/>.

⁴⁶⁶ “Women lawyers at war: without weapons, but armed,” dated 9 May 2022, found at <https://2022.uba.ua/news/zhinky-yurystky-na-vijni-volonterstvo-yak-panaczeya/>; “Women lawyers at war: volunteering as a panacea,” dated 30 May 2022, found at <https://2022.uba.ua/news/zhinky-yurystky-na-vijni-volonterstvo-yak-panaczeya/>.

⁴⁶⁷ “The European Bar Associations handed over energy equipment to their Ukrainian colleagues for setting up Points of Support for Advocates’ Activity in the Regions,” dated 8 February 2023, found at <https://unba.org.ua/news/7873-evropejs-ki-advokaturi-peredali-ukrains-kim-kolegam-energetichne-obladnannya-dlya-oblashtuvannya-punktiv-pidtrimki-diyal-nosti-advokativ-u-regionah.html>.

⁴⁶⁸ “The Charitable Fund of Lawyers of the Kyiv region received help from foreign colleagues: generators, lanterns and a ‘house on wheels,’” dated 11 January 2023, found at <https://Radako.com.ua/news/do-blagodiyynogo-fondu-advokativ-kiyivshchini-nadiysh-la-dopomoga-vid-zakordonnih-koleg>.

⁴⁶⁹ “Regarding some issues of fulfillment by lawyers of the requirements of the Procedure for improving the qualifications of lawyers of Ukraine,” Bar Council of Ukraine Decision No. 185, dated 27 December 2022.

⁴⁷⁰ “Exemption and postponement of payment of the annual fee for 2023,” found at <http://unba.lviv.ua/uk/>.

⁴⁷¹ “Work in a war zone,” dated 19 January 2023, found at <https://unba.org.ua/publications/7840-robota-v-zoni-bojovih-dij.html>.

⁴⁷² See “Women Lawyers at War: Volunteerism as a Panacea,” dated 30 May 2022, found at <https://uba.ua/ukr/news/9242/>.

Corruption. While lawyers have provided admirable service throughout the war, the issue of corruption has not disappeared. Throughout the war, lawyers have been charged with corruption-related crimes.⁴⁷³

But the Bar has forcefully pushed back. For example, the head of the HQDCB stated that there are “numerous lawsuits and illegal criminal prosecutions of lawyers by law enforcement agencies, initiated and, in his opinion, controlled by the officials of the NABU, which is unacceptable in a legal democratic state.”⁴⁷⁴ The UNBA also opposed a draft law which proposes to expand the range of persons for mandatory declarations to include lawyers who are members of the self-governing bodies of lawyers. The UNBA’s President stated that this proposal was “an obvious pressure on the independence of the bar, which is a violation of both the provisions of the Constitution of Ukraine and the international legislation on the bar.”⁴⁷⁵

Types of Cases. The circumstances brought on by the war also have significantly altered the types of cases that lawyers are handling. As discussed above, some involve violations of existing statutes that were seldom seen prior to the war such as treason, sabotage, espionage, and war crimes. Others involve new criminal offenses such as violations of the collaboration law passed by the *Rada* in March 2022.⁴⁷⁶

But other cases involve issues where Ukrainian law is silent or undeveloped. Examples of such matters include speeding up adoptions, determining the child’s place of residence under martial law, compensation for the damages resulting from military actions, establishing legal facts such as death or birth, and labor disputes in the context of war.⁴⁷⁷ Combined, Ukrainian lawyers face a panoply of new issues as a result of Russian aggression.

⁴⁷³ See “6 thous. U.S. dollars for a positive court decision – the head of the city district court and a lawyer will be tried,” dated 6 June 2022, found at https://kyiv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=314372&fp=60; AntAC Report; “Exposed a lawyer who demanded from the client 77 thousand rubles. UAH for influence on patrol police officers,” dated 10 June 2022, found at https://kyiv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=314577&fp=40; “A lawyer has been notified of suspicion,” dated 24 June 2022, found at https://chk.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=315268&fp=20; “In Kyiv, a lawyer and a broker were exposed in the illegal sale of an apartment for 230,000 US dollars,” dated 18 August 2022, found at https://kyiv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=318192&fp=140; “A lawyer who demanded UAH 77,000 from a client to bribe policemen will be tried,” dated 26 August 2022, found at https://kyiv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=318695&fp=120; “A lawyer in Volyn will be tried for facilitating the illegal transportation of persons abroad,” dated 08/10/2022, found at https://vol.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=317686&fp=100; “The Odesa lawyer and her accomplice are suspected of facilitating illegal travel abroad during martial law,” dated 23 November 2022, found at https://od.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=323403&fp=60; “NABU, SAPO expose bribery of Poltava judge,” dated 20 December 2022, found at <https://nabu.gov.ua/en/novyny/nabu-sapo-expose-bribery-poltava-judge>; “Two lawyers caught on attempted bribery of PGO, SFS officials,” dated 1 February 2023, found at <https://nabu.gov.ua/en/novyny/two-lawyers-caught-attempted-bribery-pgo-sfs-officials>.

⁴⁷⁴ “Meeting with People’s Deputies-advocates on the occasion of the 10th anniversary of UNBA,” dated 2 December 2022, found at <https://unba.org.ua/news/7762-zustrich-z-narodnimi-deputatami-advokatami-z-nagodi-10-richchya-naau.html>; “Even in wartime, we are forced to defend the independence of the Institute of Advocacy,” – Serhii Vylkov, Head of the VKDKA,” dated 20 January 2023, found at <https://vkdka.org/navit-u-vojennij-chas-mi-vimusheni-vidstoyuvati-nezalezhnist-institutu-advokatury-sergij-vilkov-golova-vkdka/>.

⁴⁷⁵ “The future of the country lies precisely behind such self-regulatory organizations as UNBA – Galina Yanchenko,” dated 19 December 2022, found at <https://unba.org.ua/news/7803-majbutne-kraini-stoit-same-za-takimi-samoregulivnimi-organizacijami-yak-naau-galina-yanchenko.html>.

⁴⁷⁶ “The Key Legislative Changes : What has changed in criminal law and procedure in 2022?” dated 9 June 2022, found at <https://www.lexology.com/library/detail.aspx?g=83d10eb2-cede-4417-9a3f-9a535949585f>. See also, “On Amendments to Certain Legislative Acts of Ukraine on Improving the Effectiveness of Sanctions Related to Assets of Individuals,” Law No. 2257-IX, dated 12 May 12, 2022.

⁴⁷⁷ Khotynska-Nor, p. 152.

Legal Aid and the War

The expanded Russian aggression in February 2022 also significantly impacted the FLA system in Ukraine:

Primary Legal Aid. The Russian invasion radically changed the nature of the FLA system's delivery of primary legal aid. Almost half of the country's inhabitants (45.5%) needed assistance in solving issues or obtaining documentation directly or indirectly needed due to the war. Nationwide, the most requested services related to the mass displacement of the population in the country: obtaining the status of IDPs (16.8%), registration of IDP payments (9.7%), registration of social benefits (7.5%), re-registration of the place of residence of IDPs (4.7%), and execution of personal documents (4.5%).⁴⁷⁸

Both Ukrainians and non-Ukrainians needed quick advice regarding matters such as the procedure for crossing the state border under martial law, payment of utility bills, credit holidays during martial law, obtaining social benefits from the state, obtaining temporary protection or refugee status in EU countries, or labor rights and guarantees under martial law.⁴⁷⁹ Over the course of the past year, this work evolved as immediate needs were met and citizens turned their focus to longer term issues.⁴⁸⁰

FLA offices near the front lines were impacted in much the same way as courts and prosecutors' offices. Many FLA lawyers and employees in the Donetsk, Zaporizhzhia, and Kherson *Oblasts* and other impacted regions were forced to move to safer places due to the active hostilities, occupation, and constant shelling. When offices were moved away from the fighting, they reopened initially with limited hours and later with a full schedule. Staff also continued to provide legal assistance remotely by phone or online.⁴⁸¹ Nevertheless, some offices lost staff due to the mobilization and migration.⁴⁸²

At the same time, the FLA system reoriented to meet the needs for primary assistance in this chaotic environment. In March 2022, 36 additional consultation points were created in places such as train stations, hostels and hotels where IDPs were concentrated.⁴⁸³ Public information campaigns were initiated as FLA staff visited places where IDPs gathered, and where the FLA distributed business cards and materials.⁴⁸⁴ These activities continued throughout the year as the needs and locations of those clients evolved.

The FLA system also greatly expanded the capacity of its call centers where citizens could obtain advice concerning legal issues by phone. Additional staff were trained to handle such calls, which allowed the contact center to work on weekends. Specialists handled questions about crossing the border, removing minor children, registering guardianships, removing a garnishment from debtors' accounts, or receiving a pension in the regions where hostilities are taking place. From February 24 to July 20, 2022, these specialists processed more than 101,800 calls.⁴⁸⁵

⁴⁷⁸ "Availability of legal aid in the context of martial law," found at <https://legalaid.gov.ua/wp-content/uploads/2023/02/dostupnist-pravovoyi-dopomogy-v-konteksti-voyennogo-stanu.pdf>.

⁴⁷⁹ "Free Legal Aid in Martial Law Conditions," dated 5 May 2022, found at https://verkhovyna-Rada.gov.ua/index.php?option=com_content&view=article&id=799:bezoplatna-pravova-dopomoha-v-umovakh-voiennoho-stanu-&catid=19&Itemid=157.

⁴⁸⁰ "How the Legal Needs of IDPs Have Changed: The Experience of the FLA System," dated 30 September 2022, found at <https://minjust.gov.ua/news/ministry/yak-zminilisya-pravovi-potrebi-vpo-dosvid-sistemi-bpd>.

⁴⁸¹ "On the Front Line of the Legal Front: The Forces of the Armed Forces of Ukraine and the FLA System," dated 29 December 2022, found at <https://minjust.gov.ua/news/ministry/na-peredoviy-yuridichnogo-frontu-sili-tro-zsu-ta-sistema-bpd>.

⁴⁸² "Availability of legal aid in the context of martial law," found at <https://legalaid.gov.ua/wp-content/uploads/2023/02/dostupnist-pravovoyi-dopomogy-v-konteksti-voyennogo-stanu.pdf>.

⁴⁸³ "Where, How and Why Do Consultation Points of the FLA System Work During Wartime," dated 16 May 2022, found at <https://minjust.gov.ua/news/ministry/de-yak-i-navischo-pratsyuyut-konsultatsiyi-punkti-sistemi-bpd-pid-chas-viyini>.

⁴⁸⁴ "Availability of legal aid in the context of martial law," found at <https://legalaid.gov.ua/wp-content/uploads/2023/02/dostupnist-pravovoyi-dopomogy-v-konteksti-voyennogo-stanu.pdf>; "BPD informs! How the BPD system helps to solve the legal problems of IDPs without going to court," dated 11 January 2023, found at <https://na.kr.court.gov.ua/sud1114/pres-centr/news/1374411/>.

⁴⁸⁵ "FLA: Principle 'Legal Aid Follows the Person,'" dated 23 July 2022, found at <https://yvu.com.ua/bpd-pryntsyyp-pravova-dopomoga-hodyt-za-lyudynoyu/>.

A study done in July 2022 with the assistance of the UNDP found that about 70% of respondents believe that since the beginning of the full-scale Russian invasion into Ukraine, their opportunities to obtain legal assistance have not changed or even increased. About 78% of respondents expressed satisfaction with FLA system.⁴⁸⁶

In Absentia Proceedings. While the overall number of criminal cases nationwide has fallen since the war began, like other lawyers, the nature of the cases handled by those providing secondary legal aid has shifted. In particular, tens of thousands of investigations have been opened and hundreds of indictments have been filed *in absentia* against Russians for war crimes and Ukrainians in the occupied territories for treason, espionage, and collaboration. When those matters reach court, under Ukrainian law, the absent defendant must be represented. In nearly all cases, an FLA lawyer is assigned to provide this defense.

Under this procedure, when a prosecutor identifies a suspect, they “ensure that the evidence is collected and properly documented” and “meets the criteria of sufficiency, reliability, admissibility and adequacy.”⁴⁸⁷ When charges are brought, the accused is provided with defense counsel, typically through the free legal aid process. “Notification” of the defendant occurs through the media and official announcements on the websites of the judicial authorities.⁴⁸⁸ Once the person is deemed “notified,” the court reviews the case and delivers a verdict.⁴⁸⁹ Defense counsel essentially are limited to reviewing the file and pointing out procedural errors – more in the nature of protecting the conviction on appeal than providing an active defense.⁴⁹⁰

Similar issues have arisen in connection with *in absentia* seizures of assets owned by Russian citizens or companies, where FLA attorneys are assigned to defend. To date, these procedures have received little attention since the defendants, by definition, have not appeared to raise any objections. Nonetheless, *advokats* and other FLA lawyers face difficult legal and ethical questions in defending these cases.

The Battle for Control Over Secondary Legal Aid. While the FLA system worked to respond to Ukrainian needs for primary legal assistance during the war, the system of secondary assistance has become embroiled in controversy between the UNBA and the Ministry of Justice. To a significant extent, these issues were brewing prior to the expanded Russian aggression.⁴⁹¹ Before the February 2022 invasion, the Ministry of Justice began a pilot project for the centralized reception of notices of detention and the appointment of lawyers who provide free secondary legal assistance to detained persons.⁴⁹² The Secretary of the Bar Council stated that the entire bar community opposed such efforts, which he characterized as an effort to eliminate the UNBA from participating in such activities.⁴⁹³

486 “Availability of legal aid in the context of martial law,” found at <https://legalaid.gov.ua/wp-content/uploads/2023/02/dostupnist-pravovoyi-dopomogy-v-konteksti-voyennogo-stanu.pdf>.

487 “Ukraine: How Collaborators Are Being Tried in the Dnipropetrovsk region, in eastern Ukraine,” dated 30 January 2023, found at <https://www.justiceinfo.net/en/111767-ukraine-collaborators-tried-dnipropetrovsk.html>.

488 “What should be the notification about the absentee hearing of the case, so that the convicted could not appeal the verdict? Analysis of a lawyer and a new case from Irpen,” dated 12 December 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1356865/>.

489 “Ukraine: How Collaborators Are Being Tried in the Dnipropetrovsk region, in eastern Ukraine,” dated 30 January 2023, found at <https://www.justiceinfo.net/en/111767-ukraine-collaborators-tried-dnipropetrovsk.html>.

490 “The Council of Advocates approved clarifications regarding the participation of lawyers in criminal proceedings in the absence of a suspect or an accused,” dated 31 January 2023, found at <https://dm.mk.court.gov.ua/sud1409/pres-centr/news/1376275/>. See, e.g., “The case of the mayor of Rubizhansk, accused of collaborationism, was referred to the court. But the hearing will not start,” dated 26 December, 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1362602/>; “A collaborator who became a prosecutor in the occupied Luhansk Region was convicted,” dated 16 February 2023, found at <https://sudreporter.org/zasudyly-kolaboranta-yakyj-stav-prokurorom-na-okupovaniy-luganshnyi/>; “The blown-up ‘head’ of Mykhaylivka village in Zaporizhzhia was sentenced *in absentia* to 8 years,” dated 27 February 2023, found at <https://sudreporter.org/pidirvanoho-holovu-selyshcha-mykhaylivka-na-zaporizhzhii-zaochno-zasudyly-na-8-rokiv/>.

491 See “Report of UNBA Free Legal Aid Committee on current issues of the functioning of the free legal aid system in Ukraine,” pp. 4–7, found at https://en.unba.org.ua/assets/uploads/news/zvity/Report%20of%20UNBA%20Free%20Legal%20Aid%20Committee_2022.pdf.

492 “How Other Parts of the FLA System Work Under Martial Law Conditions,” dated 10 August 2023, found at <https://minjust.gov.ua/news/ministry/yak-pratsuyut-cherhovi-chastini-sistemi-bpd-v-umovah-voennogo-stanu>.

493 “Information on the work of attorneys in the Free Legal Aid system indicates the effectiveness of protection – Igor Kolesnikov,” dated 26 May 2021, found at <https://en.unba.org.ua/activity/news/6778-information-on-the-work-of-attorneys-in-the-free-legal-aid-system-indicates-the-effectiveness-of-protection-igor-kolesnikov.html>.

The controversy exploded in October 2022 when the Ministry of Justice announced that, due to the exigencies of the war, this pilot project would be extended to the entire country.⁴⁹⁴ In response, a committee of the UNBA in November 2022 issued a report stating that there were large-scale qualitative and quantitative problems with the functioning of the FLA system. Among those issues were what it characterized as “looming corruption risks” based on the distribution of assignments by the Coordinating Center in criminal cases where “inconvenient” advocates were shunned and “convenient” ones favored, raising the specter of a body of advocates under the control of the system.⁴⁹⁵

Despite these objections, the Ministry of Justice moved forward with the program. For example, in December 2022, a pilot project was launched by the Regional Center in the Dnipropetrovsk *Oblast*. More than 50 lawyers selected in an open competition – most of whom were displaced from the Donetsk, Luhansk, Kharkiv, and Kherson *Oblasts* – began training in the new system.⁴⁹⁶

On December 16, the Bar Council agreed to publish the committee report on the UNBA website.⁴⁹⁷ The Council also resolved to raise these issues with a number of international institutions, stating that they involved “systemic threats to the protection of human rights in the state caused by the inaction of the Ministry of Justice in terms of organizing the provision of free legal aid in Ukraine.”⁴⁹⁸ A few days later, the head of the UNBA committee stated that the “Ministry of Justice of Ukraine seeks to weaken the legal profession, establish state control over lawyers, and prevent the UNBA from ensuring the system of human rights protection in Ukraine.”⁴⁹⁹

The Deputy Minister of Justice denied those allegations, indicating that she intended to continue working on systems to monitor the quality of legal aid provided by lawyers cooperating with the FLA system.⁵⁰⁰

On February 17, 2023, the UNBA filed suit against the Deputy Minister and the Ministry of Justice for failing to announce a competition for the election of members of the Supervisory Board of the Coordination Center. In announcing that lawsuit, the UNBA again stated that there were several problems in the FLA system which had led to human rights violations, interference with the independence of the legal profession, the presence of a significant number of corruption risks in the system, and the implementation of a system of state management of lawyers. The UNBA also stated that its leadership received threats from the Deputy Minister of Justice and called for her resignation.⁵⁰¹

494 “The free legal aid system provides early access to legal aid under martial law conditions,” dated 24 October 2023, found at <https://minjust.gov.ua/news/ministry/sistema-bpd-zabezpechue-ranniy-dostup-do-pravovoi-dopo-mogi-v-umovah-voenno-go-stanu>.

495 “Report of UNBA Free Legal Aid Committee on current issues of the functioning of the free legal aid system in Ukraine,” dated November 2022, found at https://unba.org.ua/assets/uploads/publications/%D0%97%D0%B2%D1%96%D1%82%20%D0%91%D0%9F%D0%94_2022.pdf.

496 “A meeting with lawyers joining the BPD system took place in Dnipro,” dated 14 December 2023, found at <https://legallaid.gov.ua/novyny/zustrich-z-advokatamy-shho-doluchayutsya-do-roboty-u-systemi-bpd-vidbulasya-u-dnipri/>.

497 “Bar Council approved the publication of the Report on actual issues of the functioning of the FLA system in Ukraine,” dated 16 December 2022, found at <https://unba.org.ua/news/7793-rau-pogodila-oprilyudnennya-zvitu-z-aktual-nih-pitan-funkcionu-vannya-sistemi-bpd-v-ukraini.html>.

498 “The problems of the FLA system should become the subject of consideration by international institutions,” dated 16 December 2022, found at <https://unba.org.ua/news/7795-problemi-sistemi-bpd-mayut-stati-predmetom-rozglyadu-mizhnarodnih-institucij.html>.

499 “On the eve of the professional holiday, the bar found out that war had been declared against it in the Ministry of Justice,” dated 19 December 2022, found at <https://unba.org.ua/news/7802-naperedodni-profesijnogo-svyata-advokatura-diznalas-sho-ij-ogolosili-vijnu-v-minyusti.html>.

500 “I’m not afraid to openly call a spade a spade and call a lie a lie, Valeriya Kolomiets,” dated 10 January 2023, found at <https://yur-gazeta.com/interview/ya-ne-boyusya-vidkrito-nazivati-rechi-svoyimi-imenami-ta-nazivati-brehn-yu-brehneyu--valeriya-kolomie.html>.

501 “UNBA appealed to the court due to the inaction of the Ministry of Justice in the election of members of the Supervisory Board of the Coordination Center for the provision of legal assistance,” dated 17 February 2023, found at <https://unba.org.ua/news/7889-naau-zvernulas-do-sudu-cherez-bezdiyal-nist-minyustu-v-obranni-chleniv-naglyad-ovoi-radi-koordinacijnogo-centru-z-nadannya-pravovoi-dopomogi.html>.

The War and the Bar

When Russian forces crossed the Ukrainian border in February 2022, lawyers' organizations were impacted like many other elements of society. Several lawyers' organizations shifted from providing routine services for their members to becoming clearinghouses of information and assistance for the hundreds of thousands of refugees – including many of their own members – fleeing the fighting.⁵⁰² In March 2022, the UNBA established a fund to assist *advokats* impacted by the war. Since the fund was established, it has processed more than 400 requests for assistance including from lawyers from Donetsk (158), Kyiv Oblast (69), Kharkiv (66), Kyiv City (34), and Chernihiv (27).⁵⁰³

Bar Membership. When the Russian aggression began, the Bar took extraordinary measures to protect its archives and documents and limit access to the URAU to prevent misuse of personal data. An Information Center for Lawyers was also established to gather information on violations of lawyers' rights and provide accurate information on security risks. The Bar Council relaxed some professional rules such as allowing regional councils of lawyers in the occupied territories to open representative offices in Kyiv and other unoccupied territories, and to carry on with admission to the profession, internships, advanced training and disciplinary procedures.⁵⁰⁴

Despite the hardships facing lawyers, the profession continued to grow during the war. Since the imposition of martial law March 2022, 1,800 new *advokats* were added to the URAU.⁵⁰⁵ As of early November 2022, more than 65,500 lawyers were registered in the URAU, which is 2,700 more than in December 2021.⁵⁰⁶ According to statistics provided by the UNBA, 46,800 of these lawyers were actively practicing law, about 1000 more than two years earlier.⁵⁰⁷

Controversies Involving the Bar. While the UNBA took steps to assist its members, the war had other consequences for the organization. Citing the extraordinary circumstances and the difficulties in travel and communication, Bar elections were postponed and the UNBA leadership remained in place to direct the organization until after the end of martial law.⁵⁰⁸

Over the summer of 2022, controversies arose that the UNBA contended were a threat to the independence of the legal profession. In early July, politicians from around the world participated in a two-day international conference entitled the Ukraine Recovery Conference (URC2022) in Lugano, Switzerland. At that conference, the Ukrainian delegation identified as the “National Council for the Recovery of Ukraine from the Consequences of the War” presented a series of thematic briefs from various working groups as part of a Draft Ukraine Reconstruction Plan.

One such paper was submitted by the “Justice” working group of the Council addressing a number of topics related to the legal system.⁵⁰⁹ Regarding the legal profession, the paper stated that “Public policy in the field of attorneyship and the legal profession itself is insufficiently effective.”⁵¹⁰ The paper went on to state that the existing Law “contains significant

502 UNBA Assistance; “In Ukraine, Lawyers with Ukrainian Bar Association and NYSBA Chapter Help Refugees to Safety, or Take Up Arms in the Streets,” dated 21 March 2022, found at <https://www.law.com/newyorklawjournal/2022/03/21/in-ukraine-lawyers-with-ukrainian-bar-association-and-nysba-chapter-help-refugees-to-safety-or-take-up-arms-in-the-streets/>.

503 Ukraine National Bar Association, “Report on international charitable assistance to Ukrainian lawyers,” dated December 2022, found at https://unba.org.ua/assets/uploads/news/zvity/Report%20on%20international%20charitable%20assistance_UNBA_UKR%2009.12.2022.pdf.

504 “Work in a war zone,” dated 19 January 2023, found at <https://unba.org.ua/publications/7840-robota-v-zoni-bojovih-dij.html>.

505 “During the martial law, almost 2,000 new lawyers joined the ranks of the legal community – Valentyn Gvozdiy,” dated 2 August 2022, found at <https://unba.org.ua/news/7545-za-chas-voennogo-stanu-do-lav-advokats-koi-spil-noti-doluchilis-majzhe-2-tisyachi-novih-advokativ-valentin-gvozdiy.html>.

506 “During the year, almost 3,000 lawyers joined the ranks of the legal community,” dated 16 November 2022, found at <https://unba.org.ua/news/7709-protyagom-roku-do-lav-advokats-koi-spil-noti-doluchilosya-majzhe-3-tisyac-hi-advokativ.html>.

507 *Ibid.*

508 “Bar Council of Ukraine passed a decision on convening the Sixth Congress of Lawyers of Ukraine, which will be held after the end of martial law,” dated 8 September 2022, found at <https://interfax.com.ua/news/general/857368.html>.

509 Draft Plan.

510 *Id.*, p. 106.

shortcomings that have a significant negative impact on the fulfilment by the bar of its special social role in society.”⁵¹¹ The paper then listed what it referred to as a number of key challenges regarding the legal profession during reconstruction such as ensuring the right of all lawyers to participate in the self-government of the profession, adopting tenure limits for Bar leaders in line with the practice of EU countries, the introduction of a transparent procedure for conducting qualification exams, improvement of the internship program, and creating a transparent procedure for lawyer discipline.⁵¹²

During a meeting of the Bar Council in early August, the UNBA’s President stated that “the proposals of the working group regarding changes in the legislation on advocacy were formed secretly from UNBA and regional bodies of self-government of advocates.” The Council accordingly sent an appeal to various international and national organizations stating “that these proposals of the working group are an attempt on Ukraine’s membership in the European Union and undermining the state’s national security.”⁵¹³ The UNBA also sent letters to the Ministry of Justice stating that the Working Group was formed without the participation of representatives of the Bar itself in violation of international agreements and commitments undertaken by Ukraine on the way to European integration.⁵¹⁴

Following this appeal, the Council of Bars and Law Societies of Europe (CCBE) offered its continuous support for the defense of the independence and the core values of the profession.⁵¹⁵ In November 2022, the CCBE presented its Human Rights Awards to the UNBA and a Ukrainian human rights lawyer to highlight the important role that the legal profession plays in defending the fundamental rights of for Ukrainian citizens, and to demonstrate the need to preserve the integrity of the administration of justice and the rule of law, especially in times of war.⁵¹⁶

By this point, the controversy concerning the working group’s proposals was intermingled with the dispute the Ministry of Justice concerning the FLA system (above). On November 4, 2022, the UNBA announced that it was convening a special meeting of the Bar Council to discuss the proposals, and invited representatives of the Secretariat of the National Council for Reconstruction, members of the Working Group “Justice,” representatives of the Ministry of Justice, and deputies from the *Rada*.⁵¹⁷

Apparently, none of the invited organizations attended that meeting. At the meeting, UNBA representatives expressed doubt that the “Justice” working group actually existed. Moreover, the UNBA stated that the Working Group’s “proposals are provocative, carry the idea of federalization of our unitary country, destructive European integration risks for our country, which only recently received the status of a candidate for EU accession, lead to the undermining of national interests and harm the reputation of the state, in connection with which Bar Council will contact the law enforcement agencies.”⁵¹⁸

511 *Ibid.*

512 *Id.*, pp. 108–113.

513 “The proposals of the working group of the National Council for the Restoration of Ukraine regarding changes in the legal profession carry destructive European integration risks – Lidia Izovitova,” dated 1 August 2022, found at <https://unba.org.ua/news/7539-propozicii-robochoi-grupi-nacradi-z-vidnovlennya-ukraini-shodo-zmin-v-advokaturi-nesut-rujnivni-evrointegracijni-riziki-lidiya-izovitova.html>.

514 “NAAU initiates a special meeting of the RAU with representatives of the Working Group ‘Justice’ under the National Council on the recovery of Ukraine from the consequences of the war,” dated 4 November 2022, found at <https://unba.org.ua/news/7687-naau-iniciyue-provedennya-special-nogo-zasidannya-rau-z-predstavnikami-robochoi-grupi-yusticiya-pri-nacradi-z-vidnovlennya-ukraini-vid-naslidkiv-vijni.html>.

515 “Interview with CCBE President Panagiotis Perakis,” dated 11 January 2023, found at <https://www.rechtsanwaelte.at/aktuelles/aktuelles/news/interview-mit-ccbe-praesident-panagiotis-perakis/>.

516 CCBE Press Release, “Ukrainian Lawyer Nadia Volkova and the Ukrainian National Bar Association (UNBA) receive the CCBE Human Rights Award 2022,” found at https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/Pressreleases/2022/EN_HR_20221123_PR_0322.pdf.

517 “NAAU initiates a special meeting of the RAU with representatives of the Working Group ‘Justice’ under the National Council on the recovery of Ukraine from the consequences of the war,” dated 4 November 2022, found at <https://unba.org.ua/news/7687-naau-iniciyue-provedennya-special-nogo-zasidannya-rau-z-predstavnikami-robochoi-grupi-yusticiya-pri-nacradi-z-vidnovlennya-ukraini-vid-naslidkiv-vijni.html>.

518 “The Bar Council of Ukraine held a special meeting,” dated 11 November 22, found at <https://unba.org.ua/news/7702-Rada-advokativ-ukraini-provela-special-ne-zasidannya.html>

Several weeks later, the Bar Council met again to consider “numerous facts indicating the presence of signs of disciplinary misconduct in the activity” on the part of the Deputy Minister of Justice, as well as “a frankly negative attitude towards the legal profession and destructive management of the sphere entrusted to her” which was incompatible with her position. The Council decided to send the materials from the Council meeting to the Prime Minister, the Minister of Justice, and the bodies of the UNBA and the self-government of lawyers for assessment.⁵¹⁹

The Deputy Minister of Justice responded, indicating that the National Council for Recovery did exist, that it was a consultative and advisory body under the President, and that its composition was approved by a Presidential Decree. She further stated that the UNBA ignored repeated official invitations to participate in the “Justice” working group.⁵²⁰

Since that time, various UNBA officials have spoken publicly about the “massive hostile propaganda” which has made the UNBA “the target of harassment, hate speech, and hostile paid propaganda containing false information and aimed at discrediting the institution of the Bar in Ukraine.”⁵²¹ One UNBA representative complained that the “Justice” Working Group had “presented to the whole world that the legal profession in Ukraine does not meet European standards and that the UNBA is the main enemy of correcting such a situation.”⁵²²

Other Legal Professionals

Though not as high-profile as judges, prosecutors, and *advokats*, other legal professionals play significant roles in the Ukrainian legal system. Most of these professionals are regulated by the Ministry of Justice, separate from the systems for the judiciary, prosecutors, and the Bar.

Notaries

The current notarial system in Ukraine generally follows what is characterized as the Latin notarial system derived from French law. Under this system, notaries are given the power to certify transactions (contracts, powers of attorney, wills, etc.), take measures to protect hereditary property, certify the alienation of real estate, and perform other notarial acts.⁵²³

The Ukrainian system has its roots in the Soviet system of state-operated notarial offices, where notaries essentially performed clerical functions as part of the state apparatus.⁵²⁴ When Ukraine declared independence, it began shifting to private property ownership and a market economy. As part of that process, the *Rada* in 1993 passed a law entitled “About Notariate,”⁵²⁵ which adopted the Latin notarial system.

519 “RAU initiated the dismissal of the Deputy Minister of Justice of Ukraine Valeria Kolomiets from her position and the initiation of disciplinary action against her as a lawyer,” dated 16 December 2022, found at <https://unba.org.ua/news/7794-rau-iniciyuvala-zvil-nennya-zastupnici-ministra-yusticii-ukraini-valerii-kolomiec-iz-zajmanoi-posadi-ta-iniciyuvannya-prityagnennya-ii-do-disciplinarnoi-vidpovidal-nosti-yak-advokata.html>.

520 “I’m not afraid to openly call a spade a spade and call a lie a lie, Valeriya Kolomiets,” dated 10 January 2023, found at <https://yur-gazeta.com/interview/ya-ne-boyusya-vidkrito-nazivati-rechi-svoyimi-imenami-ta-nazivati-brehn-yu-brehneyu--valeriya-kolomie.html>.

521 “UNBA Vice President Valentyn Gvozdiy spoke at the meeting of the CCBE in Brussels: focus on attacks on the Bar,” dated 31 March 2023, found at <https://en.unba.org.ua/activity/news/7992-unba-vice-president-valentyn-gvozdiy-spoke-at-the-meeting-of-the-ccbe-in-brussels-focus-on-attacks-on-the-bar.html>.

522 “Oksana Kadenko, head of the UNBA Committee on FLA issues,” dated 20 December 2022, found at <https://zib.com.ua/ua/154205.html>.

523 “History of the *Notary of Ukraine*,” from the website of Notary Chamber of Ukraine, found at http://www.npu.in.ua/pro-npu/istoriya_notariatu_ukrajni#.

524 See Apalkova, Inna, “Notary in Ukraine: establishment and introduction of digital technologies,” 2 *Juridical Science* pp. 27–32 (2021), found at <http://doi.org/10.15587/25>; Bondarieva, Maria, “The Role of the Notary in the Efficient Protection of Property Rights,” 4 *Access to Justice in Eastern Europe*, pp. 60–74 (2019).

525 Law of Ukraine, No. 3425-XII, dated 2 September 1993.

This law retained the system of state-operated notary offices from Soviet times, but also allowed qualified individuals to open private notary offices. To qualify as a notary, an applicant was required to have a Master of Laws degree, complete six months of probationary training in a state or private notary office, pass a qualification exam, and receive a certificate. Notaries are not allowed by law to work in courts, police, or prosecutor's offices, or represent citizens in courts or before other government offices.

The notaries' work was highly bureaucratized, relying on the preparation of documents, often on specific paper forms protected by security features.⁵²⁶ Completed documents were stored indefinitely in the notary's archives.⁵²⁷ This complicated system was widely criticized and blamed, at least in part, for the stagnation in the Ukrainian real estate market.⁵²⁸

Moreover, the dual system of state and private notaries created ongoing issues. The primary difference between state and private notaries was that public notaries charged fees fixed by the state. Private notaries' fees are negotiable, though normally higher than those charged by state offices.⁵²⁹ As a result, the state offices competed with private notaries based on price rather than the quality of their services.⁵³⁰

The system evolved into a *de facto* division of labor. For example, state notaries tended to handle a greater percentage of inheritance matters, issuing 43% of certificates regarding the right to inheritance in 2021. Conversely, private notaries more often handled real estate transactions, and certified 92% of real estate alienation contracts that year.⁵³¹

As a result, incomes for notaries suffered. State notaries were paid a salary by the state, which typically was insufficient to support them. Their private counterparts, though able to generate fees for their services, suffered income disparities due to price competition and general economic conditions.

These conditions coupled with the prevailing lack of accountability in the country created corruption problems, particularly in the state notary service where the certification of false documents became a major problem.⁵³² Thus, between 2007 and 2015, the public perception that state notaries were corrupt increased from 22% to 30%.⁵³³

In an effort to resolve these and other complexities, the *Rada* in 2010, Ukraine passed a law creating a new State Registration Service (SRS), operated under the leadership of the Ministry of Justice.⁵³⁴ Under this law, the SRS was responsible for creating and maintaining various registers of persons, legal entities, political parties, and the press. Moreover, the SRS was directed to create and maintain systems for the registration of rights to real estate throughout the country. Ukrainian notaries were given access to these registries for the registration of notarized documents.

526 Draft Plan; "It is Worth Nothing: What Changed in the Work of the Notary During the War," dated June, 2022, found at <https://www.worldservicesgroup.com/publications.asp?action=article&artid=22586>.

527 Draft Plan.

528 *Ibid.*; United Nations Economic Commission for Europe, *Country profiles on housing and land management – Ukraine*, p. 56 (New York and Geneva, 2013).

529 Baker McKenzie, *Doing Business in Ukraine 2020*, p. 105, found at <https://www.bakermckenzie.com/-/media/files/insight/guides/2020/conducting-business-in-ukraine-2020.pdf?la=en>.

530 Stračkatis, M., "Initiatives to Liberalise Notarial Services are Disguised in Fine Intentions but Consequences are Always Bitter," dated 18 March 2019, found at <https://notarius.lt/en/m.-strackaitis-initiatives-to-liberalise-notarial-services-are-dis-guised-in-fine-intentions-but-consequences-are-always-bitter/908>.

531 "Results of the Work of Public and Private Notaries for 2021," dated 3 February 2022, found at <https://minjust.gov.ua/news/ministry/pidsumki-roboti-derjavnih-ta-privatnih-notariusiv-za-2021-rik>.

532 Neutze, Jan and Karatnycky, Adrian, "Corruption, Democracy, and Investment in Ukraine," p. 11, *Atlantic Council*, 2007.

533 "Corruption in Ukraine: Comparative Analysis of Nationwide Surveys of 2007, 2009, 2011 and 2015," Kyiv International Institute of Sociology (November 2015).

534 Law of Ukraine, No. 1878-VI, dated 11 February 2010

The creation of these registries spurred reforms to the notarial system including the creation of the Notary Chamber of Ukraine (NPU). Authorized by amendments to the law on notaries passed in 2012,⁵³⁵ the Chamber was formed in 2013. Pursuant to the amended law, all private notaries and those working in state notary offices or state notarial archives automatically became members of the Chamber. The Chamber was authorized to protect the rights of notaries, represent their professional interests, further implement the Latin-type notary system, and create and enforce principles of professional ethics.⁵³⁶ In addition to the national organization, branches of the Chamber were set up in each *Oblast* and the city of Kyiv.⁵³⁷

The new law also provided for inspections of private and state notary offices to ascertain if they were following notarial rules and proper procedures. In 2014, the Ministry of Justice began this system of scheduled and unscheduled inspections.⁵³⁸

Nonetheless, the problems in the profession continued. While notaries viewed the program as random and unfair, the Ministry of Justice began inspecting and depriving non-compliant notaries (temporarily or permanently) of access to state registers.⁵³⁹ As of September 2020, the Ministry of Justice listed 304 notaries whose access to state registers had been permanently or temporarily revoked.⁵⁴⁰

These actions and the economic woes of both public and private notaries caused the number of notaries in Ukraine to drop significantly. By 2015, there were dozens of vacancies in state notary offices throughout the country.⁵⁴¹ By 2019, there were approximately 7500 notaries in Ukraine, with at least 1000 in Kyiv. At the same time, notaries became scarce in rural areas outside the major cities.⁵⁴²

In February 2019, notaries staged a peaceful protest in Kyiv to spotlight poor working conditions and the systematic reduction in their numbers and funding. As a result, the salaries of state notaries were raised, though the working conditions for private notaries were mostly left unchanged.⁵⁴³

Prior to the recent Russian aggression, as of the end of 2021, Ukraine had 685 state notary offices and 25 state notarial archives, employing 834 state notaries. An additional 5,730 private notaries were working in the country and handled about 91% of notarial acts.⁵⁴⁴

Notaries and Corruption. Like most other economic and governmental sectors in Ukraine, the notarial system has been plagued by corruption. One significant area of concern involves the privatization and transfer of real estate. Under the Communist system, real estate could not be privately owned. Since independence, Ukraine has struggled to equitably and transparently transfer land into private ownership. Those efforts have been rife with corruption and fraud, complicating and delaying the privatization of real property in the country.

535 Law of Ukraine, No. 5208-VI, dated 6 September 2012.

536 "About NPU," on the website of the Notary Chamber of Ukraine, found at <http://www.npu.in.ua/pro-npu/pro-npu#>.

537 "Branches of the Chamber," website of the Notary Chamber of Ukraine, found at <https://npu.ua/palata/viddilennya/>.

538 Order of the Ministry of Justice of Ukraine No. 357/5, dated 17 February 2014.

539 "Systemic recommendations," website of the Business Ombudsman Council found at <https://boi.org.ua/en/recommendations/filter/organisation-21/?pdf=1>; Stračkatis, *supra*.

540 "List of State Registrars and Notaries Whose Access to State Registers is Temporarily Restricted or Revoked," dated 23 September 2020, found at <https://minjust.gov.ua/en/spysok-der-reest-ta-not>.

541 "To the attention of resettled notaries from the ATO zone! (As of February 16, 2015)," dated 1 March 2015, found at <http://www.npu.in.ua/novini/do-uvagi-notariusiv-pereselentsiv-iz-zoni-ato-stanom-na-16-02-2014-roku#>.

542 Stračkatis, *supra*.

543 *Ibid.*; Buhlak, O. H., "Main Aspects of Payment for the Work of a Private Notary in Ukraine and its Guarantees," 4 *Social Law*, pp. 102-110 (2021).

544 "Results of the Work of Public and Private Notaries for 2021," dated 3 February 2022, found at <https://minjust.gov.ua/news/ministry/pidsumki-roboti-derjavnih-ta-privatnih-notariusiv-za-2021-rik>.

The land registries managed by the SRS were intended to solve those issues. Ukrainian notaries, who were given access to these registries, were an integral part of the strategy. However, the land registry is only about 40 percent complete, and majority of property rights acquired before 2013 were not yet included when the Russians attacked in February 2022. This share is much lower for the territories occupied in 2014.⁵⁴⁵ Moreover, the existing registries are prone to errors.⁵⁴⁶ These problems coupled with the ongoing issues with the certification and registration of fraudulent documents by notaries have continued to create significant problems in the real estate market.

Equally egregious, notaries have been involved in ubiquitous “raider attacks” in Ukraine. A “raider attack” involves the fraudulent transfer of the state-owned property or corporate rights resulting in the illegal seizure of the property. In practice, these attacks threaten private enterprises, real estate, or other valuable assets held by Ukrainian or foreign interests.⁵⁴⁷

Corporate raiding, in particular, is widely recognized as a major obstacle to post-Communist economic and political modernization in Ukraine. Under these schemes, predators attack companies registered in Ukraine by exploiting corruption in the courts and notaries to forge documents and forcibly seize assets.⁵⁴⁸ One of the most common methods of raiding in Ukraine is the manipulation of state registries. Persons with access to the registries enter fraudulent information to change the ownership of real estate or the owners or officers of a legal entity, thus effectively depriving the real owner of their rights.⁵⁴⁹

In recent years, such attacks have been more prevalent in Ukraine than in any other similarly large and advanced economy.⁵⁵⁰ Every year, there have been about 400 raider attacks in Ukraine. As of September 2020, more than 600 attacks had been reported in the country during the year.⁵⁵¹ Efforts to solve this problem thus far have proved largely ineffective.⁵⁵² Various steps have been proposed to solve the issue,⁵⁵³ but prosecutions involving notaries continue even during the war.⁵⁵⁴

The Impact of War – The Experience in 2014. Prior to 2014, about 500 notaries were working in the Donetsk *Oblast* and more than 350 notaries in Luhansk. A considerable number were identified and targeted by Russian forces and their allies. After the beginning of conflict in 2014, most terminated their activities and departed the region. Some attempted to save their archives, scanning documents in the hope of recovering them later.⁵⁵⁵ Many had no chance to evacuate their files, so the archives were destroyed or ransacked.⁵⁵⁶

545 Nizalov, Denys, “Protecting Property Rights during and after the War in Ukraine,” dated 6 October 2022, found at <https://www.newamerica.org/future-land-housing/briefs/ukraine-war-property-rights-rapid-needs-assessment/>.

546 *Ibid.*

547 Zimmerman, Gábor, “Raider Attacks in Ukraine,” Transparency International Ukraine (2012).

548 “Zelenskyy and associates feature in Pandora Papers, biggest leak of offshore documents,” dated 8 October 2021, found at <https://subscription.ukrweekly.com/2021/10/zelenskyy-and-associates-feature-in-pandora-papers-biggest-leak-of-offshore-documents/>.

549 Info Sapiens agency, *Anti-corruption and Social Impact of Open Government Data on Doing Business in Ukraine*, p. 31 (January 2021).

550 Rojansky, Matthew A., “Corporate Raiding in Ukraine: Prevention, Defense, and Policy Reform,” 39 *Review of Central and East European Law*, pp. 245–289 (November 2014).

551 Info Sapiens agency, *Anti-corruption and Social Impact of Open Government Data on Doing Business in Ukraine*, p. 31 (January 2021).

552 Bondarieva, Maria, “The Role of the Notary in the Efficient Protection of Property Rights,” 4 *Access to Justice in Eastern Europe*, pp. 60–74 (2019).

553 “Presentation and Discussion of the Roadmap for preventing registration raiding and enforcing restrictions on land concentration in Ukraine,” dated 10 November 2021, found at <https://brdo.com.ua/wp-content/uploads/2021/11/Proceedings-Presentation-and-Discussion-of-the-Roadmap-for-preventing-registration-raiding-and-enforcing-restrictions-on-land-concentration-in-Ukraine.pdf>.

554 “Kyiv saved Obolonsky Island thanks to NABU,” dated 25 August 2022, found at <https://nabu.gov.ua/en/novyny/kyiv-saved-obolonsky-island-thanks-nabu>.

555 “Justice ministry orders private notaries in Crimea to stop operation,” dated 15 July 2014, found at <https://www.kyivpost.com/article/content/ukraine-politics/justice-ministry-orders-private-notaries-in-crimea-to-stop-operation-356071.html>.

556 “President of LCN Delivered Charity Support to Ukrainian Notaries in Kiev and Took Part in International Conference,” dated 12 August 2014, found at <https://notarius.lt/en/president-of-lcn-delivered-charity-support-to-ukrainian-notaries-in-kiev-and-took-part-in-international-conference/695>.

Further compounding these problems were reports that Russian-backed forces stored and sealed notary files and refused their transfer to Ukrainian authorities. In one instance, a relocated notary reported that even when temporary access to abandoned files was arranged, less than 10% of files in ongoing matters could be accessed. DPR and LPR authorities refused to allow the transfer of the remainder of the files, including inheritance-related files required for individuals to establish their right to an inheritance.⁵⁵⁷ At the same time, Ukrainian authorities directed that any document issued by a notary in the non-government-controlled areas was *de facto* null and void in Ukraine.⁵⁵⁸

Notarial jurisdiction over some communities along the contact-line was transferred to government-controlled areas after the conflict erupted. However, because the registries/archives (notary, housing, and land documents) remained behind, necessary documents were unavailable to Ukrainian notaries. Since any document issued by authorities in the non-government-controlled areas was *de facto* null and void in Ukraine, it was impossible for residents to restore their documents except through protracted and expensive court proceedings. The result was that many from those communities were unable to complete privatization or produce title documents necessary for repair/reconstruction assistance.⁵⁵⁹

Many notaries left conflict areas with their families and settled in central and western areas of Ukraine. Some escaped notaries were employed by colleagues or lawyers as assistants. However, dozens of notaries were unemployed with no permanent place of residence.⁵⁶⁰ As with other professions, others stayed in the Donbas, were naturalized in Russia, retrained, and started working as notaries under Russian law.⁵⁶¹ Unwilling to recognize such persons and to avoid abuse of the systems, the Ministry of Justice suspended access to the state registries by notaries from non-government-controlled areas in Luhansk and Donetsk.⁵⁶²

In Crimea, the Ukrainian Ministry of Justice in 2014 ordered private notaries to transfer their documents and archives to the state notary archive in Kherson within one month. As in the Donbas, some private notaries began operating under Russian law, despite an order from the Ministry of Justice that they cease such activities.⁵⁶³

The Impact of War – 2022. Like other Ukrainians, notaries were devastated by the Russian aggression beginning in February 2022. A few notaries were killed,⁵⁶⁴ while others enlisted in Ukraine's military services.⁵⁶⁵

557 OSCE, *Access to Justice and the Conflict in Ukraine*, p. 13 (December 2015)

558 Norwegian Refugee Council, "Sharing the costs of rehabilitation of civilian property damaged during the conflict," dated November 2017, found at https://www.nrc.no/globalassets/pdf/position-papers/sharing_costs-of_rehabilitation_civilian_property_position_paper_nrc.pdf.

559 *Ibid.*

560 "President of LCN Delivered Charity Support to Ukrainian Notaries in Kiev and Took Part in International Conference," dated 12 August 2014, found at <https://notarius.lt/en/president-of-lcn-delivered-charity-support-to-ukrainian-notaries-in-kiev-and-took-part-in-international-conference/695>.

561 *Ibid.*

562 Order of the Ministry of Justice of Ukraine, "On Urgent Measures to Protect the Rights of Citizens in the AntiTerrorist Operation" dated 17 June 2014, no. 953/5.

563 "Justice ministry orders private notaries in Crimea to stop operation," dated 15 July 2014, found at <https://www.kyivpost.com/article/content/ukraine-politics/justice-ministry-orders-private-notaries-in-crimea-to-stop-operation-356071.html>.

564 "Charitable Foundation of the Chamber of Notaries of Ukraine," dated 5 May 2022, found at <https://www.notariesofeuropa.eu/en/charitable-foundation-of-the-chamber-of-notaries-of-ukraine/>; "Notary Serhii Grebenyuk died defending Ukraine," dated 18 March 2022, found at <https://npu.ua/news/notarius-sergii-grebeniuk/>.

565 "Notary Serhii Grebenyuk died defending Ukraine," dated 18 March 2022, found at <https://npu.ua/news/notarius-sergii-grebeniuk/>;

Notary offices were damaged or destroyed, along with a notary's lifetime of work and source of income.⁵⁶⁶ As of late June 2022, 34 (5%) public notary offices and 103 (2%) private notary offices had been destroyed. In addition, 80 (12%) public notary offices and 316 (6%) offices of private notaries were in temporarily occupied territory, and any connection with them was lost.⁵⁶⁷

When private notaries lived in territories where hostilities were active or that were temporarily occupied, it typically was impossible to transfer their archives. Such circumstances made it impossible for them to perform their notarial activities and created considerable risks for those who remained.⁵⁶⁸ As with other professions, some notaries in such areas simply switched sides and joined the Russian administration.⁵⁶⁹ Others stayed but continued to provide limited services behind closed doors, while doing their best to avoid the attention of Russian forces.⁵⁷⁰

But regardless of whether they were in the conflict zone or elsewhere in the country, a substantial number of notaries fled to western Ukraine or abroad.⁵⁷¹ Such displacement was particularly prevalent for the 80% of the profession who were women, since the restrictions on immigration by males forced women to disproportionately migrate to safety with their families.

In early May 2022, it was estimated that only a quarter to a third of the notaries in Ukraine were actually carrying out notarial activities.⁵⁷² When the Ministry of Justice in early May decided to allow some notaries from certain areas to access selected registers, the eligibility list included only 43% of notaries who were active four months earlier. Over 1000 notaries from the city of Kyiv – about 75% of those working at the beginning of the year – were not on the list. More than 95% of the notaries in Kharkiv *Oblast*, and all of those in Donetsk, Luhansk, and Kherson *Oblasts* were not on the list. While other regions saw lesser declines, the number of notaries active and eligible to provide notarial services decreased in every *Oblast* in the country.⁵⁷³

After the war began, the Notary Chamber set up a charitable foundation to provide direct assistance to Ukrainian notaries and their families affected by the consequences of the ongoing conflict.⁵⁷⁴ As of December 2022, this fund had provided assistance to 255 notaries who had suffered financial loss.⁵⁷⁵

566 "Charitable Foundation of the Chamber of Notaries of Ukraine," dated 5 May 2022, found at <https://www.notariesofeurope.eu/en/charitable-foundation-of-the-chamber-of-notaries-of-ukraine/>; "Volodymyr Marchenko and Volodymyr Kovalenko paid working visits to the notaries of the hero city of Chernihiv," dated 11 July 2022, found at <https://npu.ua/news/chernihiv/>; "Volodymyr Marchenko and Karina Derun visited notaries in the hero cities of the Kyiv region – Irpen, Gostomel, Buchi, Borodyantsi," dated 2 June 2022, found at <https://npu.ua/news/kyivobl010622/>; "Volodymyr Marchenko and Olena Samoshchenko paid working visits to the notaries of the hero city of Kharkiv," dated 14 June 2022, found at <https://npu.ua/news/kharkiv/>.

567 Draft Plan; "Notaries of Swativ district. Where to find them and what services you can get," dated 8 February 2023, found at <https://svatove.city/articles/264851/notariusi-svativskogo-rajonu-de-ih-znajti-ta-yaki-poslugi-mozhna-otrimati>.

568 "How to stop notarial activity under martial law," dated 6 June 2022, found at <https://npu.ua/news/prypynennia-vs/>.

569 "Ukraine in brief: Latest regional news September 14, 2022," dated 15 September 2022, found at <https://www.uavarta.org/en/ukraine-in-brief-latest-regional-news-september-14-2022-photo/>; "The Russians are entrenched in Zaporozhye. Russian Occupied South of Ukraine: Overview of Events for the Week," dated 5 February 2023, found at <https://investigator.org.ua/ua/war/251297/>.

570 "Lawyers of the Kherson Region Are Returning to Work – Inna Mokina," dated 6 January 2023, found at <https://pivdenukraine.com.ua/2023/01/06/advokati-xersonshhini-povertayutsya-do-roboti-inna-mokina/>; "Notaries of Swativ district. Where to find them and what services you can get," dated 8 February 2023, found at <https://svatove.city/articles/264851/notariusi-svativskogo-rajonu-de-ih-znajti-ta-yaki-poslugi-mozhna-otrimati>.

571 "Charitable Foundation of the Chamber of Notaries of Ukraine," dated 5 May 2022, found at <https://www.notariesofeurope.eu/en/charitable-foundation-of-the-chamber-of-notaries-of-ukraine/>.

572 *Ibid.*

573 Annex 7.

574 "Charitable Foundation of the Chamber of Notaries of Ukraine," dated 5 May 2022, found at <https://www.notariesofeurope.eu/en/charitable-foundation-of-the-chamber-of-notaries-of-ukraine/>.

575 "Rescue of Notaries: the first results of the work of the NPU Charitable Foundation," *Notary of Ukraine*, No. 3–4 (46–47), p. 10 (2022).

Like other professions, the experiences of notaries have varied. Many of those in the frontline regions fled. Others in more remote central and western areas saw lesser impacts apart from the added need to assist IDPs. Fewer from those areas fled and once the registries reopened, they often resumed their activities, albeit with some changes in their mix of business.⁵⁷⁶

In the liberated areas, the outcome has not been as encouraging. When areas were liberated, many returned to very difficult circumstances.⁵⁷⁷ For example, in Iziium in Kharkiv *Oblast*, not a single notary resumed their professional activities. The city was badly damaged and burned, notary offices were destroyed, and archives damaged. Notaries are trying to adapt to life in the city, but the destruction of both housing and critical infrastructure has made it very difficult.⁵⁷⁸

Nonetheless, the military gains made by Ukrainian forces in the summer and fall of 2022 allowed many notaries to resume working. The number of notaries on the list of those eligible to access certain registries increased by nearly 2800 between May 2022 and March 2023. Indeed, the number of notaries on that list as of March 2023 was equal to 85% of those working as of January 2022. While notaries still had not returned in full force to areas directly threatened or impacted by the fighting, a handful of regions in the west actually saw modest increases in the number of practicing notaries, likely due to the migration of notaries from the east.⁵⁷⁹

Governmental Response to the War. Even before the Russian aggression began on February 24, 2022, the Ministry of Justice and Notary Chamber developed procedures for evacuating and securing notarial materials.⁵⁸⁰ After the war began, these efforts intensified.⁵⁸¹

In April, the Government adopted a resolution outlining the conditions for the provision of notary services and the operation of public registries during martial law. The resolution set up simplified notarial processes and allowed notaries to perform key registration actions such as notarizing certain powers of attorney, wills, authenticating signatures on applications, and opening inheritance cases.⁵⁸² Notaries were also authorized to certify certain documents such as powers of attorney and wills on plain paper without the use of special notarial forms, so long as the document contained the other requisites prescribed by law.⁵⁸³

As the war progressed, the Ministry of Justice developed procedures to assist notaries in terminating and/or transferring their activities to a new area.⁵⁸⁴ Some notaries utilized this option, terminated their practice in one notarial district, and registered again in another area.⁵⁸⁵ The Notary Chamber also appealed to the Ministry of Justice to defer the inspections of the work of state and private notaries until martial law was lifted.⁵⁸⁶

⁵⁷⁶ *Ibid.*; “Notary of Kirovohrad Region Under Martial Law,” *Notary of Ukraine*, No. 3-4 (46-47), p. 16 (2022).

⁵⁷⁷ “Yana Dvornyk: ‘In the Morning, Instead of Coffee, We Buy Gasoline for Generators, and We leave the Villages with Sappers,’” *Notary of Ukraine*, No. 3-4 (46-47), p. 12 (2022).

⁵⁷⁸ “Notary of Kirovohrad Region Under Martial Law,” *Notary of Ukraine*, No. 3-4 (46-47), p. 16 (2022).

⁵⁷⁹ Annex 7.

⁵⁸⁰ “Memo of the notary regarding actions in case of emergencies or war (in particular, regarding archives),” dated 16 February 2022, found at <https://npu.ua/news/pamyatka-ns/>.

⁵⁸¹ “Peculiarities of performing notarial acts under martial law (as of March 9, 2022),” dated 9 March 2022, found at <https://npu.ua/news/notar-vs/>; “Recommendations to notaries in case of capture (or threat of capture) of a settlement and/or workplace,” dated 15 March 2022, found at <https://npu.ua/news/rekomendacii/>; “Evacuation of the notary: keys and special forms,” dated 21 March 2022, found at <https://npu.ua/news/vs-kep-blank/>.

⁵⁸² Resolution of the Cabinet of Ministers of Ukraine No. 480, “On Amendments to Certain Resolutions of the Cabinet of Ministers of Ukraine regarding the Activity of Notaries and the Functioning of Unified and State Registries Maintained by the Ministry of Justice during Martial Law,” dated 19 April 2022; “Extending martial law in Ukraine: consequences for business,” dated 19 August 2022, found at <https://www.lexology.com/library/detail.aspx?g=1fb3861d-398f-4889-a648-a2ef07eb992d>.

⁵⁸³ “It is Worth Nothing: What Changed in the Work of the Notary During the War,” dated June 2022, found at <https://www.worldser-vicesgroup.com/publications.asp?action=article&artid=22586>.

⁵⁸⁴ “Letter about the meeting dated 04/18/2022 (termination),” dated 25 May 2022, found at [http://www.notariat.kr.ua/index/list-pro-naradu-v%D1%96d-18.04.2022-\(pripinennya\).html](http://www.notariat.kr.ua/index/list-pro-naradu-v%D1%96d-18.04.2022-(pripinennya).html).

⁵⁸⁵ “How to stop notarial activity under martial law,” dated 6 June 2022, found at <https://npu.ua/news/prypynennia-vs/>.

⁵⁸⁶ “NPU appealed to the Ministry of Justice regarding the impracticality of resuming inspections of notarial activities during martial law,” dated 21 September 2022, found at <https://npu.ua/news/page/6/>.

At same time, efforts were made to protect the registries from access or manipulation by Russian operatives. While some registers kept operating, access was closed to several of the more critical registers from February until mid-May 2022.⁵⁸⁷ Even then, restrictions continued for notaries in occupied territories and combat zones.⁵⁸⁸ During that period, access to registers for urgent needs was not handled by notaries but by civil servants of the Ministry of Justice – an approach unknown during peacetime.⁵⁸⁹

Slowly, the Government opened access to registers. For instance, the first activity allowed in the Register of Legal Entities and Private Entrepreneurs was the registration of charity funds, since these funds were playing a crucial role in collecting money and financing urgent humanitarian and military needs during the war.⁵⁹⁰ Later, certain other types of important operations were allowed.⁵⁹¹

The riskiest operations, relating to the transfer of corporate and property rights, only became available two months after the invasion, and then with certain limitations. Under this arrangement, the Ministry of Justice created a list of notaries who were authorized to perform notarial actions on valuable property under martial law. Notaries were only added to the list after an assessment of their previous activity; those with a record of violations of procedural rules were excluded from the list. Moreover, a system of additional procedural guaranties was put in place to protect the system from fraud.⁵⁹²

However, the Ministry of Justice specifically disqualified notaries in regions such as Donetsk and Luhansk from the list.⁵⁹³ Other notaries were included on the list with a stipulation that they could perform some of the permitted notarial acts, but were prohibited from performing certain other actions.⁵⁹⁴

On May 3, 2022, the Ministry of Justice published the initial list of notaries authorized to act under a Resolution by Cabinet of Ministers.⁵⁹⁵ The list included both public and private notaries who were at their workplaces and performing notarial activities, and who also met the criteria established by the Resolution.⁵⁹⁶ The list has been updated from time-to-time to include new notaries who have become qualified.

In September 2022, the Notary Chamber created a register of notaries in Ukraine who continue to work and provide assistance during wartime.⁵⁹⁷ As conditions stabilized, some notaries from conflict zones were allowed to regain some access to the registries.⁵⁹⁸ In March 2023, the Chamber of Notaries appealed to the Prime Minister to help restore access to registers by

587 Nizalov, Denys, “Protecting Property Rights during and after the War in Ukraine,” dated 6 October 2022, found at <https://www.newamerica.org/future-land-housing/briefs/ukraine-war-property-rights-rapid-needs-assessment/>; “Evacuation of the notary: keys and special forms,” dated 21 March 2022, found at <https://npu.ua/news/vs-kep-blank/s>.

588 Resolution of the Cabinet of Ministers of Ukraine No. 209, dated 03/06/2022.

589 SIGMA, “Administrative Service Delivery in Ukraine in the Context of War – State of Play, Challenges and Recommendations,” dated October 2022, found at <https://www.sigmaweb.org/publications/Administrative-service-delivery-in-Ukraine-war-context-SIGMA-2022.pdf>.

590 *Ibid.*

591 *Ibid.*

592 *Ibid.*

593 “Ukraine further simplifies notarial and state registration procedures,” dated 11 May 2022, found at <https://www.cms-lawnow.com/ealerts/2022/05/ukraine-further-simplifies-notarial-and-state-registration-procedures>.

594 “List of Notaries Who Perform Notarial Acts on Valuable Property Under Martial Law,” dated 4 May 2022, found at <https://minjust.gov.ua/news/ministry/perelik-notariusiv-yakimi-v-umovah-voennogo-stanu-vchinyayutsya-notarialni-dii-scho-do-tsinного-mayna>.

595 Order of the Ministry of Justice of Ukraine No. 1760/5, dated 3 May 2022.

596 “List of Notaries Who Perform Notarial Acts on Valuable Property Under Martial Law,” dated 4 May 2022, found at <https://minjust.gov.ua/news/ministry/perelik-notariusiv-yakimi-v-umovah-voennogo-stanu-vchinyayutsya-notarialni-dii-scho-do-tsinного-mayna>.

597 “Registers and war: striking a balance between transparency and security,” dated 23 September 2022, found at <https://voxukraine.org/en/war-and-registries-striking-a-balance-between-transparency-and-security/>.

598 “Access of Notaries to Registries,” dated 7 April 2022, found at <https://minjust.gov.ua/news/ministry/dostup-notariusiv-do-reestriv>.

notaries in certain other territories that are no longer occupied and are not under threat of active hostilities.⁵⁹⁹

The Future. The Russian aggression in February 2022 occurred just as the Ukrainian government was discussing several major reforms to the notarial system. One item under discussion is the abolition of state notaries' offices.⁶⁰⁰ Just two weeks before the invasion, the Ministry of Justice announced a strategy to liquidate public notary offices and create a single body of roughly 6,000 private notaries. No schedule for this transition was announced, though it was envisioned that the process would be gradual, taking more than one year.⁶⁰¹ With the outbreak of the war, this transition apparently has been put on hold.

Another planned reform is to move from paper forms and archives to a digital system.⁶⁰² While the Chamber has expressed some reservations about the government's "state in a smartphone" approach, work continues on digitizing much of the notary's work.⁶⁰³ Presently some innovations are appearing by regulation while a draft law relating to such reforms remains stalled in the *Rada*.⁶⁰⁴

But other issues remain. One problem that existed even before the Russian attacks is that sparsely populated and financially weak regions of the country have a shortage of notaries.⁶⁰⁵ Another concern, as with other professions, is the efficacy of the Notary Chamber's disciplinary processes.⁶⁰⁶

Also on the horizon is how to handle transactions that took place in the temporarily occupied territories. Life goes on during war, and events requiring notarial services continue despite the fighting. Russian officials have begun to form "notarial districts" in these areas in accordance with the legislation of the Russian Federation, and the process of registering "notary offices" has begun.⁶⁰⁷ Given Ukraine's unwavering refusal to recognize any actions of Russian officials on Ukrainian territory, procedures will need to be developed for validating notarial acts for legitimate events as territories are liberated.

Executors (Bailiffs)

The Problem. As in many countries in transition, Ukraine faces a critical problem regarding the lack of enforcement of court decisions. On one hand, the Ministry of Justice claimed that the percentage of executed court decisions in 2021 was 35.6%. However, this contention was challenged by the head of the Association of Private Executors, who argued that the level of enforcement in Ukraine remains catastrophically low from year-to-year, adding that no more than 3% of decisions are implemented.⁶⁰⁸

599 "The NPU requests to urgently restore the access of notaries to the registers in Zaporizhzhia and some other territories - in order to protect the rights of citizens and businesses," dated 6 March 2023, found at <https://npu.ua/news/dostupdoreestriv/>.

600 "Talks on the reform of notarial law in Ukraine," dated 3 June 2020, found at <https://www.irz.de/index.php/en/partner-states/ukraine?start=3>.

601 "Maliuska: There will be no public notaries someday," dated 10 February 2022, found at <https://en.interfax.com.ua/news/general/797502.html>.

602 Draft Plan.

603 "Talks on the reform of notarial law in Ukraine," dated 3 June 2020, found at <https://www.irz.de/index.php/en/partner-states/ukraine?start=3>.

604 "NPU continues cooperation with the Pravo-Justice Project," dated 22 October 2022, found at <https://npu.ua/news/page/3/>.

605 "Talks on the reform of notarial law in Ukraine," dated 3 June 2020, found at <https://www.irz.de/index.php/en/partner-states/ukraine?start=3>.

606 *Ibid.*

607 "Russians create 'notary offices' in order to 'legalise' looting," dated 21 November 2022, found at <https://news.yahoo.com/russians-create-notary-offices-order-115421226.html>.

608 "The Ministry of Justice says that last year more than a third of court decisions were actually executed," dated 22 September 2022, found at <https://sud.ua/uk/news/publication/249978-v-minyuste-govoryat-chto-v-proshlom-godu-fakticheski-ispolneno-bol-ee-treti-sudebnykh-resheniy>.

While statistics on the enforcement of judgments in Ukraine are both notoriously hard to locate and suspect,⁶⁰⁹ the available data certainly paints a dismal picture. One set of annual statistics showed that the unenforced monetary judgments amounted to more than UAH 800 billion (€25.7 billion), or 30% of the country's annual gross domestic product. However, only UAH 25 billion–UAH 30 billion (€805 million–€967 million) was collected each year, representing less than 4% of the total monetary judgments in Ukraine.⁶¹⁰ Data from 2020 showed that monetary judgments totaled almost UAH 790 billion, but only about UAH 19 billion (2.4%) was collected.⁶¹¹ Put in perspective, according to World Bank data, Ukrainian judgment debtors pay 9 cents on a dollar against an average of 38.5 cents on a dollar in Europe and Central Asia.⁶¹²

This data looks even worse when one focuses on the enforcement of monetary judgements against the state. Because of the lack of resources, only a tiny percentage of monetary judgments against the state is paid. Thus, while judgments against the Ukrainian state totaled more than UAH 6 billion, only UAH 99.99 million (about 1.6% of the total amount) was paid.⁶¹³

The problem is so bad that thousands of appeals have been lodged by Ukrainian litigants with the European Court of Human Rights (ECHR) based on the failure of Ukraine to satisfy its own courts' domestic judgments against the state. In October 2017, the ECHR took the unprecedented step of striking 12,143 such appeals from its docket, essentially holding that addressing such cases, even though potentially meritorious, would be pointless and a waste of the Court's resources.⁶¹⁴ Nearly two years later, a Committee of the European Council of Ministers examined Ukraine's progress since that ruling, and concluded that only 11% of the 12,143 judgments had been enforced and that Ukraine had not yet adopted a comprehensive strategy to solve the problem.⁶¹⁵

These issues have several facets: lengthy delays in enforcement, lack of effective measures to prevent and punish debtors who hide assets and evade court orders, few efficient mechanisms for those attempting to enforce an order to obtain needed information, and legislation that allows opportunities for corruption.⁶¹⁶

The Pre-War System. At the center of these issues are the Ukrainian officials charged with enforcing judgments known as executors or bailiffs. Historically, these individuals were state employees. However, in an effort to reinvigorate the enforcement system, the *Rada* in 2016 passed a law providing for the creation of a parallel system of private executors with significant power to enforce monetary judgments.⁶¹⁷ To become a private executor, an individual must have a Master of Law degree or higher, have at least two years of experience in the field of law, and pass a qualifying exam. Under the law, private executors can enforce many court decisions, but these rights are subject to several exceptions including monetary judgments against governmental bodies.

609 Izarova, Iryna, "Sustainable Civil Justice through Open Enforcement: The Ukrainian Experience," 9 *Academic Journal of Interdisciplinary Studies*, No 5, p. 207 (September 2020).

610 "Enforcement of Court Decisions and the Way Forward to Digital Enforcement," *Law in Transition Journal*, pp. 42–43 (2022).

611 "What is the connection between cheap loans and execution of court decisions and why the reform of the executive service should be continued," dated 3 March 2021, found at <https://www.epravda.com.ua/columns/2021/03/3/671563/>.

612 "How private enforcers can collect debts faster," dated 29 March 2021, found at <https://opendatabot.ua/en/analytics/private-executors>.

613 "The Ministry of Justice says that last year more than a third of court decisions were actually executed," dated 22 September 2022, found at <https://sud.ua/uk/news/publication/249978-v-minyuste-govoryat-chto-v-proshlom-godu-fakticheski-ispolneno-bol-ee-treti-sudebnykh-resheniy>.

614 *Burmych and Others v. Ukraine*, Applications nos. 46852/13, et al., dated 12 October 2017.

615 *Zhovner v. Ukraine*, *Yuriy Nikolayevich Ivanov v. Ukraine*, and *Burmych and Others v. Ukraine*, Applications nos. 40450/04, 56848/00, and 46852/13.

616 Website of the International Development Law Organization, found at <https://www.idlo.int/what-we-do/initiatives/building-capacity-bailiffs>.

617 Law No. 1403–VIII, dated 2 June 2016.

The law also provided for the formation of a professional organization, similar to those for *advokats* and notaries, to provide a measure of self-governance for the profession. While ultimate oversight of private executors lies largely with the Ministry of Justice, the Association of Private Executors of Ukraine (APEU) was given substantial powers over such matters as qualification and discipline of members of the profession.

At the time of the 2016 reforms, it was anticipated that, like notaries, the new law would lead to the rapid certification of at least 2,000 to 3,000 private executors.⁶¹⁸ This vision was overly optimistic; by 2020, there were only 270 private executors in Ukraine.⁶¹⁹ Because it is more financially lucrative, private executors were involved mostly in debt collection for banks and financial institutions.⁶²⁰

While there are thousands of employees in state executor's offices, only the head of the office and their deputy are required to have a Master of Laws degree or higher. The remaining employees are typically less educated, low paid, and overworked. As a result, while some gains have recently been reported,⁶²¹ only 2% to 3% of judgements were recovered by members of the state executors' offices.⁶²² Since only state executor's offices can enforce court decisions against the state, this miserable performance exacerbates the massive problem that frustrated the ECHR.

As with other professions, the combination of low pay and the prevailing culture of corruption also infected executors.⁶²³ Prior to the war, a number of bills were introduced in the *Rada* to improve the execution process, though none of them had passed by the time hostilities broke out in 2022.⁶²⁴

The Impact of the War. As with other parts of the legal system, the system for enforcing judgments began adjusting to wartime conditions in 2014 as a result of the Russian takeover of Crimea and parts of the Luhansk and Donetsk regions. Due to the Russian actions, it was virtually impossible to enforce decisions in those territories. State executor's offices (private executors had not yet been introduced) were forced to leave pending enforcement proceedings, and were unable to remove documents while fleeing to territory controlled by the Ukraine. Accordingly, by order of the Ministry of Justice, the enforcement of decisions against debtors located in the temporarily occupied territories began to be carried out by state executors in the Kherson Oblast.⁶²⁵

618 Council of Europe, "Report on a mission to Ukraine for bilateral consultations with Ukrainian authorities concerning the improvement of enforcement proceedings" (August 2018).

619 "How private enforcers can collect debts faster," dated 29 March 2021, found at <https://opendatabot.ua/en/analytics/private-ex-executors>.

620 *Ibid.*

621 "State Executors Raise Up Execution of Court Decisions by 20–30%," dated 11 February 2022, found at <https://open4business.com.ua/en/state-executors-raise-up-execution-of-court-decisions-by-20-30/>.

622 Council of Europe, "Report on a mission to Ukraine for bilateral consultations with Ukrainian authorities concerning the improvement of enforcement proceedings" (August 2018).

623 "Five years of imprisonment for the state bailiff – the prosecutor's appeal was satisfied," dated 6 February 2023, found at https://chrg.gov.ua/ua/news.html?_m=publications&_t=rec&id=327365.

624 "Improving the mechanism of judicial control over the execution of court decisions and the procedure for establishing or changing the method of execution of court decisions," dated 22 November 2022, found at <https://court.gov.ua/press/news/1349446/>.

625 "How private enforcers can collect debts faster," dated 29 March 2021, found at <https://opendatabot.ua/en/analytics/private-ex-executors>.

The Russian invasion in February 2022 worsened an already grim situation. Like other Ukrainians, executors found their lives horrifically disrupted. As with Crimea and the Donbas, private executors were unable to operate in the newly occupied territories. Some fled, some stayed, and some enlisted.⁶²⁶ State executor's offices were closed, and some were damaged.⁶²⁷ The APEU quickly established a charity fund. However, unlike some other wartime funds, this fund was not only intended to help members and their families, but also to promote the development of the activities and increase the prestige of the profession of a private executor.⁶²⁸

In order to ensure data protection and prevent unauthorized use of registers, the government temporarily blocked access to the Automated System of Enforcement Proceedings (ASEP) – a computer program that collects, stores, records, searches, and provides data on enforcement proceedings. The government also immediately prohibited enforcement proceedings and measures in areas temporarily occupied by Russian forces. This move caused significant problems since existing Ukrainian laws required that an enforcement proceeding be commenced exclusively by an executor registered in the region of the debtor's residence or the location of his/her property or work. To solve these issues, the Ministry of Justice reopened the ASEP to state executors and introduced the principle of extraterritoriality, allowing any executor to pursue collection anywhere, regardless of the location of the debtor or his/her property.⁶²⁹ Nonetheless, using the data supplied by the Ministry of Justice, it is anticipated that the percentage of all court decisions that will be enforced will decrease from 35% in 2021 to 27.5% in 2022, a reduction of 20%.⁶³⁰

As the situation stabilized and territories were liberated, executors were able to return to some frontline areas.⁶³¹ In November 2022, a committee of the *Rada* resumed looking at the draft law submitted prior to the war, with an eye toward making substantial revisions to the execution process.⁶³² Whether these initiatives will result in actual legislation is yet to be determined.

Regardless, the Russian invasion unquestionably complicated and delayed the original vision of privatizing the execution process. Less than ten new private executors received certificates in 2022. As of late March 2023, only about 330 private executors were registered in the entire country. By far the largest number (109) were located in the city of Kyiv, with Dnipropetrovsk *Oblast* a distant second (23). Seventeen *Oblasts* (not including Crimea or the Donbas) had less than ten private executors for the entire region.⁶³³ At the same time, roughly 645 state executor's offices with an unspecified number of employees – long ticketed for closure – remained open.⁶³⁴

626 "Oleg Gubal, the chief state enforcer of the Department of the State Executive Service in the city of Uzhgorod, died while defending Ukraine," dated 15 November 2023, found at <https://pzmrujust.gov.ua/novyny/4429-zakhys-hchaiuchy-ukrainu-zahynuv-ho-lovnyi-derzhavnyi-vykonavets-viddilu-derzhavnoi-vykonavchoi-sluzhby-u-misti-uzh-horodi-oleh-hubal>.

627 "The Department of the State Executive Service Opened in New Premises in Dergachi," dated 7 February 2023, found at <https://www.sumyjust.gov.ua/novini/u-dergachah-viddil-derzhavnoi-vykonavchoyi-sluzhby-zapracz-yuvav-u-novomu-pry-mishhenni/>.

628 "Decision of RPVU No. 42 dated 03/25/2022," found at <https://apvu.com.ua/tpost/oy41d431b1-rshennya-rpvu-42-ud-25032022>.

629 "How private enforcers can collect debts faster," dated 29 March 2021, found at <https://opendatabot.ua/en/analytics/private-executors>.

630 "The Ministry of Justice says that last year more than a third of court decisions were actually executed," dated 22 September 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1323131/>.

631 "On the Restoration of Justice Services in the Lozov District of Kharkiv Region," dated 19 January 2023, found at <https://www.sumyjust.gov.ua/novini/pro-vidnovlennya-poslug-yustyciyi-v-lozivs-kornu-rajoni-harkivshhy-ny/>; "Restoration of the Balaklia Department, in Kharkiv *Oblast* in the Final Stage of Implementation," dated 3 February 2023, found at <https://www.sumyjust.gov.ua/novini/vidnovlennya-balaklijs-kogo-viddilu-draczs-shho-na-harkivshhyni-v-final-nij-stadiyi-realizaciyi/>; "The Department of the State Executive Service Opened in New Premises in Dergachi," dated 7 February 2023, found at <https://www.sumyjust.gov.ua/novini/u-dergachah-viddil-derzhavnoi-vykonavchoyi-sluzhby-zapraczyuvav-u-novomu-prymishhenni/>.

632 "Improving the mechanism of judicial control over the execution of court decisions and the procedure for establishing or changing the method of execution of court decisions," dated 22 November 2022, found at <https://court.gov.ua/press/news/1349446/>.

633 "Unified register of private executors," viewed 27 March 2023, found at <https://erpv.minjust.gov.ua/#/search-private-performer>.

634 "Bodies of the state executive service of interregional offices of the Ministry of Justice," viewed 27 March 2023, found at <https://minjust.gov.ua/ddvs/regional-offices/upr-ta-viddily-dvs>.

Legal Education During the War

The members of the legal professions in Ukraine – judges, prosecutors, lawyers, notaries, and executors – share a common experience: virtually all of their members were trained in the country’s legal education system. That heritage helped shape the legal system’s response to the recent Russian aggression and will lay the foundation for the post-conflict structures of justice.

A Law Faculty’s Experience During the War

A few blocks from the Dnieper River in the center of the city of Kherson is the campus of Kherson State University (KSU). For the 2021–22 school year, the university served about 8,000 full and part-time students. One of the smallest of the nine faculties on campus was the Faculty of Business and Law. Within its law department, the Faculty had a combined annual quota for law and international law of 170 bachelor’s students and 85 master’s students.⁶³⁵

On the morning of February 24, the Russian assault began, and by March 2, the city of Kherson surrendered. As conditions in the city continued to deteriorate, the Ministry of Education issued an order on April 20 transferring KSU to the Prykarpattia National University named after Vasyl Stefanyk in Ivano–Frankivsk. The University’s management center and administration, as well as some teachers moved to Frankivsk. A few students also moved, although many remained in Kherson.⁶³⁶ The Ministry stressed that this was not an evacuation of the University, but “a temporary relocation to a controlled territory.”⁶³⁷

For several months, the law faculty continued to operate in Ivano–Frankivsk both in person and online, sharing the classrooms along with other material and technical resources with its host school. Throughout this period, KSU attempted to serve as a beacon to the residents of the temporarily occupied Kherson region. Educators worked to preserve the University’s educational heritage even when there was no communication or humanitarian corridor to Kherson, and Russian pressure continued to increase on those who stayed behind.⁶³⁸

Back in Kherson, Russian occupation authorities accompanied by the military seized KSU’s campus and appointed a Ukrainian known for her pro-Russian sentiments as the new rector.⁶³⁹ According to some reports, she directed Russian soldiers to arrest KSU’s vice-rector and take him to an undisclosed location.⁶⁴⁰ He reportedly was released a few days later, but was replaced as vice-rector by a local taxi driver.⁶⁴¹

With these new “administrators” in place, Russian authorities ostensibly incorporated KSU into the Russian higher educational system as part of the scheme to annex the Kherson region. Under this plan, students who became Russian citizens after occupation and attended KSU could receive Russian diplomas from the university.⁶⁴² The Ukrainian rector of KSU in Ivano–

⁶³⁵ Ministry of Education and Culture, “Register of Subjects of Educational Activity,” viewed 28 March 2023, found at <https://registry.edbo.gov.ua/search/>.

⁶³⁶ “The books were lost, the herbarium was saved. How Kherson University lives and teaches in Frankivsk,” dated 28 January 2023, found at <https://report.if.ua/statti/knygy-vtratyly-gerbarij-vryatuvaly-yak-u-frankivsku-zhyve-ta-navchaye-hersonskij-universytet/>.

⁶³⁷ “Kherson State University moved to Prykarpattia. What has changed and how it will affect teachers and students,” dated 29 April 2023, found at <https://suspilne.media/233959-hersonskij-derzavnij-universitet-pereihav-na-prikarpattia-so-zmini-los-i-ak-ce-vpline-na-vkladaciv-i-studentiv/>.

⁶³⁸ “Kherson University is located in Prykarpattia,” dated 8 September 2022, found at <http://www.golos.com.ua/article/364164>.

⁶³⁹ “The occupation authorities seized the premises of the Kherson State University,” dated 18 June 2022, found at <https://suspilne.media/251585-okupacijna-vlada-zahopila-primisenna-hersonskogo-derzavnogo-universitetu/>.

⁶⁴⁰ “The Russians seized Kherson University and kidnapped the vice-rector – mass media,” dated 14 June 2022, found at <https://www.pravda.com.ua/news/2022/06/14/7352483/>.

⁶⁴¹ “The occupation authorities appointed the so-called ‘vice-rector of Kherson State University,’” dated 24 June 2022, found at <https://suspilne.media/253624-okupacijna-vlada-priznacila-tak-zvanogo-prorektora-hersonskogo-derzavnogo-universitetu/>.

⁶⁴² “The occupiers created a ‘higher education system’ in the Kherson Region from institutions that existed only on paper,” dated 23 March 2023, found at <https://most.ks.ua/news/url/okupanti-stvorili-na-hersonschini-sistemu-visc-hoji-osviti-iz-zakladiv-isnujuchih-lishe-na-paperi/>.

Frankivsk scoffed at the idea, contending that it was a fake university and its diplomas would not be recognized in any “civilized country” in the world.⁶⁴³

To further push back against this Russian effort, KSU in the summer of 2022 began admitting a new class of students. The admission process was simplified for applicants located in particularly dangerous territories, including temporarily occupied Kherson *Oblast*; the admission process was remotely handled, so that applicants in Kherson did not have to risk travel across the front lines to apply in Ukrainian-controlled territory. As an added incentive, the Ministry of Education guaranteed support for students from dangerous areas by increasing the number of spots eligible for a government subsidy.⁶⁴⁴

As the summer wore on, Ukrainian forces began to push toward Kherson city. On September 12, Ukrainian partisans targeted the Russian-appointed rector of KSU at her apartment using an improvised explosive device. The attack reportedly killed a Chechen bodyguard and led to the rector’s hospitalization.⁶⁴⁵

When Ukrainian forces regained control of Kherson city in November 2022, the KSU campus was liberated. The buildings were remarkably intact, with little taken or destroyed. Instead, Russian forces and their allies took items looted in other places to KSU, filling the entire room of the University’s museum of history with computer equipment.⁶⁴⁶

But much of the population of the city had fled, and the lack of food, water, and essential services kept KSU in Ivano-Frankivsk. Moreover, attacks from Russian forces across the river made the campus quite dangerous. In fact, during a January 2023 shelling attack on the center of Kherson, a building on KSU’s campus – untouched during the invasion – was damaged.⁶⁴⁷

Today, KSU remains headquartered in Ivano-Frankivsk, though only 38 faculty and 33 students reside there. Like most law faculties in Ukraine, KSU operates remotely, relatively safe but subject to constant interruptions from air raid alerts. Though it is licensed to annually admit 85 master’s students in law, only eight are currently enrolled, including three day students and five correspondence students.⁶⁴⁸

A Historically Flawed System

Like many countries emerging from the collapse of the Soviet Union, access to legal education mushroomed in Ukraine after 1991. Obtaining a degree in law was viewed as a passport to make money, and the discipline became extraordinarily popular with students.⁶⁴⁹ Though the official data regarding legal education is extremely inexact and confusing,⁶⁵⁰ it is estimated that at the outbreak of the war Russia in February 2022, somewhere in the neighborhood of 130,000 students were enrolled in legal education curricula.⁶⁵¹

643 “Diplomas will not be recognized: the occupation authorities have announced recruitment to Kherson State University,” dated 15 July 2022, found at <https://suspinne.media/260603-diplomi-ne-viznavatimut-okupacijna-vlada-ogolosila-nabir-do-hersonsko-go-derzavnogo-universitetu/>.

644 “The Admissions Campaign at Kherson State University Has Begun,” dated 1 July 2022, found at <https://pivdenukraine.com.ua/2022/07/01/rozpochalasya-vstupna-kampaniya-u-xersonskomu-derzhavnomu-universiteti/>.

645 “Russian Offensive Campaign Assessment, September 13,” dated 13 September 2022, found at <https://www.criticalthreats.org/analysis/russian-offensive-campaign-assessment-september-13>.

646 “The fake rector of Kherson University stole computers and threw away a collection of icons,” dated 30 November 2023, found at <https://most.ks.ua/news/url/fejnova-rektorka-hersonskogo-universitetu-vkrala-kompjuteri-ta-kinula-kolektsiju-ikon/>.

647 “Russians damaged Kherson State University, destroyed 25 houses in Zaporizhzhia region, – OVA,” dated 12 January 2023, found at https://lb.ua/society/2023/01/12/542299_rosiyani_poshkodili_hersonskiy.html.

648 Annex 9.

649 “What’s Wrong with Legal Education in Ukraine?” dated 27 October 2020, found at <http://en.dejure.foundation/library/whats-wrong-with-legal-education-in-ukraine>.

650 Mudruk, Sergey, “The state of legal education in Ukraine. Analytical study on the results of educational measurements,” pp. 14–15, Kyiv: Organization for Security and Cooperation in Europe, 2018 (“Mudruk 2”).

651 Mudruk 1, p. 79.

This estimate takes into account the full range of degrees in law offered in the country. Currently, educational institutions in Ukraine offer four types of law degrees:⁶⁵²

- Professional Junior Bachelor's – a non-university degree usually offered at institutions such as colleges for students after they have completed the 9th grade.
- Junior Bachelor's – offered by some universities, usually requiring 2 years of study.
- Bachelor's (4 years).
- Master's (1.5 – 2 years post-graduate).

To qualify for a position as a judge, prosecutor, *advokat*, notary, or executor, a graduate must hold a Master of Law degree. However, persons holding lesser degrees in law can provide legal advice. Moreover, the Constitution permits laws allowing such persons to represent clients in court in certain civil, family, juvenile, or labor matters. It is estimated that there are several hundred thousand such graduates in Ukraine. Graduates with only a junior bachelor's degree can work as entry-level public servants, but rarely work as legal professionals in the private sector. Persons holding only a bachelor's degree commonly work as paralegals and may progress to become junior associates in law firms. These practitioners are unlicensed and their activity is not regulated by law.

Though official information is unreliable, it was estimated that in 2020, Ukrainian institutions graduated the following numbers with degrees in law:⁶⁵³

- Junior specialists – 5,062
- Bachelors – 21,017
- Specialists – 208
- Master's – 10,659

While the demand was high for all levels of legal education, the number of Master of Law programs in the country illustrates the problem. In 2017, 103 Ukrainian law faculties and other institutions offered a Master of Law degree. By comparison, there were only 44 law faculties in Germany, a country with twice the population of Ukraine.⁶⁵⁴

Prior to the war, these institutions employed somewhere in the neighborhood of 10,000 faculty members.⁶⁵⁵ Many of these law faculties were started within schools of applied sciences such as aviation, technical, and culinary universities, sometimes derogatively referred to as “cooking schools” by other legal educators.⁶⁵⁶ As one study concluded, a number of these institutions created law faculties exclusively to make money.⁶⁵⁷ While some schools with law faculties were public universities with good reputations, the system has been remarkably corrupt, where students routinely paid to be admitted and for passing grades in their courses.⁶⁵⁸

⁶⁵² Markiv, Arsen, *How to support Human Rights Education and Research in Ukrainian Law Schools: Report of Pilot Study*, p. 8, Lund: Raoul Wallenberg Institute of Human Rights and Humanitarian Law, 2023. To further complicate matters, prior to 2019, Ukrainian colleges were also allowed to offer a junior specialist degree with a term of study from 3 to 4 years and providing the same professional rights as individuals with junior bachelors. While this degree is no longer offered by colleges, students who enrolled in 2019 are allowed to complete their degree. Ukraine in the past also allowed universities to award a specialist degree. This degree no longer exists, but those who have earned this degree have the same professional rights as holders of master's degrees.

⁶⁵³ Mudruk 1, p. 79.

⁶⁵⁴ Mudruk 2, p. 9.

⁶⁵⁵ *Ibid.*

⁶⁵⁶ “Legal education in Ukraine calls for reform, goals contested,” dated 16 December 2019, found at <https://www.kyivpost.com/ukraine-politics/legal-education-in-ukraine-calls-for-reform-goals-contested.html>.

⁶⁵⁷ “Liliya Hrynevych: The External Examination for Admission to the Master's Program Shows that Many Universities Provide Low-Quality Education – It's Time to Introduce Stricter Requirements,” dated 12 June 2019, found at <https://mon.gov.ua/ua/news/liliya-grinevich-zno-dlya-vstupu-v-magistraturu-svidchit-sho-v-bagatoh-vishah-dayut-nizku-yakist-yuridichnoyi-osviti-chas-vprovodzhuvati-zhorstkishi-vimogi>.

⁶⁵⁸ Rice, Thomas H. Speedy, et al., “Corruption, Ethics and Integrity in Public Administration in Ukraine,” in Graycar, Adam (ed.), *Handbook on Corruption, Ethics and Integrity in Public Administration*, p. 317, Edward Elgar Publishing, 2020.

Another factor is that large numbers of Master of Law degrees are awarded by government institutes or academies operated by the Ministry of Interior, the Security Service of Ukraine, the Ministry of Justice, the Ministry of Finance, and the Ministry of Defense.⁶⁵⁹ These schools are backed by powerful ministries and receive a majority of public funding for legal education, yet the quality of the education provided to students is low.⁶⁶⁰

Finally, a majority of students – even before the pandemic – were enrolled in correspondence courses. Again, though the data is not particularly reliable, in 2020 more than half of all those receiving a Master of Law degree (54.5%) were enrolled in correspondence curricula. Even among the supposedly elite “national schools,” 48.2% of graduates were correspondence students.⁶⁶¹

The public and private law faculties (apart from those operated by other Ministries) are regulated by the Ministry of Education and the National Agency for Higher Education Quality Assurance. Historically, these bureaucracies were not particularly effective, as reflected by the problems outlined above. Moreover, neither entity is particularly focused on legal education and the specific issues inherent in that field.

As a result, the quality of legal education in Ukraine has routinely been rated as very low.⁶⁶² A survey of employers conducted by the Ministry of Justice in 2019 shows that many of those who are successful in entering the legal profession are unable to apply theoretical knowledge in practice, lack critical thinking, problem solving, and foreign language skills, and, in most cases, an adequate sense of professional values, responsibility, and high standards of professional conduct.⁶⁶³

Moreover, there is an overabundance of persons with law degrees, with schools flooding the market with unqualified graduates.⁶⁶⁴ According to one study, the regulated legal professions in Ukraine (judges, prosecutors, *advokats*, notaries, executors) only need 2,100–2,200 new master’s graduates each year. If the needs of research and teaching are included, the annual number of new Master’s in Law graduates needed to enter the job market each year reaches 2,700.⁶⁶⁵

With more than 10,600 Master of Law degrees being awarded each year, the surfeit was obvious and growing. About a quarter of the master’s students graduated each year eventually will work in regulated legal professions or engage in educational and scientific work. Three-quarters of such graduates will find work in the legal advice sector, other legal activities that do not require a master’s degree, or engage in non-legal activities.⁶⁶⁶ Thus, prior to the war, only an estimated one in eight law students could find work in the field of law.⁶⁶⁷

While the Ukrainian system pumps out far more law graduates than needed, much of this excess comes from a few institutions that produce large numbers of graduates each year. One study found that the 20 largest law schools produced over 70% of Master of Laws graduates in 2020. A quarter of those schools were operated by the Ministry of Internal Affairs.⁶⁶⁸

659 “Problems of Legal Education and Ways to Resolve Them,” found at <http://en.dejure.foundation/problems-of-legal-education>.

660 *Ibid*; Kostova, pp. 42–51.

661 Mudruk 1, p. 82.

662 “What’s Wrong with Legal Education in Ukraine?” dated 27 October 2020, found at <http://en.dejure.foundation/library/whats-wrong-with-legal-education-in-ukraine>; “Legal education in Ukraine calls for reform, goals contested,” dated 16 December 2019, found at <https://www.kyivpost.com/ukraine-politics/legal-education-in-ukraine-calls-for-reform-goals-contested.html>.

663 Kostova, Nataliia, *et al.*, “Higher Legal Education in Ukraine in the 21st Century: Current Situation and Development Issues,” 9 *Amozonia Investiga*, Issue 27, pp. 42–51 (March 2020); United States Agency for International Development, “USAID efforts to support legal education in Ukraine,” April 2019.

664 Rice, p. 317.

665 Mudruk 1, p. 81.

666 *Id.*, p. 79.

667 United States Agency for International Development, “USAID efforts to support legal education in Ukraine,” April 2019.

668 *Id.*, p. 81.

The impacts of these problems on the Ukrainian justice system have been profound. With large numbers of students being attracted to poorly run, often corrupt institutions for legal education, and then being injected into an oversaturated legal job market, the environment is ripe for fraud. As discussed above, one result in Ukraine is that the judiciary and the Bar continue to be plagued with corruption issues.

In recent years, there have been several positive developments seeking to resolve the problem. Schools began requiring standardized admissions testing for their master's programs.⁶⁶⁹ Other changes such as accreditation standards, curriculum modernization, and student surveys were implemented or under development at law faculties when the war began.⁶⁷⁰ Much of this work was slowed by the pandemic since apparently all law faculties in Ukraine were operating remotely on February 24.

In any event, the Ukrainian legal education system faced five major challenges prior to February 2022:

- An oversupply of law schools;
- An overproduction of lawyers;
- Low quality of legal education;
- Public resources spread too thinly; and
- Lawyers being trained in law enforcement and other governmental academies.

Legal Education during the War

The full impact of the Russian invasion on legal education has yet to be seen. No inventory has been taken specifically related to damaged law faculties, but as of June 10, 2022, at least 98 professional pre-higher and higher education institutions were reported as damaged, while 13 had been destroyed.⁶⁷¹ Reports indicate that several law faculties were among them. For example, on the opening day of the invasion, the Donetsk State University of Internal Affairs in Mariupol was completely destroyed by Russian troops.⁶⁷² In another incident, Black Sea National University in Mykolayiv was shelled by Russian troops on August 17, and then hit again by four S-300 missiles on the night of August 19.⁶⁷³

As illustrated by the experience of KSU, a number of law faculties evacuated, particularly those in the frontline areas, though the process was chaotic. The Donetsk State University of Internal Affairs evacuated to Kropyvnytskyi, where it is rebuilding its facilities.⁶⁷⁴ The Luhansk State University of Internal Affairs named after E.O. Didorenko based in Severodonetsk was initially evacuated to Dnipro, and then announced that it was moving to Volyn.⁶⁷⁵ Eventually, it moved to the city of Ivano-Frankivsk,⁶⁷⁶ only to later be merged with the Donetsk State University of Internal Affairs.⁶⁷⁷

⁶⁶⁹ Rice, p. 317.

⁶⁷⁰ "Legal Education: 2020 Developments & Forecasts for 2021," dated 28 December 2020, found at <https://uba.ua/ukr/news/8328/print/>.

⁶⁷¹ "Overview of the current state of education and science in Ukraine in terms of Russian aggression (as of June 06 -11, 2022)," Ukrainian Ministry of Education and Science, dated 13 June 2022, found at <https://reliefweb.int/report/ukraine/overview-current-state-education-and-science-ukraine-terms-russian-aggression-june-06-11-2022-enuk>; "The occupiers carried out missile strikes on educational institutions of Nikolaev – an investigation was launched," dated 15 July 2022, found at <https://gp.gov.ua/ua/posts/okupanti-nanesli-raketni-udari-po-osvitnim-zakladam-mikolajeva-rozpocato-rozsliduvannya>.

⁶⁷² Website of the Donetsk State University of Internal Affairs, viewed 29 March 2023, found at <https://dnuvs.in.ua/about-us>.

⁶⁷³ "After shelling. How the Black Sea National University named after Petro Mohyla is being restored," dated 21 December 2022, found at <https://suspilne.media/343544-pisla-obstriliv-ak-vidnovluut-cornomorskij-nacionalnij-universitet-imeni-pe-tra-mogili/>.

⁶⁷⁴ Website of the Donetsk State University of Internal Affairs, viewed 29 March 2023, found at <https://dnuvs.in.ua/about-us>.

⁶⁷⁵ "The University of Internal Affairs from Luhansk Oblast is moving to Volyn," dated 22 April 2022, found at <https://www.volynnews.com/news/all/na-volyn-pereyizhdzhaye-universytet-vnutrishnikh-sprav-iz-luhanshchyny/>.

⁶⁷⁶ "Luhansk University of Internal Affairs will move to Ivano-Frankivsk. What is known about it," dated 8 May 2022, found at <https://suspilne.media/237134-v-ivano-frankivsk-pereide-luganskij-universitet-vnutrishnih-sprav-so-pro-ce-vidomo/>.

⁶⁷⁷ "There have been fewer universities in the system of the Ministry of Internal Affairs," dated 21 December 2022, found at <https://dejure.foundation/tpost/l4ey97u071-universitetv-v-sistem-mvs-stalo-menshe>.

The Russian aggression caused massive disruption for individual members of the legal education community.⁶⁷⁸ Some died in the fighting.⁶⁷⁹ Hundreds of students and faculty members enlisted or were called up as reservists.⁶⁸⁰ Thousands more fled, either as IDPs or as refugees to the West.⁶⁸¹

Regardless of their location, most law faculties temporarily closed when the Russian invasion began in February, but many resumed working remotely in April.⁶⁸² As discussed above, some schools relocated outside the areas of active hostilities⁶⁸³ and many students followed.⁶⁸⁴ Many institutions adopted some blend of offline and online distance learning, often a carryover from the pandemic.⁶⁸⁵

For example, the Yaroslav the Wise Kharkiv National Law University resumed classes on April 4, 2022, even in the midst of Russian shelling. Courses were conducted digitally, both offline and online. Online seminars were organized for students. Students who could not participate worked with instructors to receive assignments and take tests. Those serving in the military, or who were in the war zone or areas without access to the Internet, were allowed to create individual study schedules.⁶⁸⁶

While hybrid or online teaching fills the gaps, law faculties and students continue to struggle. With a high percentage of the budget going to military needs and the needs of IDPs, state financing of education has been sharply reduced.⁶⁸⁷ Moreover, roughly 80% of Master of Law degree candidates in Ukraine pay for their own education. With incomes often declining, many students face serious financial problems.⁶⁸⁸

One unexpected “problem” has been the outpouring of support from universities in the United States and Europe. When American and European law schools and law firms opened their doors to Ukrainian law students,⁶⁸⁹ many left the country and dropped out of their Ukrainian schools. A number of Ukrainian law faculties found themselves struggling to retain students.⁶⁹⁰ Such departures exacerbated financial strains for the for-profit schools, already struggling with the impacts of the pandemic.

Another aspect of the wartime situation is that Russian authorities sought to incorporate some schools in occupied areas (such as KSU) into the Russian educational system as part of the scheme to annex those regions. According to reports, the Russian authorities created a list of 29

⁶⁷⁸ Markiv, p. 10.

⁶⁷⁹ “Ukraine’s mounting death toll includes a growing number of researchers,” dated 22 April 2022, found at <https://www.science.org/content/article/ukraine-s-mounting-death-toll-includes-growing-number-researchers>.

⁶⁸⁰ “‘We are ready’: Ukraine’s universities calm in the face of war,” dated 27 February 2022, found at <https://www.sundaytimes.lk/220227/education/we-are-ready-ukraines-universities-calm-in-the-face-of-war-473902.html>.

⁶⁸¹ “A 15-hour border wait and bar work: How a bright 21-year-old Ukrainian law student is building her career after fleeing the war and leaving her family,” dated 18 May 2022, found at <https://www.businessinsider.com/21-year-old-ukrainian-law-student-describes-fleeing-ukraine-2022-4>.

⁶⁸² Markiv, *supra*.

⁶⁸³ As of late April 2022, more than 20 higher, professional pre-higher education institutions had been forced to relocate to regions where there are no active hostilities. See Materials for the meeting of the *Verkhovna Rada* of Ukraine Committee on Education, Science and Innovation, dated 20 April 2022, found at <https://mon.gov.ua/storage/app/media/rizne/2022/05/13/Inform.MON.shchodo.pyt.vynesen.na.zasid.Kom.VRU.z.pytan.osvity.pdf>.

⁶⁸⁴ “Supporting Higher Education in Ukraine: A Conversation with Ukrainian University Deans,” found at <https://www.unr.edu/business/international/blog/supporting-higher-education-in-ukraine>.

⁶⁸⁵ *Ibid*.

⁶⁸⁶ “Online: Yaroslav Mudry Kharkiv University resumes studies,” dated 28 March 2022, found at <https://nv.ua/ukr/kharkiv/harkivs-kiy-vuz-vidnovlyuye-navchannya-novini-harkova-50229018.html>.

⁶⁸⁷ “Supporting Higher Education in Ukraine: A Conversation with Ukrainian University Deans,” found at <https://www.unr.edu/business/international/blog/supporting-higher-education-in-ukraine>.

⁶⁸⁸ *Ibid*.

⁶⁸⁹ See, e.g., “Amid Russia’s ongoing invasion, Northwestern finds ways to support Ukrainian students and scholars,” dated 20 April 2022, found at <https://news.northwestern.edu/stories/2022/04/support-for-ukrainian-students-and-scholars/>; “European law offices open doors to Ukraine’s displaced law students,” dated 28 March 2022, found at <https://www.reuters.com/legal/legalindustry/european-law-offices-open-doors-ukraines-displaced-law-students-2022-03-28/>.

⁶⁹⁰ Interview with Artem Shaipov, Legal Advisor/Team Lead for Legal Education Reform, USAID Justice for All Activity in Ukraine, June 17, 2022.

universities in Donetsk, Luhansk, Zaporizhzhia and Kherson that were purportedly reopened as Russian institutions. Under this plan, students who became Russian citizens after occupation and passed the final state certification exam could receive Russian diplomas. Ukrainian authorities responded that these universities were shams, existing only on paper, with no functioning educational programs.⁶⁹¹

Throughout the summer and autumn of 2022, authorities and academicians sought to stabilize the situation. When possible, restoration work went forward on buildings.⁶⁹² A study of ten major law faculties in early 2023 found that most resumed teaching in the prior autumn with either online or hybrid online/in person programs. Only one institution in the study, the Ukrainian Catholic University in Lviv, had resumed a full in-person teaching program.⁶⁹³

In late September 2022, the Ukrainian government announced that 1,168 bachelor's law students would be trained at state expense. More than 60% of them received places on preferential terms because they lived in temporarily occupied regions, territories on the contact line, or a particularly dangerous area. These students were enrolled in 81 different institutions including, for the first time, private universities. By far the largest number of positions (464) were awarded to students attending the Yaroslav the Wise National University of Law in Kharkiv.⁶⁹⁴

The movement for reform also continued during the war. The Ministry of Education in July 2022 updated national legal education standards for bachelor's and master's degree programs in law. Though some of these changes require amendments to Ukrainian law, the amended standards for a bachelor's degree program in law include stricter admission rules; more than a 30 per cent increase in the minimum number of credits to be earned through externships; and a further shift from knowledge-based to skills-based applied competencies. The amended standards also seek to develop skills in using open data in legal practice and changing part-time and distance education by establishing a minimum requirement that at least 15% of contact hours meet minimum quality standards.⁶⁹⁵

Despite these efforts, legal education in Ukraine remains both physically challenging and professionally unsatisfactory. Given the onslaught of Russian shelling and air attacks, even online classes are problematic. Air raid sirens force students into shelters, where internet connections are often unstable. Blackouts are worse, since they last for hours and shut down online work.⁶⁹⁶

Reform efforts, though continuing, remain incomplete. When the war began, there were more than 100,000 students enrolled in law and international law programs at Ukrainian institutions. Though the Ministry of Education previously had recognized in principle the need to reduce this number,⁶⁹⁷ in July 2022 the Government issued orders authorizing law faculties to train up to 89,320 Bachelor of Law students and 49,524 Master of Law students, a slight increase over the

691 "The occupiers created a 'higher education system' in the Kherson Region from institutions that existed only on paper," dated 23 March 2023, found at <https://most.ks.ua/news/url/okupanti-stvorili-na-hersonschini-sistemu-visch-oji-osviti-iz-zakladiv-isnujuchih-lishe-na-paperi/>.

692 "The first meeting of the Academic Council of Mohylianka in the restored premises of the Academic Council," dated 31 March 2023, found at <https://chmnu.edu.ua/pershe-zasidannya-vchenoyi-radi-mogilyanki-u-vidnovlenomu-primishhenni-vchenoyi-radi/>.

693 Markiv, p. 35.

694 "Who got places in the state and regional order for the training of lawyers in 2022?" dated 3 October 2022, found at <https://dejure.foundation/tpost/s2v2oecy11-hto-otrimav-mstysya-derzhavnogo-ta-regona>.

695 Ministry of Education and Science Order No. 643 "On Approving the Higher Education Standard of the Second (Masters) Level of Higher Education, Specialty 081 'Law,'" and Order No. 644 "On Approval of the National Higher Education Standard for Level 1 (Bachelor's Degree) Academic Program under Specialty 081 'Law,'" dated 20 July 2022.

696 Markiv, *supra*; "Supporting Higher Education in Ukraine: A Conversation with Ukrainian University Deans," found at <https://www.unr.edu/business/international/blog/supporting-higher-education-in-ukraine>.

697 Materials for the meeting of the *Verkhovna Rada* of Ukraine Committee on Education, Science and Innovation, dated 20 April 2022, found at <https://mon.gov.ua/storage/app/media/rizne/2022/05/13/Inform.MON.shchodo.pyt.vynesen.na.zasid.Kom.VRU.z.pytan.osvity.pdf>.

previous year. More than 60% of these spaces were at institutions outside the university system controlled by the Ministry of Education.⁶⁹⁸

Though data regarding law faculties is notoriously incomplete and inaccurate, the Ministry of Education's database in late March 2023 listed 168 institutions authorized to enroll at least 42,500 bachelors' students⁶⁹⁹ to study law on an annual basis. Of these, 123 institutions were authorized to admit another 24,500 Master of Law students in a year.⁷⁰⁰ The same source indicated that there were over 60,000 bachelors' students⁷⁰¹ and more than 15,000 master's students⁷⁰² enrolled in Ukrainian educational institutions. Of the latter, about 62% were enrolled as correspondence or remote learning students.⁷⁰³ While it is unclear whether the lower enrollment totals reflect actual reductions due to the war or are simply incomplete data, it is clear that when hostilities cease, legal education will need to be structurally, professionally, and physically rebuilt.

The Impact of the War on Local Jurisdictions

Vinnitsia Oblast



The *Oblast* of Vinnitsia is located in west-central Ukraine on its southern border with Moldova. Like much of the central and western parts of the country, Vinnitsia has been largely spared from Russian attacks. Nonetheless, it has seen sporadic but deadly missile strikes on critical infrastructure and civilian populations. Moreover, given its location and relative safety, the region has become both a destination and transit point for refugees from the East.

The *Oblast's* judicial system is comprised of 29 local first instance courts, as well as first instance administrative and commercial courts, and an *Oblast* general Court of Appeals.⁷⁰⁴ Vinnitsia also is home to the Seventh Administrative Court of Appeals with jurisdiction over appeals on administrative matters from the Vinnitsia, Zhytomyr, Khmelnytskyi and Chernivtsi *Oblasts*.

No damage has been reported to any court facilities in the *Oblast*.⁷⁰⁵ Vinnitsia's distance from the areas of active hostilities also means that its courts have not been assigned any additional territorial jurisdictions from courts in battleground areas.⁷⁰⁶ On the other hand, several judges from occupied and frontline areas have been seconded to courts in the *Oblast*.⁷⁰⁷

698 "State order for the training of lawyers under martial law," dated 12 July 2022, found at <https://dejure.foundation/tpost/8k154k-ske1-derzhavne-zamovlennya-na-pdgotovku-yuris>.

699 Annex 8

700 Annex 9

701 Annex 8

702 Annex 9

703 *Ibid.*

704 Annex 1.

705 *Ibid.*

706 Annex 2.

707 "Judges were sent to the local general courts of Vinnitsia region to administer justice," dated 17 May 2022, found at <https://vn.court.gov.ua/tu02/pres-centr/news/1275137>; "A judge has been seconded to the local general court of Vinnitsia region to administer justice," dated 26 July 2022, found at <https://vn.court.gov.ua/tu02/pres-centr/news/1301605/>.

Five employees of the Vinnytsia Court of Appeal enlisted in the military.⁷⁰⁸ Though the *Oblast* is relatively remote from the fighting, at least one court (the Vinnytsia Court of Appeal) developed a number of widely-publicized measures to provide security for its staff and files.⁷⁰⁹ As a result, court employees received awards from the Supreme Court for their work on the project.⁷¹⁰

Reports indicate that the *Oblast's* courts continue to carry out their normal activities “within the limits of financial capabilities.” For the first quarter of 2022, the first instance courts in Vinnytsia *Oblast* saw a 29% decrease in income from court fees compared to the corresponding period in the prior year.⁷¹¹

The courts in the *Oblast* have been understaffed for many years. When the war began, the *Oblast's* courts were 74 judges short of their authorized strength. Even with the seconded judges, the *Oblast* lost a net of one judge by the end of 2022.⁷¹² At the same time, Vinnytsia took in roughly 180,000 IDPs with their attendant legal issues.⁷¹³ The net result was that the overload for the courts skyrocketed. According to the formula used by the Council of Judges to calculate judicial workloads, the Vinnytsia City Court was the second-most understaffed local general first instance court in Ukraine in 2022. The same formula indicated that the courts of Vinnytsia *Oblast*, as a whole, had only a shade above 60% of the judges needed to handle their caseloads.⁷¹⁴

Like courts across the country, those in Vinnytsia struggled to deal with the effects of the Russian campaign to destroy Ukraine's energy infrastructure during the winter of 2022–2023. The Vinnytsia *Oblast* Court of Appeal, tired of frequent interruptions, equipped an air raid shelter to serve as a courtroom. As in a normal courtroom, the shelter has equipment for video recording, audio recording, and video conferencing with the participants in cases. The shelter is equipped with an alternative power source and a ventilation system, allowing court proceedings to carry on even during an attack on the region's power grid.⁷¹⁵

The *Oblast's* seven district prosecutor's offices, and twelve smaller offices in subsidiary departments continue to function.⁷¹⁶ Their workload during the first three months after the Russian invasion was reduced, since Vinnytsia reported 30.5% fewer criminal offenses than in the same period in 2021.⁷¹⁷

At the same time, prosecutors have become involved in bringing charges related to war crimes and national security offenses. Because the *Oblast* was not directly impacted by combat, many of these latter prosecutions were for “collaboration” based on residents' use of social media and other forms of expression. For example, the Vinnytsia Regional Prosecutor's Office brought felony charges against a 54-year-old woman for posting materials on her page on a Russian social media network banned in Ukraine that “contained public excuses and recognized the

708 “Defenders of Ukraine from Vinnytsia Court of Appeal were awarded diplomas of the Supreme Court,” dated 25 August 2022, found at <https://vna.court.gov.ua/sud4801/pres-centr/news/1311124/>.

709 “Courts in conditions of war: the experience of preparation of the Vinnytsia Court of Appeal and assistance to courts from the territories of hostilities,” dated 3 August 2022, found at https://dsa.court.gov.ua/dsa/inshe/courts_work_war/1302981/.

710 “The Supreme Court awarded diplomas to five employees of the Vinnytsia Court of Appeal for their selfless actions in the defense of state sovereignty,” dated 25 August 2022, found at <https://www.vinnitsa.info/news/verkhov-nyy-sud-nahorodiyv-hramotamy-p-yat-okh-pratsivnykiv-vinnyts-koho-apelyatsiynoho-sudu-za-samoviddani-diyi-vy-yavleni-u-zakhysti-derzhavno-ho-suverenitetu.html>.

711 “Organizational support for the activities of local general courts of the Vinnytsia region during martial law!” dated 26 May 2022, found at <https://vn.court.gov.ua/tu02/pres-centr/news/1278221/>.

712 Annex 3.

713 International Organization for Migration, *Ukraine Area Baseline Report, Round 11: Internal Displacement Figures at Oblast and Raion Level*, p. 3 (15 September 2022) (“Baseline Report”).

714 Annex 3.

715 “A sheltered courtroom was equipped at the Vinnytsia Court of Appeal,” dated 1 February 2023, found at <https://court.gov.ua/press/news/1377262/>.

716 Vinnytsia Regional Prosecutor's Office, “The structure of the Vinnytsia Regional Prosecutor's Office,” found at <https://vin.gp.gov.ua/ua/structure.html>.

717 “The head of the regional prosecutor's office coordinated the activities of the heads of law enforcement agencies in the field of combating crime under martial law,” dated 16 June 2022, found at https://vin.gp.gov.ua/ua/news.html?_m=publications&c=view&t=rec&id=314863.

armed aggression of the Russian Federation against Ukraine as lawful.⁷¹⁸ As of mid-July 2022, 38 criminal proceedings related to allegations of treason, justification of Russia's war against Ukraine, and propaganda of pro-Russian ideology had been completed, 23 indictments on such charges had been filed, and 9 defendants had been convicted and sentenced.⁷¹⁹

The roughly 1200 *advokats* in the Vinnytsia Oblast⁷²⁰ are dealing with wartime conditions in much the same manner as those from other non-frontline areas. The Bar Council in the Oblast continues to function, holding regular meetings, sponsoring webinars, and continuing to monitor internships.⁷²¹

Yet the wartime stresses have had their effect. A message on the Vinnytsia Bar website in October 2022 reported that more than 40 lawyers from the Oblast were mobilized into the military. At the same time, the author commented: "*The number of personal problems has increased for each of us due to the hardships of the war, many of us have gone abroad with our children, many have complicated family affairs due to the mobilization of men, [and] many are engaged in volunteer activities.*"⁷²²

Nor have all *advokats* responded with equanimity. In mid-February 2023, the Bar Council admonished its members:

*There is nothing more unpleasant in the work of the Council than considering the complaints of our colleagues against each other on various issues. The number of such appeals is constantly increasing, degrees of conflict are increasing, it is increasingly difficult to find ways to resolve conflicts and to reconcile. We understand the tension of the situation, but we cannot understand the behavior and psychology of colleagues who, despite the war and the fact that there are many lawyers at the front, find reasons for conflicts.*⁷²³

Volyn Oblast



For centuries, the area now known as the Oblast of Volyn in northwest Ukraine passed back-and-forth between Russian and Polish control. Much of the Oblast was wrested from Polish authority and annexed to Ukraine by the Soviet Union after the end of World War II. A land of forests, agriculture, and lakes, it now occupies a corner of Ukraine bordered by Belarus and Poland, well removed from the fighting in the eastern part of the country.

The Oblast's main airport, located in the administrative center of Lutsk, was targeted with missiles on February 24, 2022. Due to Volyn's location, the Oblast saw no combat or other missile strikes for months, until Russia's attacks on the country's energy infrastructure brought the war back to its territory.⁷²⁴ Concerns about a Russian attack through Belarus only added to the tensions.⁷²⁵

718 "Supporters of the 'Russian world' have been charged," dated 10 June 2022, found at https://vin.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=314602.

719 "The regional prosecutor's office discussed the results of work for the first half of 2022 - war crimes and national security as a priority," dated 20 July 2022, found at https://vin.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=316561&fp=90.

720 Annex 6.

721 "The Bar Council of the region works in regular mode," dated 3 March 2022, found at <http://osav.vn.ua/category/news/>.

722 "Regarding the encouragement of lawyers," dated 21 October 2022, found at <http://osav.vn.ua/2022/10/21/zaohochen-nia-advokativ/>.

723 "Dear colleagues!" dated 17 February 2023, found at <http://osav.vn.ua/category/news/>.

724 "Energy facility in Volyn region hit by Russians second time," dated 22 October 2022, found at <https://www.ukrinform.net/rubric-ato/3598746-energy-facility-in-volyn-region-hit-by-russians-second-time-sat.html>.

725 "Advanced border guard center opens in Volyn region to monitor borders with Belarus, Poland," dated 24 December 2023, found at <https://www.ukrinform.net/rubric-ato/3640151-advanced-border-guard-center-opens-in-volyn-region-to-monitor-borders-with-belarus-poland.html>.

The *Oblast*'s proximity to the Polish border also placed it on the route for tens of thousands of refugees headed for the West. Poles have generally opened their arms for the migrants, despite the lingering emotions from the massacre of up to 120,000 of their countrymen in the region by the Ukrainian Insurgent Army in 1943.⁷²⁶

Volyn's location also shielded its eighteen courts (seventeen first instance and a court of appeals) from many of the more serious impacts of the war.⁷²⁷ Authorities have not reported any damage to court buildings,⁷²⁸ and its courts have not been assigned any territorial jurisdictions from courts in battleground areas.⁷²⁹

Instead, at least fifteen additional judges have been seconded to the *Oblast* from occupied areas.⁷³⁰ The *Oblast*'s courts accordingly showed a net gain of four judges since the expanded Russian invasion, though they still are well short of filling the number of authorized judicial positions.⁷³¹ Because many migrants passed through the border to Western Europe rather than stay in the *Oblast*, the number of IDPs was relatively less than in some other areas.⁷³² Nonetheless, the judicial workload for the *Oblast*'s Administrative Court judges has substantially increased.⁷³³

The prosecution service in Volyn is relatively small with just four district prosecutor's offices, and six subsidiary departments.⁷³⁴ Much of their work focused on crimes unrelated to the war,⁷³⁵ though even in that remote area prosecutors dealt with allegations of war crimes⁷³⁶ and of publicly supporting Russian attacks.⁷³⁷ In addition, as the threat from Russian missile attacks expanded, prosecutors began pressuring local organizations to prepare legally-required bomb shelters.⁷³⁸

While the number of *advokats* in the *Oblast* is small,⁷³⁹ members of the local Bar actively supported the war effort. Out of roughly 700 members, 20 *advokats* joined the Armed Forces of Ukraine, 11 joined the Territorial Defense Forces, and 13 joined a group of local volunteers to patrol the cities and protect infrastructure facilities. Other lawyers provided accommodations for IDPs, raised funds for military and humanitarian supplies, and worked with Polish lawyers to assist those seeking asylum in Poland.⁷⁴⁰

726 "Poland-Ukraine: Solidarity with refugees, fear of Russia," dated 22 February 2023, found at <https://www.dw.com/en/poland-ukraine-solidarity-with-refugees-fear-of-russia/a-64763075>.

727 Annex 1.

728 *Ibid.*

729 Annex 2.

730 How many judges from 'hot' spots were transferred to Volyn courts," dated 15 September 2022, found at <https://sylpravdy.com/skilky-suddiv-z-garyachyh-tochok-perevelysya-u-volynski-sudy/>.

731 Annex 3.

732 Baseline Report, p. 3.

733 Annex 3.

734 Annex 5.

735 *See, e.g.*, "Prosecutors will insist on taking into custody the man from Volhynia who drunkenly beat an 11-year-old girl to death in Shatsk," dated 30 June 2022, found at https://vol.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=315601; "Directors of the enterprise in Volyn are suspected of embezzling over 160,000 hryvnias of budget funds," dated 1 June 2022, found at https://vol.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=314188&fp=60.

736 "The prosecutor's office established the identity of the commander of the Russian aviation regiment who gave the order to attack the oil depot in Lutsk - he was informed of the suspicion," dated 24 May 2022, found at https://vol.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=313818&fp=80.

737 "A Volyn woman who supported Russian aggression was taken into custody," dated 20 May 2022, found at https://vol.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=313708&fp=80.

738 "Prosecutors in court demand that the shelters in three more hospitals in Lutsk be brought to a state of readiness," dated 6 October 2022, found at https://vol.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=321015.

739 Annex 6.

740 "About the work of the Bar Council of the Volyn region under martial law," dated 22 April 2022, found at <http://Radadvolyn.com.ua/ua/anons/479/>.

Dnipropetrovsk Oblast



Home to Dnipro, Ukraine's fourth-largest city, Dnipropetrovsk *Oblast* is a major Ukrainian industrial center. Since the expansion of hostilities on February 24, 2022, the *Oblast* has been surrounded on three sides by fighting and served as a destination or escape route for millions of refugees. Though Russian troops have not entered the *Oblast*, numerous locations have been shelled or hit with missile attacks, often with devastating effect.

A regional administrative center, Dnipro is home to both regional administrative and commercial courts of appeal, in addition to the *Oblast's* own general jurisdiction Court of Appeals. The *Oblast* also has 44 local general first instance courts, plus first instance administrative and commercial courts.⁷⁴¹ These courts bear the dubious honor of seeing twice as many visitors attempting to enter court with prohibited items (firearms, knives, tear gas, etc.) as in any other *Oblast* in the country.⁷⁴²

Because of its size, Dnipropetrovsk *Oblast* ranks second in Ukraine in the total number of judges serving in its courts. Under existing orders, those courts had a total of 598 authorized judicial positions.⁷⁴³ However, prior to the February 2022 invasion, only 73 second instance and 352 first instance judges were actually working in the *Oblast's* courts.⁷⁴⁴

Due to its geographic location and the capacity of its courts, Dnipropetrovsk *Oblast* was a primary recipient of jurisdictional transfers from occupied territories or areas where hostilities were intense. The territorial jurisdictions of at least ten Donetsk courts were transferred to the Dnipropetrovsk *Oblast* from areas in the Donbas prior to February 24, 2022. The territorial jurisdictions of another 57 courts were transferred to courts in the *Oblast* from courts in the Kharkiv, Kherson, Zaporizhzhia, Luhansk, and Donetsk *Oblasts* after the current hostilities intensified, though the territorial jurisdictions of at least 14 of those courts have been restored.⁷⁴⁵

A number of judges have been seconded to Dnipropetrovsk *Oblast* from those closed courts, so that as of December 31, 2022, the *Oblast's* courts showed a net gain of 15 judges.⁷⁴⁶ But because of its proximity to the fighting and its status as a transportation hub, Dnipropetrovsk *Oblast* also had over 300,000 IDPs living in its borders.⁷⁴⁷ The result has been that the *Oblast's* courts – particularly its administrative courts – appear woefully understaffed.⁷⁴⁸

Russian attacks on civilian infrastructure beginning in the autumn of 2022 caused the *Oblast's* courts to lose water, electricity, and Internet service, and forced them to reduce their hours.⁷⁴⁹ Given the intensity of the attacks, the disruption to the courts continues to be significant.⁷⁵⁰ In an effort to reduce these disruptions, in December 2022, eight courts in the city of Kryvyi Rih received generators. Similarly, in January 2023, the Dnipro City Council directed the local power authority to ensure an uninterrupted supply of electricity to the courts in the city of Dnipro.⁷⁵¹

⁷⁴¹ Annex 2.

⁷⁴² "In the first half of 2022, the number of attempts to get to court with weapons increased 15 times compared to last year 2021," dated 8 July 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1293572/>.

⁷⁴³ Annex 3.

⁷⁴⁴ Annex 1.

⁷⁴⁵ Annex 2.

⁷⁴⁶ Annex 3.

⁷⁴⁷ Baseline Report, p. 3.

⁷⁴⁸ Annex 3.

⁷⁴⁹ "About the temporary suspension of the work of the Samara District Court of Dnipropetrovsk," dated 19 October 2022, found at <https://dp.court.gov.ua/tu04/pres-centr/2/1335205/>.

⁷⁵⁰ See, e.g., "Peculiarities of the operation of the court during the blackout period," dated 21 November 2022, found at <https://vd.dp.court.gov.ua/sud0406/pres-centr/news/1348573/>.

⁷⁵¹ "The work of the courts of the Dnipropetrovsk region during stabilization (emergency) power outages," dated 23 January 2023, found at <https://dp.court.gov.ua/tu04/pres-centr/2/1372188/>.

The *Oblast* also has a number of prosecutor's offices, with 16 district prosecutor's offices, plus 10 additional departmental offices.⁷⁵² Given the *Oblast*'s proximity to the areas of hostilities, prosecutors devoted large amounts of time to investigating war crimes and pursuing allegations of collaboration and other support to Russian aggression.⁷⁵³ Those issues, along with cases involving corruption and misuse of budget funds, are among the current priorities.⁷⁵⁴ Given the constant threat of shelling and missile attacks from Russian forces, prosecutors in the *Oblast* also devote significant time to ensuring that shelters and other structures are properly maintained.⁷⁵⁵

Due to the immediacy of the hostilities, members of the *Oblast*'s Bar have been heavily engaged in addressing the impacts of the war. With the transfer into the courts of Dnipropetrovsk *Oblast* of the territorial jurisdictions and cases from so many courts in other *Oblasts*, the Dnipropetrovsk *Oblast* Bar Council opened offices in Dnipro and Kryvyi Rih for lawyers from other regions.⁷⁵⁶ Like other Bar Councils, the Dnipropetrovsk Council worked to provide assistance to its members during wartime.⁷⁵⁷ Though no detailed information is available, it is clear that some *advokats* from the *Oblast* enlisted in the armed forces.⁷⁵⁸ The Council also continues to meet and consider internships and other routine business.⁷⁵⁹

Given the influx of IDPs, numerous lawyers have been involved in humanitarian work.⁷⁶⁰ Lawyers participating in the FLA program faced varying conditions. In areas close to the line of contact bordering Zaporizhzhia and Kherson *Oblasts*, shelling was a constant threat. In one town, 18 windows in the building where the legal aid office was located were blown out by a shock wave. When possible, FLA lawyers work in their offices, but on days when it is particularly "noisy," lawyers and staff stay at home and consult clients remotely. Announcements with instructions for contact by phone were placed on the office door. In one month alone, one center received more than 200 clients, far more than in peacetime.⁷⁶¹

Conditions are particularly difficult in Nikopol, which remains under significant shelling. Many lawyers left the city. To provide free secondary legal assistance, the FLA was forced to not only appoint its resident lawyers, but also lawyers who return to Nikopol despite the danger and take up cases.⁷⁶²

752 Annex 5.

753 "25 civilians killed as a result of the Russian attack on the Dnieper – prosecutors of the Prosecutor General's Office are working at the scene," dated 15 January 2023, found at https://dnipr.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=326073&fp=20. See generally "News and Publications," found at <https://dnipr.gp.gov.ua/ua/news.html>.

754 "Serhiy Bizhko: War crimes, corruption and misuse of budget funds are among the main priorities of today," dated 7 February 2023, found at https://dnipr.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327519.

755 "The proper organization and functioning of civil defense in Ukraine under martial law, ensuring the protection of the civilian population is one of the priority tasks of the state," dated 28 July 2022, found at https://dnipr.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=316984&fp=130.

756 "Offices for lawyers from other regions are opening in Dnipro and Kryvyi Rih," dated 15 March 2022, found at <https://advokaty.dp.ua/u-dnipri-ta-kryvomu-rozi-vidkryvayutsya-roboti-kabinety-dlya-advokativ-z-inshyh-regio-niv/>.

757 "On assistance to lawyers injured as a result of military actions," dated 22 March 2022, found at <https://advokaty.dp.ua/pro-do-pomogu-postrazhdalym-vnaslidok-voyennyh-dij-advokatam/>.

758 "Attention lawyers!" dated 5 April 2022, found at <https://advokaty.dp.ua/do-uvagy-advokativ-4/>; "Collection to help the Armed Forces," dated 14 June 2022, found at <https://advokaty.dp.ua/zbir-na-dopomogu-zsu/>.

759 "On February 22, a meeting of the Council of Advocates of the Donetsk region took place," dated 22 February 2023, found at <https://sa.dn.ua/legal-news/>.

760 "The tragic death of our colleague, lawyer Alina Molchanova, was an irreparable loss for the legal community of Dnipropetrovsk *Oblast*," dated 8 April 2022, found at <https://advokaty.dp.ua/vyslovlyuyemo-spivchuttya-ridnym-ta-blyzkym-nashoyi-kolegy-aliny-molchanovoyi/>.

761 "Arrivals and Work: How the FLA System Works in the Hottest Spots in Ukraine," dated 13 September 2022, found at <https://minjust.gov.ua/news/ministry/priloti-i-robota-yak-pratsyue-sistema-bpd-u-naygaryachishih-tochkah-ukraini>.

762 *Ibid.*

Donetsk Oblast



Ukrainians consistently remind others that Russian aggression did not commence on February 24, 2022. Portions of Donetsk, Ukraine's most populous *Oblast*, were seized by pro-Russian separatists in March 2014, who quickly renamed the areas as the Donetsk People's Republic (DPR). Referred to as "temporarily occupied territories" by Ukrainians, the DPR included an estimated 2 million people and major cities such as Donetsk, Makiivka, and Horlivka.

The commencement of hostilities in Donetsk had an immediate impact on the courts of the *Oblast*. As a result of that initial Russian aggression, 31 first instance courts in the *Oblast* were in areas under the control of the DPR.⁷⁶³ The Donetsk Court of Appeal, which was located in three cities – Donetsk, Mariupol and Artemivsk – moved the Donetsk operations to Bakhmut (Artemivsk), while the chamber of the court located in Mariupol continued to function.⁷⁶⁴

In September 2014, the Ukrainian government transferred the territorial jurisdictions of 35 Donetsk first instance courts to other courts.⁷⁶⁵ A month later, both the Donetsk Commercial Court and the *Oblast's* Commercial Court of Appeals were moved (not transferred to another court) to Kharkiv. At the same time, the Donetsk Administrative Court was moved to Slavyansk, while the Donetsk Administrative Court of Appeals moved to Kramatorsk.⁷⁶⁶ As battlefield conditions changed, the territorial jurisdictions of a few previously-transferred Donetsk courts were restored prior to February 2022.⁷⁶⁷

After the Ukrainian courts were closed and transferred, the DPR in October 2014 began creating a new court system modelled on the Russian judiciary. This system included a supreme court, 15 local courts, an arbitration court, and field military courts. No specific judicial qualifications were required, apart from ideological reliability. At the end of 2018, this judiciary included 118 judges, including 43 former Ukrainian judges who defected.⁷⁶⁸ Twenty-eight Ukrainian prosecutors reportedly also remained in areas not under government control and cooperated with the DPR.⁷⁶⁹

Prior to February 2022, 30 judicial institutions remained under Ukrainian control in the portions of Donetsk *Oblast*,⁷⁷⁰ including about a dozen operating first instance courts.⁷⁷¹ However, staffing of the courts in the *Oblast* prior to February 2022 was difficult. At the end of 2021, out of 246 full-time authorized positions for judges, the *Oblast* had only 129 first instance judges (52%) "authorized to administer justice." Pending cases were redistributed among other judges, complicating the already difficult workload situation.⁷⁷²

763 "SJA of Ukraine on the administration of justice in wartime as of May 18, 2022," dated 18 May 2022, found at <https://court.gov.ua/press/news/1275655/>.

764 "Courts in conditions of war: evacuation from Bakhmut and rescue from Mariupol of the Donetsk Court of Appeal," dated 18 July 2022, found at https://dsa.court.gov.ua/dsa/inshe/courts_work_war/1296891/?fbclid=IwARo_sI2JUanctplc8rvhr0IE-2QUS-RiB-SwTbDjYc9nmTQ7XEdRsXab4ec.

765 Decree No. 2710/38-14, dated September 2, 2014.

766 Decree No. 867/2014, dated 12 November 2014.

767 See, e.g., Decree, dated 19 January 2022; Decree No. 5/0/38-16, dated 25 January 2016.

768 Kuibida, p. 13.

769 OSCE, *Access to Justice and the Conflict in Ukraine*, p. 13 (December 2015).

770 "The head of the territorial administration of the State Judicial Administration of Ukraine in the Donetsk region, Serhiy Muzykant, took part in the conference on the topic: 'Peculiarities of ensuring the security of the administration of justice in conditions of martial law,'" dated 23 September 2022, found at <https://dn.court.gov.ua/tu05/pres-centr/news/1323748/>.

771 Annex 2.

772 "Information on the consideration of cases," dated 12 July 2022, found at <https://dn.court.gov.ua/tu05/pres-centr/news/1294674/>.

The Russian aggression of February 2022 dramatically changed the situation in Donetsk. Reports indicate that in the fighting over the past year at least twelve judicial structures were damaged.⁷⁷³ At least one judge was killed in the shelling.⁷⁷⁴ When Russian forces occupied the cities of Mariupol, Lyman, and Volnovakha, and adjacent settlements, nine court buildings were abandoned.⁷⁷⁵

The rapidity of Russian advances in a number of areas made it impossible to evacuate employees, or fully remove court files or property from six first instance courts in the cities of Mariupol, Volnovakha, Mangush, and Nikolske, or from one of the buildings of the Donetsk Court of Appeal in Mariupol.⁷⁷⁶

The hostilities near the new front lines also forced the suspension of courthouse operations in seven other first instance courts in the *Oblast*, which moved files with unfinished proceedings and court servers to safer locations, and continued remote operations. In at least four of these frontline courts, some employees decided to remain in the occupied territory for personal reasons, despite the security risks. These employees continued to work at the courthouse, receiving, scanning, and transmitting documents to judges and employees who left for safer locations in Ukrainian-controlled territory. In some instances, remaining employees used the court's equipment to organize video court proceedings from these dangerous locales.⁷⁷⁷

Where possible, steps were taken to remove or destroy files. For example, employees of the Donetsk Court of Appeal in Mariupol moved cases to a specially equipped room in the basement, and all cases that were classified as "secret" were destroyed. But Russian forces soon overwhelmed Mariupol's defenses. Judges and court staff hid in cold basements, without water or food. One court employee died in front of her father under the rubble of their home. Eventually, many judges and court staff left, often walking tens of kilometers to reach safety.⁷⁷⁸

A similar drama played out with the remaining branch of the Donetsk *Oblast* Court of Appeal in Bakhmut. There, as Russian forces closed in, the courthouse staff collected critical materials in special bags and spirited them away. By early March, it became apparent that the Court would need to move to another city. After consultations, the court's operations were moved to the Kirovohrad *Oblast* Court of Appeal. Most workers from the Bakhmut court evacuated to Khmelnytskyi with their families. They also removed case files and the Court's server so that they could continue working remotely.⁷⁷⁹

By July 2022, Russian forces and their allies had substantially expanded their territorial gains in the Donetsk *Oblast*. More judges, court staff and their families were forced to flee. Relying on the strategy from 2014, the territorial jurisdiction of the Donetsk Court of Appeal was transferred to the Dnipropetrovsk Court of Appeals,⁷⁸⁰ and all of the Court's judges were seconded to other courts.⁷⁸¹ The Ukrainian government also transferred the territorial

773 "SJA of Ukraine on the administration of justice in wartime as of May 18, 2022," dated 18 May 2022, found at <https://court.gov.ua/press/news/1275655/>.

774 "We express our condolences on the tragic death of the judge of Sloviansk city district court Olga Vitalievna Ilyashevych and her mother!" dated 1 July 2022, found at <https://sa.dn.ua/vislovlyuiemo-spivchuttya-z-privodu-trag/>.

775 The Donetsk *Oblast* Court of Appeal and the Illichivskiy, Ordzhonikidzevskiy, Pershotravnevyy, Pymorskiy, and Zhovtnevyy District Courts in Mariupol, the Krasnolymanskiy District Court in Lyman, Volodarskiy District Court in Nykolske, and the Volnovaskiy District Court.

776 "The head of the territorial administration of the State Judicial Administration of Ukraine in the Donetsk region, Serhiy Muzykant, took part in the conference on the topic: 'Peculiarities of ensuring the security of the administration of justice in conditions of martial law,'" dated 23 September 2022, found at <https://dn.court.gov.ua/tu05/pres-centr/news/1323748/>.

777 *Ibid.*

778 "Courts in conditions of war: evacuation from Bakhmut and rescue from Mariupol of the Donetsk Court of Appeal," dated 18 July 2022, found at https://dsa.court.gov.ua/dsa/inshe/courts_work_war/1296891/?fbclid=IwARoS12JUANctplc8rvhroIE-2QUS-RiB-SwTbDjYc9nrnTQ7XEdRsXab4ec.

779 *Ibid.*

780 Order No. 40, dated 22 July 2022.

781 "Even in difficult times for the country, we must develop and continue reforming the judicial system - Chairman of the Supreme Court," dated 15 September 2022, found at <https://court.gov.ua/press/news/1320074/>.

jurisdictions of an additional 12 first instance courts in Donetsk region to other jurisdictions, leaving 12 functioning courts in the *Oblast*.⁷⁸²

An inventory as of September 2022, showed that even though court operations were suspended in a number of courts that were working remotely, 13 court buildings in Donetsk *Oblast* remained under Ukrainian control.⁷⁸³ By that time, several courthouses in the *Oblast* had been destroyed or damaged.⁷⁸⁴ Among those destroyed were the buildings for the Donetsk Court of Appeal in Mariupol, the Volnovaskyi District Court, and the Krasnolymanskyi and Vuhledarskyi Town Courts. Several other courts reportedly were damaged, but the extent of the damage is unknown since they are located in areas occupied by Russian forces.⁷⁸⁵

One of the destroyed courts, the Vuhledarskyi Town Court in Ughledar, had been a pilot project prior to the war, remodeled with \$2 million from the United Nations Development Program (UNDP) in Ukraine. On February 24, the city suffered its first rocket attack. As the shelling intensified, the court building was destroyed, with the initial projectile hitting and destroying the second floor. Fortunately, no employees were injured, and they returned to the court several times trying to save what survived the first hit, including servers with key information. Employees moved case files and equipment to the fortified holding cells, hoping to preserve what was left. When the shelling resumed, the rest of the court destroyed and local citizens started burying the dead in the courtyard.⁷⁸⁶

In September 2022, the Ukrainian counter-offensive in Kharkiv *Oblast* began to reach the Donetsk region. By October 1, Ukrainian forces had recaptured Lyman, home to the Krasnolymanskyi Town Court. In the process, the town was heavily damaged by months of fighting and Russian occupation.⁷⁸⁷ The court building in Lyman suffered unspecified damage and since the territorial jurisdiction of that court had previously been transferred, no steps have been taken to reopen that building.⁷⁸⁸

The expanded Russian assault took a toll on the courts in the Donetsk *Oblast*. The number of judges in those courts decreased by 81. Only the Druzhkivskyi Town Court showed an increase, gaining a net 15 judges as they fled from courts in frontline or occupied areas. Moreover, the fighting caused a drop in case filings so that several courts that did remain open, even with fewer judges, were statistically overstaffed.⁷⁸⁹

Small, initial steps are being taken to bolster and support the remaining courts in the *Oblast*. For example, with the cooperation of UNDP, some local courts in the region received laptops and multifunctional devices with rewrite cartridges to improve their capabilities.⁷⁹⁰ In late January, the HCJ extended the term of secondment of judges to the Avdiivka City Court, which had reopened after an eight-year hiatus in late January 2022, shortly before the expanded Russian attacks.⁷⁹¹

⁷⁸² *Ibid.*; Annex 2.

⁷⁸³ “The head of the territorial administration of the State Judicial Administration of Ukraine in the Donetsk region, Serhiy Muzykant, took part in the conference on the topic: ‘Peculiarities of ensuring the security of the administration of justice in conditions of martial law,’” dated 23 September 2022, found at <https://dn.court.gov.ua/tu05/pres-centr/news/1323748/>.

⁷⁸⁴ The Zhovtnevy, Illichivskyi, Ordzhonikidzev, and Primorsky District Courts in Mariupol, the Artemiv City (Bakhmut) and Volnovasky District Courts, the Krasnolymanskyi Town Court, and the Donetsk Court of Appeal building in Mariupol. See Annex 2.

⁷⁸⁵ Zhovtnevy, Illichivskyi, Ordzhonikidzev, Pershotravnevyi, and Primorsky District Courts in Mariupol, and the Volodarskyi District Court. See “Courthouses of Ukraine during the war: which suffered the most,” dated 27 September 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1325067/>.

⁷⁸⁶ “How, despite the destruction, the Vugledar city court of the Donetsk region strives to restore model developments,” dated 22 November 2022, found at <https://court.gov.ua/press/news/1349524/>.

⁷⁸⁷ “People in Need delivered aid to liberated Kherson and Lyman; we are preparing homes for winter,” dated 9 December 2022, found at <https://reliefweb.int/report/ukraine/people-need-delivered-aid-liberated-kherson-and-lyman-we-are-preparing-homes-winter>.

⁷⁸⁸ The Zhovtnevy, Illichivskyi, Ordzhonikidzev, and Primorsky District Courts in Mariupol, the Artemiv City (Bakhmut) and Volnovasky District Courts, the Krasnolymanskyi Town Court, and the Donetsk Court of Appeal building in Mariupol.

⁷⁸⁹ Annex 3.

⁷⁹⁰ “Several local courts in Donetsk *Oblast* received assistance in the form of laptops thanks to cooperation between the SJA of Ukraine in Donetsk *Oblast* and UNDP,” dated 19 December 2022, found at <https://court.gov.ua/press/news/1359727/>.

⁷⁹¹ “The HCJ extended the term of secondment of judges to two courts,” dated 30 January 2023, found at <https://court.gov.ua/press/news/1375895/>.

Yet even these minimal gains were put into jeopardy by the Russian offensive launched in early 2023. Russian forces and their allies mounted fierce assaults, apparently intent upon capturing the entirety of the Donetsk *Oblast*. While Ukrainian troops ferociously defended that territory, the *Oblast* remained an anarchic battleground.

As this chaos continued, decisions were needed concerning the disposition of the judges from the idled courts. Unlike Luhansk where all of the courts had been closed or had their territorial jurisdictions transferred, the courts in Donetsk *Oblast* were a mixture. Some courts remained open for business, others were open but working remotely, while others were closed with their territorial jurisdictions transferred outside of the *Oblast*.

Similar stories played out among the prosecution service. According to its reports, the Ukrainian government in February 2022 had eight district prosecutor's offices and 10 departmental offices operating in the areas outside DPR control in the Donetsk *Oblast*.⁷⁹² As of early December 2022, a total of 16 buildings utilized by the prosecutors in the region were damaged, including five that were completely destroyed.⁷⁹³ Like judges, prosecutors faced Hobson's choices about whether to flee or stay when Russian forces and their allies expanded their control. Many fled, and some were transferred to other prosecutor's offices.

Though the new locations are not reported, it appears that some Donetsk *Oblast* prosecutor's offices continue to function from facilities outside the occupied territories. The Regional Prosecutor's Office for the *Oblast* continues to operate, primarily investigating alleged war crimes⁷⁹⁴ and collaboration.⁷⁹⁵ By the end of August 2022, law enforcement agencies of Donetsk *Oblast* had opened investigations into 5,434 alleged war crimes. The office had informed 63 people that they were suspected of treason, and another 41 about suspected collaboration. By that time, 20 indictments for treason had been filed.⁷⁹⁶

After the Russian Federation announced its annexation of Donetsk along with three other *Oblasts* on November 7, the Russians elevated Andriy Spivak, who previously headed the Russian-installed "prosecutor's office" in the DPR, to become the "Chief Prosecutor" in this new Russian province.⁷⁹⁷ In mid-February 2023, reports indicated that the Ukrainians struck the DPR's prosecutor's office, though that attack was not confirmed.⁷⁹⁸ As with other annexed areas, the question of whether the Ukrainian or Russian system will have jurisdiction of all or part of Donetsk *Oblast* will await a political or military outcome.

The *Oblast's* Bar Council initially remained in Kramatorsk,⁷⁹⁹ though it apparently later moved its operations to Dnipro.⁸⁰⁰ While some joined the new Russian legal system,⁸⁰¹ other *advokats*

⁷⁹² *Ibid.*

⁷⁹³ Annex 4.

⁷⁹⁴ "In de-occupied Sviatohirsk and Lyman, law enforcement officers discovered places of mass burials of civilians - an investigation has been launched," dated 11 October 2022, found at https://don.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=321189&fp=10.

⁷⁹⁵ "Organizes filtering activities in the occupied territory - a collaborator from the Volnovakha district faces up to 10 years behind bars," dated 8 December 2022, found at https://don.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=324173.

⁷⁹⁶ "The head of the Donetsk regional prosecutor's office, Pavlo Ugrovetskyi: 'We Document the Crimes of the Invaders from the Very Beginning of the Armed Aggression of the Russian Federation in 2014,'" dated 31 August 2022, found at <http://www.golos.com.ua/article/363857>.

⁷⁹⁷ "The Russians brought their 'prosecutors' to the temporarily occupied territories of Ukraine," dated 13 November 2022, found at https://gazeta.ua/articles/np/_rosiyani-zavezli-svoyih-prokuroriv-na-timchasovo-zahopleni-teritoriyi-ukrayini/1120602.

⁷⁹⁸ "Explosions rang out in occupied Donetsk city: the Russian military barrack and the so-called 'DPR's prosecutor's office' were struck," dated 19 February 2023, found at <https://www.ukrinform.net/rubric-ato/3672196-explosions-rock-occupied-donetsk-russian-barrack-prosecutors-office-struck.html>.

⁷⁹⁹ "Dear colleagues!" dated <https://sa.dn.ua/shanovni-kolegi-7/#more-4248>

⁸⁰⁰ "Additional addresses of the Council of Advocates of the Donetsk Region and the Qualification and Disciplinary Commission of the Bar of the Donetsk Region are provided," found at <https://sa.dn.ua/dodano-adresi-radi-advokativ-doneck/#more-4313>.

⁸⁰¹ "The 'head of the court' of the pseudo-republic 'DNR' will be tried in Ivano-Frankivsk," dated 21 February 2023, found at https://ifr.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328344&fp=18.

in the Donetsk *Oblast* fled, often to areas further to the West.⁸⁰² Reports suggest that the *Oblast's* Bar Council does little to assist its members who have fled the occupied areas.⁸⁰³

Some displaced lawyers from Donetsk joined the FLA system.⁸⁰⁴ Though that system lost bureaus and local centers in cities under occupation or that were crushed by artillery strikes, its lawyers and employees continue to work in other areas.⁸⁰⁵

With the military situation looking grim, the justice system in the *Oblast* essentially shut down, leaving lawyers with little work and in significant personal danger. Nonetheless, the Bar continues to function at a minimal level, albeit meeting remotely or in areas far removed from the frontlines.⁸⁰⁶

Notaries similarly suffered. In early May 2022, not a single notary from Donetsk *Oblast* was allowed to access state registers. While the situation improved somewhat by year end, only 34 of the 138 notaries (25%) working in the *Oblast* as of the start of 2022, and only 19% of the public notaries, were allowed to access the registries.⁸⁰⁷

Law faculties likewise have been gravely impacted. The largest Ukrainian law faculty remaining in the *Oblast* after 2014,⁸⁰⁸ Donetsk State University of Internal Affairs in Mariupol, was completely destroyed. While it remains listed as in Donetsk *Oblast*, it is currently operating in Kropyvnytskyi in Kirovohrad *Oblast*.⁸⁰⁹

Zhytomyr Oblast



Located north and west of Kyiv, Zhytomyr *Oblast* was on the western edge of the initial Russian advance from Belarus in February 2022 seeking to envelope the capital. Though no significant Russian land forces entered the region, the *Oblast* has been on the edge of the frontlines for the past year. The toll has been devastating: nearly 150 missile strikes and shellings killed 38 civilians and injured 65, including three children killed and 12 injured.

These attacks damaged about three thousand buildings and other parts of the *Oblast's* civilian infrastructure, with more than 240 structures completely destroyed.⁸¹⁰ At least two first instance courts in the *Oblast* suffered minor damage to some of their windows, doors, and ceilings from shock waves from nearby missile strikes.⁸¹¹ Though attacks on the *Oblast* continue

802 "Premises for professional activities of lawyers," dated 14 April 2022, found at <https://sa.dn.ua/primish-hennya-dlya-profesynoi-diyalnos/>.

803 "Advocates Report under occupation: Situation with observing the advocates' rights in the context of the armed conflict in Ukraine," p. 44, dated 2018, found at https://www.helsinki.org.ua/wp-content/uploads/2019/04/Report_Advocates_under_occupation-Engl.pdf.

804 "A meeting with lawyers joining the BPD system took place in Dnipro," dated 14 December 2023, found at <https://legalaid.gov.ua/novyny/zustrich-z-advokatamy-shho-doluchayutsya-do-roboty-u-systemi-bpd-vidbulasya-u-dnipri/>.

805 "Arrivals and Work: How the FLA System Works in the Hottest Spots in Ukraine," dated 13 September 2022, found at <https://minjust.gov.ua/news/ministry/priloti-i-robota-yak-pratsyue-sistema-bpd-u-naygaryachishih-tochkah-ukraini>.

806 "Even in wartime, we are forced to defend the independence of the Institute of Advocacy," - Serhii Vylkov, Head of the VKDKA," dated 20 January 2023, found at <https://vkdka.org/navit-u-vojennij-chas-rni-vimusheni-vidstoyuvati-nezalezhnist-institutu-advokaturi-sergij-vilkov-golova-vkdka/>; "On February 22, a meeting of the Council of Advocates of the Donetsk region took place," dated February 22, 2023, found at <https://sa.dn.ua/22-lyutogo-vidbulosya-zasidannya-radi-advo/>.

807 Annex 7.

808 Annexes 8 and 9.

809 Website of the Donetsk State University of Internal Affairs, viewed 29 March 2023, found at <https://dnuvs.in.ua/about-us>.

810 "A year of war: the work of the prosecutor's office of Zhytomyr *Oblast* in the conditions of the armed aggression of the Russian Federation against Ukraine," dated 24 February 2023, found at https://zhit.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328565.

811 SJA Report.

as part of the Russian campaign against the civilian energy infrastructure, no recent damage to court facilities has been reported.

Concerned about the possibility of advances by Russian troops from Belarus, Ukrainian authorities initially considered transferring the territorial jurisdictions of its courts to safer areas. Eventually, the territorial jurisdictions of three courts in eastern Zhytomyr were transferred to the Koretsky District Court in Rivne *Oblast* in early March 2022.⁸¹² When the Russians withdrew to the north, the violence subsided and by the latter part of April the jurisdictions of the three courts were restored.⁸¹³

The *Oblast*'s courts continued to work, though their regimes changed. For example, the Berdychiv court stopped considering civil cases except where no personal appearance was required. Priority was given instead to cases impacting the state's defense capability, maintenance of the martial law regime, and mobilization, as well as criminal cases, cases of administrative offenses, and petitions from pre-trial investigation bodies.⁸¹⁴

With a general jurisdiction court of appeals and 25 first instance courts, and a combined prewar total of 165 judges, Zhytomyr *Oblast* has a moderately-sized court system by Ukrainian standards.⁸¹⁵ As in much of the country, the number of recorded offenses against life and health in the *Oblast* decreased by a third.⁸¹⁶ For example, the Malinsky District Court received 22.7% fewer cases in 2022 than in 2021.⁸¹⁷ During the same period, the Berdychiv City District Court received roughly the same number of cases, but the mix of cases changed, with the number of civil (-15%) and administrative cases (-15%) decreasing, while cases involving criminal (+9%) and administrative offenses (+11%) increased.⁸¹⁸

Yet the workloads of the judges in the *Oblast* did not diminish. Even though some judges were seconded to the courts in Zhytomyr *Oblast*,⁸¹⁹ by the end of 2022 the *Oblast* lost a net of 16 judges, about 10% of the total. These reductions worsened the understaffing situation, so that according to SJA calculations, the *Oblast* barely had 40% of the judges needed to handle the caseload. The understaffing was worst in the *Oblast*'s first instance administrative court, which had only 18 of the statistically-required 188 judges (9.5%) for its caseload.⁸²⁰

In the immediate aftermath of the Russian invasion, prosecutors in the *Oblast* began focusing much of their time on documenting alleged war crimes. With the withdrawal of Russian forces from the area, both judges and prosecutors began handling a blend of routine work and charges related to wartime activities.⁸²¹ Since February 24, 2022, 1,270 war crimes were registered by law enforcement agencies of Zhytomyr region (almost half of them later transferred to other regions). Criminal proceedings were initiated in 266 of those cases.⁸²² At the same time, by

812 Order No. 4/0/9-22, dated 10 March 2022.

813 Order No. 24/0/9-22, dated 21 April 2022.

814 "About the activities and performance indicators of the Berdychiv court in 2022," dated 12 January 2023, found at <https://bd.zt.court.gov.ua/sud0603/pres-centr/news/1369505/>.

815 Annex 1.

816 "Countering crime and corruption in the conditions of martial law together - the work of law enforcement officers is coordinated in the Zhytomyr Regional Prosecutor's Office," dated 9 August 2022, found at https://zhit.gov.ua/ua/news.html?_m=publications&_t=rec&id=317645&fp=90.

817 "Results of the work of the Malinsky district court of the Zhytomyr region for 2022," dated 18 January 2023, found at <https://ml.zt.court.gov.ua/sud0614/pres-centr/news/1371159/>.

818 "About the activities and performance indicators of the Berdychiv court in 2022," dated 12 January 2023, found at <https://bd.zt.court.gov.ua/sud0603/pres-centr/news/1369505/>.

819 "Replenishment of the corps of judges of the Korolovsky District Court of Zhytomyr," dated 8 July 2022, found at <https://zt.court.gov.ua/tu06/pres-centr/40/1293706/>.

820 Annex 3.

821 See News and publications - Zhytomyr Regional Prosecutor's Office, found at <https://zhit.gov.ua/ua/news.html?fp=0>.

822 "A year of war: the work of the prosecutor's office of Zhytomyr *Oblast* in the conditions of the armed aggression of the Russian Federation against Ukraine," dated 24 February 2023, found at https://zhit.gov.ua/ua/news.html?_m=publications&_t=rec&id=328565.

mid-September 2022, prosecutors had opened 76 investigations involving alleged collaboration, filed more than 40 criminal indictments, and obtained 24 convictions.⁸²³

The work of the courts continues to be interrupted by air alarms. During the threat of rocket attacks and airstrikes, participants in court sessions, judges, court employees and ordinary townspeople take shelter under the court building. Due to the threat of attack, the regional prosecutor's office filed about ten lawsuits to force property owners to upgrade bomb shelters with a capacity of 1,700 people into proper condition.⁸²⁴

Before the war, Zhytomyr *Oblast* had one of the lowest ratios of *advokats per capita* in the country.⁸²⁵ Though impacted by the war, the local Bar continues to function and carry on its activities as best as possible given the circumstances. Notaries likewise have continued to work in the *Oblast*, with their numbers remaining essentially unchanged since the war began.⁸²⁶

Zakarpattia *Oblast*



Anchored in the Carpathian Mountains in western Ukraine, Zakarpattia (aka Transcarpathian) *Oblast* has a complex history. Long part of Hungary, the region became part of Czechoslovakia at the end of WWI. After changing hands multiple times through the end of WWII, the territory was ceded to the Soviet Union as part Ukraine. It is the only Ukrainian *Oblast* that borders four countries: Poland, Slovakia, Hungary, and Romania.

Zakarpattia *Oblast* also is one of the poorest regions in Ukraine, home to a sizable minority of ethnic Hungarians, roughly 10% of the *Oblast's* population. While far from open hostility, the rift between the Ukrainian majority and Hungarian minority has been exacerbated by Ukrainian efforts during the war to promote a unified Ukrainian identity, and Hungarian President Viktor Orbán's nationalistic rhetoric that often is interpreted as pro-Russian.⁸²⁷

This history, coupled with its remote location far from Kyiv, means that Zakarpattia often can be at odds with its urban countrymen to the east. In fact, a demonstration by a few dozen women in Zakarpattia protesting the mobilization of their male loved ones for military service after the Russian invasion in February 2022 became a Twitter sensation.⁸²⁸

The *Oblast's* location also insulated it from many effects of the hostilities. No courts have been damaged; Russian attacks in the *Oblast* have been rare, with an occasional missile strike on railroad and energy infrastructure.⁸²⁹ However, Zakarpattia *Oblast* has seen an inflow of IDPs, a significant burden particularly for this small and relatively poor region.⁸³⁰

823 "Prosecutor's office of Zhytomyr region: since the beginning of the large-scale armed invasion of the Russian Federation in the region, 76 facts of collaborationism have been exposed," dated 15 September 2022, found at https://zhit.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=319789&fp=40.

824 "A year of war: the work of the prosecutor's office of Zhytomyr *Oblast* in the conditions of the armed aggression of the Russian Federation against Ukraine," dated 24 February 2023, found at https://zhit.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328565.

825 Annex 6.

826 Annex 7.

827 "For Ukraine, Hungary's Orbán is another problematic strongman next door," dated 26 December 2022, found at <https://www.washingtonpost.com/world/2022/12/26/ukraine-hungary-tension-border-war/>.

828 "In the small Ukraine city Khust, a rare public display of dissent over war with Russia," dated 2 May 2022, found at <https://www.theglobeandmail.com/world/article-russia-ukraine-war-conscription-protest/>.

829 "Evening Russian Missile Strikes Hit Critical Infrastructure Across Ukraine," dated 4 May 2022, found at <https://www.kyivpost.com/ukraine-politics/evening-russian-missile-strikes-hit-critical-infrastructure-across-ukraine.html>.

830 Baseline Report, p. 3.

Zakarpattia's court system, not surprisingly, is one of the smallest in the country. The *Oblast* has a general jurisdiction court of appeals and 13 first instance courts.⁸³¹ Prior to the war, those courts were staffed by 12 second instance and 104 first instance judges.⁸³² Interestingly, 9 of the 12 judges of the court of appeals were male, but both administrative positions (head of the court and deputy chairman) are held by women judges.⁸³³

The war's impact on the courts' caseloads in Zakarpattia *Oblast* has been less than in other areas. For example, in the Mizhhirskyi District Court, the number of cases filed increased by about 8%, though the mix of cases changed very little between 2021 and 2022.⁸³⁴ The number of judges in the *Oblast* likewise remained steady, with most courts (apart from the *Oblast's* Court of Appeals) staffed with nearly the number of judges authorized by the administrators in Kyiv.⁸³⁵

Despite – or perhaps because of – their small number and distance from the combat zones, the Zakarpattia courts became part of Ukraine's effort to join the European Union. In August 2020 Zakarpattia was chosen for a pilot project to optimize the operations of first instance courts, as “suggested” by the Council of Europe.⁸³⁶

While statistical information on regional prosecutors' offices is generally difficult to locate, such data is publicly available in Zakarpattia.⁸³⁷ This information indicates that 86 prosecutors are assigned to the regional prosecutor's office, while 135 are assigned to the outlying district and departmental offices. Out of this total, four prosecutors are listed as “discharged for military service.” Substantially more are listed as on “childcare leave.” At the same time, there are slightly more than 80 non-prosecutorial staff (inspectors, civil servants, maintenance and other similar personnel, drivers) employed in the various prosecutor's offices.⁸³⁸

Though far from the frontlines, the Russian invasion on February 24, 2022 affected the structure of crime, and the tasks and priorities of the prosecutors' work in Zakarpattia *Oblast*. Data show that in 2022, the number of registered offenses, including the number of serious and grave crimes, increased over 2021.⁸³⁹ The regional prosecutor's office has given priority to fighting crimes against national security, collaboration, land, budget and environmental crime, and corruption.⁸⁴⁰ Given the *Oblast's* location on the border, prosecutors also have dealt with increased number of cases involving the misuse of humanitarian aid, smuggling, and the illegal handling of weapons, ammunition and explosives.⁸⁴¹ And like other prosecutors' offices, they have been involved in litigation to force owners to upgrade civil defense facilities.⁸⁴² Though the prosecutor's offices, in the regional prosecutor's words, “have been transferred to an enhanced mode of operation,”⁸⁴³ it appears that they are handling relatively few prosecutions related to war crimes.⁸⁴⁴

831 Annex 1.

832 *Ibid.*

833 “There are more men in robes, but women hold administrative positions,” dated 22 February 2022, found at <https://zka.court.gov.ua/sud4806/pres-centr/news/1259010/>.

834 “Review of data on the state of administration of justice by the Mizhhirskyi District Court of Zakarpattia *Oblast* in 2022,” dated 8 February 2023, found at https://mg.zk.court.gov.ua/sudo706/pokazniki-diyalnosti/wsegv/oglmg_zk22.

835 Annex 3.

836 “‘Optimization of local general courts: a pilot project in Zakarpattia region’ – a round table meeting from the EU Project ‘Law-Justice’,” dated 18 August 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1309128/>.

837 Zakarpattia Region Prosecutor's Office, “The structure of the regional prosecutor's office,” found at <https://zak.gp.gov.ua/ua/structure.html>.

838 *Ibid.*

839 “The results of the work for 2022 were discussed at an operational meeting in the Transcarpathian Regional Prosecutor's Office,” dated 2 February 2023, found at https://zak.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327247&fp=10.

840 “Anatoliy Kovalchuk became the new head of the regional prosecutor's office in Transcarpathia,” dated 4 January 2023, found at https://zak.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=325379&fp=50.

841 “The results of the work for 2022 were discussed at an operational meeting in the Transcarpathian Regional Prosecutor's Office,” dated 2 February 2023, found at https://zak.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327247&fp=10.

842 “In Transcarpathia, the prosecutor's office demands that civil protection facilities be put in order – 8 lawsuits have been filed,” dated 10 November 2022, found at https://zak.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=322755&fp=110.

843 “Head of The Transcarpathian Regional Prosecutor's Office Dmytro Kazak appealed to the residents of Transcarpathia,” dated February 24, 2022, found at https://zak.gp.gov.ua/ua/zak_zmi.html?_m=publications&_c=view&_t=rec&id=311743.

844 “Zakarpattia law enforcement officers discussed further work at a coordination meeting at the Zakarpattia Regional Prosecutors Office,” dated 31 August 2022, found at https://zak.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=319001&fp=60.

The *advokats* in Zakarpattia Oblast reflect the community's distance from Ukrainian officials in Kyiv.⁸⁴⁵ Roughly 70% of the Bar in the Oblast is male, the highest percentage in the country.⁸⁴⁶ At the same time, the relative poverty of the region and the massive influx of refugees increased the demand for free legal aid. The FLA system consists of a Regional Center, three local centers and 14 legal aid bureaus primarily focused on delivering primary legal aid. In 2022, their primary clientele were 50% low-income persons, 20% IDPs, 13% war veterans, and 8% persons with disabilities. Due to the large number of forced migrants in the region due to the war, 20 consultation points for IDPs were created in camps and other areas where they were concentrated.⁸⁴⁷

Zaporizhzhia Oblast



One goal of the Russian attacks in February 2022 was the establishment of a “land bridge,” *i.e.*, a ground corridor from Russian territory to Crimea. Much of the land along the Black Sea coast sitting squarely in the middle of this objective is within the boundaries of Zaporizhzhia Oblast. With a large Russian speaking minority and bordering on the western edge of the Donbas, the region appeared ripe for a Russian takeover and occupation.

Russian forces quickly swept along the Oblast's southern coast, occupying several major cities including Berdyansk and Melitopol. Most of the courts in the path of the Russian onslaught were unable to remove court files due to the rapid occupation of settlements and the real threat to the lives and health of judges and staff courts.⁸⁴⁸ However, Russian efforts to move north further into the interior met heavy Ukrainian resistance, stalling as their troops began to approach the city of Zaporizhzhia, the Oblast's administrative capital.

Soon thereafter, the Russians and their allies began installing local administrators loyal to Moscow in various parts of the occupied Oblast.⁸⁴⁹ Some reports indicated that Russian nationals (as opposed to DNR proxies) were taking over various positions in the occupied territory in Zaporizhzhia Oblast in an effort to strengthen Russia's bureaucratic control over the area.⁸⁵⁰ To further cement Russian control, on May 25, 2022, President Putin signed a decree allowing residents of Zaporizhzhia to obtain Russian citizenship through a simplified procedure previously introduced for residents in parts of Donetsk and Luhansk Oblasts.⁸⁵¹

A year after the war began, more than 70% of Zaporizhzhia Oblast's total territory is temporarily occupied, while active hostilities are taking place on approximately 15% more. The Berdyansky, Melitopolskyi, and Vasylivskyi districts, including the cities of Berdyansk, Melitopol, Energodar, Vasylivka, and Tokmak are occupied. Part of Pologivskyi district except for Orikhov and Gulyaipole is occupied, and the latter cities remain under constant artillery fire.⁸⁵² According to reports, 332 civilians, including 21 children, were killed in the Oblast during

⁸⁴⁵ See “News and Events,” found at <http://Rada-advokat.uz.ua/index.php>.

⁸⁴⁶ Annex 6.

⁸⁴⁷ “Future lawyers learned about the work of the FAL system in Transcarpathia,” dated 23 February 2023, found at <https://legalaid.gov.ua/novyny/majbutni-yurysty-diznalyssa-pro-robotu-systemy-bpd-na-zakarpatti/>.

⁸⁴⁸ “The work of the Zaporizhzhia Court of Appeal during the war in 2022,” dated 8 February 2023, found at <https://zpa.court.gov.ua/sud4807/pres-centr/news/1379873/>.

⁸⁴⁹ “Life resumes in Berdyansk, Ukraine, but not all is normal under Russian occupation,” dated 5 May 2022, found at <https://www.scmp.com/video/world/3176673/life-resumes-berdyansk-ukraine-not-all-normal-under-russian-occupation>.

⁸⁵⁰ “Russian Offensive Campaign Assessment, May 23,” dated 24 May 2022, found at https://www.einnews.com/pr_news/573734483/russian-offensive-campaign-assessment-may-23.

⁸⁵¹ “Kyiv, Washington Oppose Decree Fast-Tracking Russian Citizenship for Residents of Newly Occupied Ukrainian Territories,” dated 25 May 2022, found at <https://www.rferl.org/a/russia-occupied-ukraine-citizenship/31867923.html?withmediaplayer=1>.

⁸⁵² “The work of the Zaporizhzhia Court of Appeal during the war in 2022,” dated 8 February 2023, found at <https://zpa.court.gov.ua/sud4807/pres-centr/news/1379873/>.

the year following the invasion. Another 963 civilians including 56 children were wounded, while more than 600 citizens were kidnapped.⁸⁵³ And these attacks continue.⁸⁵⁴

Given these Russian advances, the Ukrainian government transferred the territorial jurisdictions of 18 of the *Oblast's* 28 local general first instance courts to other regions.⁸⁵⁵ Ironically, seven of those transferred courts themselves had expanded territorial jurisdictions, since they were among those that in 2014 assumed transferred territorial jurisdictions of courts in Donetsk.⁸⁵⁶ Initially, the transfers were to various courts in the Dnipropetrovsk *Oblast*, further to the north.⁸⁵⁷ However, when Russian efforts to move north stalled, a few later transfers were made to other courts within Zaporizhzhia *Oblast* behind the front lines.⁸⁵⁸

Accordingly, out of 28 district courts in the region, 10 are now operating, 16 courts are located in the occupied territory, and two are in areas of active hostilities.⁸⁵⁹ The ten courts whose territorial jurisdictions were not transferred were primarily located in the city of Zaporizhzhia, along with some in the northwest portion of the *Oblast*. Similarly, the Zaporizhzhia *Oblast* Court of Appeal and the *Oblast's* specialized first instance courts, all of which were located in the city of Zaporizhzhia, remained open.⁸⁶⁰ Ukrainian authorities continue to take pains to demonstrate that these courts remain in operation.⁸⁶¹

At the start of the hostilities, 74 judges were assigned to the transferred courts, nearly all of which were in territory occupied by Russia and the DPR.⁸⁶² With the closure of roughly two-thirds of the local first instance courts, the *Oblast* lost 68 judges by the end of 2022.⁸⁶³ Some apparently have been seconded to courts in *Oblasts* further north and west.⁸⁶⁴ *Oblast*-wide case filings shrunk. For example, the Administrative Court reported 47% fewer cases than in 2021.⁸⁶⁵ Nonetheless, the appellate courts in particular remain statistically understaffed.⁸⁶⁶

While detailed damage assessments cannot be made in the occupied areas, at least four court buildings have been damaged and one is occupied by Russian-backed separatist forces.⁸⁶⁷ In one instance, an enemy missile attack damaged a building occupied by the Zaporizhzhia Court of Appeal. About 70% of the window glass was broken, and rocket fragments were found in damaged offices. Luckily, the explosion happened outside of working hours, so no one was injured. The court was back functioning within two weeks, albeit under fairly primitive conditions.⁸⁶⁸

Though nominally open for business, those courts generally adopted modified procedures and work schedules. Since the beginning of the war, the Russians carried out at least 16 strikes on

853 "The Zaporizhzhia Regional Prosecutor's Office summarized the work of 2022," dated 27 February 2023, found at https://zap.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=328623.

854 "Death toll in strike on Ukraine's Zaporizhzhia rises to 11 – officials," dated 4 March 2023, found at <https://www.reuters.com/world/europe/death-toll-strike-ukraines-zaporizhzhia-rises-11-officials-2023-03-04/>.

855 Annex 1.

856 Annex 2.

857 Order Nos. 4/0/9-22, dated 10 March 2022; 5/0/9-22, dated 12 March 2022; and 7/0/9-22, dated 14 March 2022.

858 Order Nos. 15/0/9-22, dated 4 April 2022 and 29/0/9-22, dated 10 May 2022.

859 "RSU found out what worries workers of front-line courts," dated 31 January 2023, found at https://zib.com.ua/ru/154677-chno_bespokoit_rabotnikov_prifrontovih_sudov_uznala_rsu.html.

860 Annex 2.

861 "An on-site meeting of the Working Group on Proper Financing of the Judiciary in Ukraine in Zaporizhzhia took place," dated 31 January 2023, found at <https://court.gov.ua/press/news/1376619/>.

862 Annex 2.

863 Annex 3.

864 "How many judges from 'hot' spots were transferred to Volyn courts," dated 15 September 2022, found at <https://sylapravdy.com/skilky-suddiv-z-garyachyh-tochok-perevelysya-u-volynski-sudy/>.

865 "Yuriy Malashko visited the Zaporizhzhia District Administrative Court," dated 28 February 2023, found at <https://www.zoda.gov.ua/news/64565/juriy-malashko-vidvidav-zaporizkiy-okruzhniy-administrativniy-sud.html>.

866 Annex 3.

867 SJA Report.

868 "The work of the Zaporizhzhia Court of Appeal during the war in 2022," dated 8 February 2023, found at <https://zpa.court.gov.ua/sud4807/pres-centr/news/1379873/>.

critical electricity facilities in Zaporizhzhia and the region.⁸⁶⁹ The city of Zaporizhzhia endured almost daily rocket attacks and defensive anti-aircraft fire, causing courts to briefly suspend in-person operations in October 2022.⁸⁷⁰

Through the winter, air warnings sounded up to four times per day, occasionally lasting up to 4–5 hours. Judges announced breaks in court sessions, and together with visitors, court employees, and court security evacuated to air raid shelters in the basements of buildings.⁸⁷¹

Other adjustments also have been made. The *Oblast's* Commercial Court began giving litigants the option of handling court proceedings without any active participation, by videoconference, or by live hearing in the courtroom.⁸⁷² A number of courts made their videoconferencing facilities available to lawyers and litigants with cases in other jurisdictions, so that they need not run the risks of traveling. Even then, the Russian threat remained, causing courts to post notices to the effect: “*The mode of operation of the court may be changed taking into account the objective circumstances of the aggravation of armed aggression on the administrative-territorial unit of the court’s location.*”⁸⁷³

Recently there have been some signs of progress. In September 2022, after Ukrainian offensives to the north and south stalled the Russian advance, the territorial jurisdictions of 14 first instance courts from in Zaporizhzhia *Oblast* that previously had been transferred to courts in Dnipropetrovsk *Oblast*, were transferred to courts in the city of Zaporizhzhia.⁸⁷⁴

Though these events are symbolically important, security conditions in the *Oblast* have not normalized, even in liberated or unoccupied areas. The city of Zaporizhzhia remains within range of Russian rocket attacks, and is subject to periodic, furious bombardments.⁸⁷⁵ Four buildings used by the *Oblast's* prosecutors had been damaged as of early December 2022, and another 19 cannot be assessed because they are in temporarily occupied portions of the region.⁸⁷⁶ Moreover, the city lies about 45 kilometers from massive Zaporizhzhia nuclear power plant, the largest nuclear power plant in Europe. Russian control of that plant has led to fears of a significant radiation leak or worse, creating additional stress for already beleaguered residents in liberated areas a few kilometers away.

Similar issues face the prosecutors. At the outset of the current hostilities, there were 288 prosecutors in the regional prosecutor’s office and eight district prosecutor’s offices in the Zaporizhzhia *Oblast*.⁸⁷⁷ All prosecutors were relocated to the city of Zaporizhzhia,⁸⁷⁸ though the teams from each district prosecutor’s office were kept intact to preserve their institutional integrity.⁸⁷⁹

869 “In the Zaporizhzhia Region, the Occupiers Committed Almost Six Thousand War Crimes,” dated 25 February 2023, found at <https://zp.vgorode.ua/ukr/news/sobytyia/a1234870-u-zaporizkij-Oblasti-okupanti-skojili-majzhe-shist-tisjach-vijskovikh-zlochiv>.

870 “To the attention of citizens!” dated 18 October 2022, found at <https://zpa.court.gov.ua/sud4807/pres-centr/news/1334569/>.

871 “The work of the Zaporizhzhia Court of Appeal during the war in 2022,” dated 8 February 2023, found at <https://zpa.court.gov.ua/sud4807/pres-centr/news/1379873/>.

872 “Peculiarities of consideration of cases by the Economic Court of Zaporizhzhia region in the conditions of armed aggression,” dated 11 April 2022, found at <https://zp.arbitr.gov.ua/sud5009/pres-centr/news/1267666/>.

873 “Clarification on the Mode of Operation of the Court,” dated 2 November 2022, found at <https://zp.zp.court.gov.ua/sud0810/pres-centr/news/1322309/>.

874 Order No. 49/0/9-22, dated 14 September 2022.

875 “Missile Attack on Zaporizhzhia: More Than 80 Houses Damaged,” dated 1 April 2023, found at <https://menafn.com/1105926402/Missile-Attack-On-Zaporizhzhia-More-Than-80-Houses-Damaged>.

876 Annex 4.

877 Annex 3. No information could be located regarding the existence or locations of departmental prosecutor’s offices in Zaporizhzhia *Oblast*.

878 “Information about the results of the activities of the prosecutor’s office of the Zaporizhzhia region in 2022,” dated 2 February 2023, found at https://zap.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327233&fp=10.

879 “The Zaporizhzhia Regional Prosecutor’s Office summarized the work of 2022,” dated 27 February 2023, found at https://zap.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=328623.

Generalized reports suggest that prosecutors remain active, focusing their efforts on war-related investigations and other matters.⁸⁸⁰ In September 2022, a specialized unit was formed among the staff of the regional prosecutor's office to address war crimes issues.⁸⁸¹ Of the 15,500 criminal offenses recorded by law enforcement agencies in the *Oblast* in 2022, more than 5,000 related to war crimes and other war-related offenses.⁸⁸² The most common investigations involved shelling which resulted in civilian deaths and injuries, and the destruction of civilian and critical infrastructure. Prosecutors also pursued many cases involving the occupier's seizure of goods; seizure or looting of industrial and agricultural enterprises, private businesses, real estate and other property; and the murders and abductions of the civilian population.⁸⁸³

But wartime also brought other abuses. Allegations related to fraud, the abuse of trust or official position, and the illegal use of humanitarian aid and charitable donations by Ukrainian citizens have become widespread. Similarly, other forms of corruption such as "kickbacks" and bribes by officials continue even under martial law.⁸⁸⁴

Advokats in the *Oblast* have been forced to deal with this tragic situation. Membership in the Bar in Zaporizhzhia *Oblast* before the war was about 43% female, among the highest percentages in the country.⁸⁸⁵ Presumably, like women throughout Ukraine, they took on not only professional burdens, but also assumed additional roles in finding safety for their families.

The FLA system in the *Oblast* also faces major challenges. Zaporizhzhia became an outpost city. Hubs for displaced people were opened for those fleeing from the occupied parts of Zaporizhzhia, as well as from Donetsk and Kherson *Oblasts*. Support centers were opened in Zaporizhzhia for citizens of major cities of the *Oblast* that are under occupation – Melitopol, Berdyansk, and Mariupol. "*Despite the constant shelling and even the windows in the central office broken by the blast wave, we are still working,*" says the director of the Zaporizhzhia local center. At the same time, many FLA employees who fled the occupied territories now work with their colleagues in support centers in Zaporizhzhia, Kyiv, Dnipro, and Kropyvnytskyi.⁸⁸⁶

The rest of the Ukrainian legal system has also suffered. The number of Ukrainian notaries in Zaporizhzhia *Oblast* shrunk by over 40%, though those numbers have rebounded somewhat since May 2022.⁸⁸⁷ The number of law students studying at the *Oblast's* law faculties decreased, especially for master's students.⁸⁸⁸ By late March 2022, law faculties in the *Oblast* went to fully remote teaching, with both online classes and individualized assignments for those unable to participate.⁸⁸⁹

The legal system in Zaporizhzhia *Oblast* also faces significant issues from Russian interlopers and Ukrainian collaborators. After Russia's purported annexation of the *Oblast* in September 2022, it launched a judicial system in the new province. The head of the "Zaporizhsky Regional

880 "The work of the regional prosecutor's office in the conditions of a special period," dated 20 September 2022, found at https://zap.gov.ua/ua/news.html?_m=publications&_t=rec&id=320028&fp=30; "The work of the prosecutor's office in combating crime in wartime," dated 18 October 2022, found at https://zap.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=321547.

881 "Information about the results of the activities of the prosecutor's office of the Zaporizhzhia region in 2022," dated 2 February 2023, found at https://zap.gov.ua/ua/news.html?_m=publications&_t=rec&id=327233&fp=10.

882 "The Zaporizhzhia Regional Prosecutor's Office summarized the work of 2022," dated 27 February 2023, found at https://zap.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=328623.

883 "Information about the results of the activities of the prosecutor's office of the Zaporizhzhia region in 2022," dated 2 February 2023, found at https://zap.gov.ua/ua/news.html?_m=publications&_t=rec&id=327233&fp=10.

884 "The work of prosecutor's offices in combating crime in wartime conditions," dated 18 October 2022, found at https://zap.gov.ua/ua/news.html?_m=publications&_t=rec&id=321547&fp=150.

885 Annex 6.

886 "Arrivals and Work: How the FLA System Works in the Hottest Spots in Ukraine," dated 13 September 2022, found at <https://minjust.gov.ua/news/ministry/priloti-i-robota-yak-pratsyue-sistema-bpd-u-naygaryachishih-tochkah-ukraini>.

887 Annex 7.

888 Annexes 8 and 9.

889 See, e.g., "From March 28, the educational process will resume online at ZNU," dated 22 March 2022, found at https://sites.znu.edu.ua/cms/index.php?action=news/view_details&news_id=56477&lang=ukr&news_code=u-znu-z-28-bereznya-vidnovlyu--tsya-osvitnij-protses-u-rezhimi-onlajn.

Court,” was a Russian, the former acting head of the Smolensk and later head of the Saratov regional courts in Russia.⁸⁹⁰

The Russian State Duma formalized this arrangement on December 20, 2022, when it approved a bill establishing five “district” courts of general jurisdiction in the captured part of the Zaporizhzhia region in the Berdyansky, Vasylivskyi, Melitopolskyi, Pologivskyi and Energodarskyi districts. Commercial disputes will be considered by the occupation “Arbitration Court of Zaporizhzhia Region,” while military justice will be handled by the “Zaporozhye Garrison Military Court.”⁸⁹¹

According to reports, another recently-passed Russian law provides that the appointment of judges to these courts will be carried out by the Higher Qualification Board of Judges of Russia on a competitive basis. The law reportedly contemplates appointing Ukrainians, thus encouraging collaboration, but also requires Russian citizenship.⁸⁹² At least two ex-judges of the Melitopol City District Court with many years of experience, both of whom resigned in 2021, joined the Regional Court. Another Ukrainian lawyer assumed the role of acting chairman of the Russian-established “Melitopol District Court.”⁸⁹³

At the same time, Putin is looking to attract Russians to fill these positions. On December 19, he signed amendments to Russian law to incentivize Russian professionals to join these courts. For working in these “adverse” conditions, Russian judges will be able to climb the career ladder faster and receive significant salary increases, making the front-line positions more attractive.⁸⁹⁴

These “courts” have begun working in the temporarily occupied portion of Zaporizhzhia Oblast. In the first two reported cases, two residents of the Vasyliv district were fined for “criticizing a special military operation” in a store, and a resident of Melitopol faces life imprisonment for reporting on the Russian military.⁸⁹⁵

Russian authorities moved quickly to fill in the ranks of this new system. They appointed a “Chief Prosecutor” for the new province, a prosecutor from the Rostov region in the Yaroslavl Oblast in the Russian Federation.⁸⁹⁶ He reportedly has appointed a deputy prosecutor from North Ossetia as his “first deputy” and an assistant prosecutor from the temporarily occupied Sevastopol as the deputy prosecutor for the Zaporizhzhia region. This report also indicates that the staff list for the Russian “prosecutor’s office” for this region contains 328 positions.⁸⁹⁷ How many Ukrainians have joined this new prosecution service is not known, though at least one Ukrainian prosecutor assigned to the Pology district prosecutor’s office went over to the side of the Russians after that area was occupied.⁸⁹⁸

890 “The Russians are preparing to launch a fake ‘justice’ system in Zaporozhye and Kherson regions,” dated 19 January 2023, found at <https://investigator.org.ua/ua/topnews/250827/>.

891 *Ibid.*

892 *Ibid.*

893 “Traitor judges from Melitopol went to work in the occupation ‘Zaporizhsky Regional Court,’” dated 21 February 2023, found at <https://investigator.org.ua/ua/news-2/251777/>.

894 “The Russians are preparing to launch a fake ‘justice’ system in Zaporozhye and Kherson regions,” dated 19 January 2023, found at <https://investigator.org.ua/ua/topnews/250827/>.

895 “Occupation ‘courts’ began to consider illegal ‘cases’ in Zaporozhye,” dated 14 February 2023, found at <https://court.investigator.org.ua/uk/2023/02/na-zaporizhzhii-pochaly-rozglyadaty-nezakonni-spravy-okupatsijni-sudy/>.

896 “The Russians brought their ‘prosecutors, to the temporarily occupied territories of Ukraine,” dated 13 November 2022, found at https://gazeta.ua/articles/np/_rosiyani-zavezli-svoyih-prokuroriv-na-timchasovo-zahopl-eni-teritoriyi-ukrayini/1120602.

897 “The Russians are preparing to launch a fake ‘justice’ system in Zaporozhye and Kherson regions,” dated 19 January 2023, found at <https://investigator.org.ua/ua/topnews/250827/>.

898 “The prosecutor in the Zaporozhye region went over to the side of the Russian Federation. He was suspected,” dated 5 November 2022, found at https://www.rbc.ua/ukr/news/prokuror-zaporizkiy-Oblasti-pereyshov-storonu-1667_658474.html.

Other legal professions are also being created in occupied Zaporizhzhia *Oblast*. The Russian Ministry of Justice has announced the creation of lawyers' chambers in the *Oblast* and claims that by the end of December, 36 people in the Zaporizhzhia region had received certificates.⁸⁹⁹

Similarly, a "Notary Chamber" has been created in the *Oblast*. Notaries from Melitopol reportedly took the oath of the notary of the Russian Federation and received the authority to carry out notarial transactions in the occupied territory such as conveying property according to Russian law.⁹⁰⁰

According to some reports, the law faculties in Melitopol evacuated to Zaporizhzhia city, with the majority of lecturers and students going with them. Russian authorities created new institutions in their place, with the rector of Melitopol State Pedagogical University named after Bohdan Khmelnytskyi joining this effort.⁹⁰¹ The Russian schools reportedly were willing to take anyone, without competition or exams, but had virtually no takers. According to these reports, young Ukrainian men were threatened that if they did not enroll, they would be conscripted and sent to fight for Russia.⁹⁰²

Ivano-Frankivsk *Oblast*



Situated in the mountainous part of western Ukraine, the *Oblast* of Ivano-Frankivsk (aka Prykarpattia) is distant from the active hostilities further east. Over the course of the last year, it has been subject to periodic missile attacks, primarily directed at military and energy infrastructure. As of January 5, 2023, 113 members of the military from the Ivano-Frankivsk community had died in the fighting.⁹⁰³

There have been no reports of damage to court buildings or injuries to court personnel in the *Oblast*, though their work often is interrupted by air raid warnings.⁹⁰⁴ At the beginning of the current hostilities, the *Oblast* had a relatively small judicial cadre of 13 second instance and 105 first instance judges.⁹⁰⁵ Some judges were lost when they went to serve in the Armed Forces or reached mandatory retirement age.⁹⁰⁶ Those lost were replaced with additional judges seconded from the east to the *Oblast*'s first instance courts.⁹⁰⁷ By the end of 2022, the courts of Ivano-Frankivsk *Oblast* had gained a net of 15 judges,⁹⁰⁸ though the Court of Appeals continued to be understaffed.⁹⁰⁹

899 "The Russians are preparing to launch a fake 'justice' system in Zaporozhye and Kherson regions," dated 19 January 2023, found at <https://investigator.org.ua/ua/topnews/250827/>.

900 "The Russians are entrenched in Zaporozhye. Russian Occupied South of Ukraine: Overview of Events for the Week, dated 5 February 2023, found at <https://investigator.org.ua/ua/war/251297/>.

901 "Universities from temporarily occupied territories are 'moving' to Zaporizhzhia," dated 29 April 2022, found at <https://suspilne.media/233905-do-zaporizza-pereizdzaut-universiteti-z-timcasovo-okupovanih-teritorij/>.

902 "90% of teachers in occupied Melitopol refuse to collaborate with Russian invaders," dated 12 September 2022, found at <https://khp.org/en/1608811492>.

903 "Maintains order: Ivano-Frankivsk during a year of full-scale war," dated 23 February 2023, found at <https://suspilne.media/367028-trimae-strij-ivano-frankivsina-vprodovz-roku-povnomasstabnoi-vijni/>.

904 "Results of the administration of justice by the general courts of the region in the first half of 2022," dated 8 August 2022, found at <https://ifa.court.gov.ua/sud4808/pres-centr/news/1304298/>.

905 Annex 1.

906 "The Court of Appeal reported on the results of operations in 2022," dated 6 February 2023, found at <https://ifa.court.gov.ua/sud4808/pres-centr/news/1378999/>.

907 "Judges were sent to local general courts of Ivano-Frankivsk region for the administration of justice," dated 15 June 2022, found at <https://if.court.gov.ua/tu09/pres-centr/news/1285297/>.

908 Annex 3.

909 *Ibid.*; "Results of the administration of justice by the general courts of the region in the first half of 2022," dated 8 August 2022, found at <https://ifa.court.gov.ua/sud4808/pres-centr/news/1304298/>.

Like several of its neighboring *Oblasts*, Ivano-Frankivsk has been impacted by an influx of IDPs and those passing through headed to the West.⁹¹⁰ Swollen by this influx, the *Oblast* has struggled to take in the migrants, offering shelter and food while they wait for hostilities to end. Yet despite this inflow, case filings in the *Oblast* dropped by about 20%.⁹¹¹

The workload of the prosecutors appears relatively unaffected by the war.⁹¹² The regional prosecutor's office remains open along with six district and ten departmental offices.⁹¹³ Ivano-Frankivsk remains a relatively safe region with one of the lowest crime rates in the country; the number of registered criminal offenses decreased by more than a quarter in 2022.⁹¹⁴

Compared to other *Oblasts*, Ivano-Frankivsk prosecutors have handled few cases related to war crimes, treason or collaboration within its borders.⁹¹⁵ Due to this relatively light load, prosecutors from Ivano-Frankivsk assisted authorities in other *Oblasts*, investigating almost 600 alleged crimes related to the Russian aggression that were committed in other regions.⁹¹⁶

Lawyers in the *Oblast* continue to work, albeit grappling with conditions created by the Russian aggression. The FLA system's legal aid centers and bureaus have been augmented by consultation centers focused on helping IDPs. The situation for the Bar, as well as the others in the Ivano-Frankivsk region, was summed up by a lawyer from the *Oblast*:

*We are in western Ukraine, so our city has not been destroyed by missiles – although we have had a few explosions and live with the constant threat of more. Our city has swelled with our compatriots who have fled from the east; we do our best to make life as comfortable as possible for them. Many of our men are away in the military. Our small businesses are trying desperately to stay afloat. The fuel crisis means we cannot operate our vehicles. This gets in the way of the most banal of daily tasks – a sign of how dependent we have become on the toxic substance that fuels the war.*⁹¹⁷

Kyiv Oblast



Perhaps the most iconic images arising thus far from Russia's invasion of Ukraine come from the *Oblast* of Kyiv. Names like Bucha and Irpin, little known outside Ukraine prior to February 24, 2022 are now indelible parts of history. Often referred to as suburbs of Kyiv, these communities lie in the large *Oblast* that surrounds the city of Kyiv, which is a separate administrative area comparable to – but different than – the 24 *Oblasts* that comprise the rest of the country.

910 See Baseline Report, p. 3; “The towns in western Ukraine making extraordinary efforts to host internally displaced people,” dated 17 April 2022, found at <https://inews.co.uk/news/world/the-towns-in-western-ukraine-making-extraordinary-efforts-to-host-internally-displaced-people-1580549>.

911 “Review of data on the state of administration of justice by local general courts of Ivano-Frankivsk region for 2022,” dated 20 February 2023, found at <https://if.court.gov.ua/tu09/pres-centr/news/1387086/>.

912 See website of Ivano-Frankivsk Region Prosecutor's Office, found at <https://ifr.gp.gov.ua/ua/news.html?fp=0>.

913 Annex 5.

914 “Ivano-Frankivsk region has the lowest crime rate in Ukraine,” dated 28 July 2022, found at <https://galychyna.if.ua/2022/07/28/na-ivano-frankivshhini-naynizhchiy-riven-zlochinnosti-v-ukrayini/>.

915 “Review of data on the state of administration of justice by local general courts of Ivano-Frankivsk region for 2022,” dated 20 February 2023, found at <https://if.court.gov.ua/tu09/pres-centr/news/1387086/>.

916 “Ivano-Frankivsk region has the lowest crime rate in Ukraine,” dated 28 July 2022, found at <https://galychyna.if.ua/2022/07/28/na-ivano-frankivshhini-naynizhchiy-riven-zlochinnosti-v-ukrayini/>.

917 “The War on My Homeland Offers a Real Chance to Save the Planet,” dated 26 May 2022, found at <https://www.thenation.com/article/environment/ukraine-war-climate-fossil-fuel/>.

The Kyiv *Oblast* stretches north from the city to the border with Belarus, and in theory provided a direct pathway for Russian forces from that border to the capital. As the world saw, that strategy proved to be poorly chosen. Ukrainian forces mounted a fierce defense in the Kyiv *Oblast* along the northern and western outskirts of the city. For over a month, heavy fighting occurred in several communities in the *Oblast* with first instance courts. In some areas, court staff continued to work during the hostilities to save and protect court documents and files.⁹¹⁸

Remarkably, damage has been reported at only three of the *Oblast*'s 28 local first instance courts.⁹¹⁹ Early in the invasion, the territorial jurisdictions of four courts were transferred to other courts in the *Oblast*.⁹²⁰ During this period, the territorial jurisdictions of nine courts from other *Oblasts* also were transferred to courts further to the south in Kyiv *Oblast*.⁹²¹

The transferred territorial jurisdictions of three Kyiv *Oblast* courts were restored within a few weeks,⁹²² though the fourth remained closed until mid-July 2022 due to the destruction of its court building.⁹²³ Repair efforts are underway to restore all of the courts to their original capacity.⁹²⁴ Some of the burden was eased when the Kyiv *Oblast* courts were relieved of responsibility for most of the outside courts whose jurisdictions had been transferred to them.⁹²⁵

Prior to February 24, 192 judges were assigned to work in the *Oblast*. Like most *Oblasts* in Ukraine, this fell significantly short of the 263 judicial positions authorized for the region.⁹²⁶ When Russian forces attacked, first instance judges in Kyiv *Oblast*⁹²⁷ faced the same difficulties as the judges in other *Oblasts* subject to active hostilities. During the hostilities, the courts in the *Oblast* attempted to operate, though wartime conditions often made it difficult to conduct court business.⁹²⁸

The experience of the first instance court in Markiv illustrates these difficulties.⁹²⁹ Markiv and the vicinity were the scene of active fighting from the beginning of the war, with enemy troops seeking to advance and heavy shelling across the area. The Court closed almost immediately on February 25, with the head of the court copying the database on a flash drive. Many homes were destroyed and some employees, particularly those with small children, immediately left. A number, however, remained in the city and tried to provide information on enemy troop movements.⁹³⁰

918 "How he survived the occupation and resumed the work of the Makariv district court of the Kiev region after his release," dated 21 June 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1287076/>.

919 Annex 1. See, e.g., "Ivanka stood! Stood and district court," dated 16 April 2022, found at <https://ko.court.gov.ua/tu10/pres-centr/news/1268729/>.

920 Decree No. 1/0/9-22, dated 6 March 2022.

921 Annex 2.

922 Order Nos. 18/0/9-22, dated of 21 April 2022, 28/0/9-22, dated 5 May 2022, and 30/0/9-22, dated 19 May 2022.

923 See SJA Report; "Territorial jurisdiction of court cases of the Borodyan District Court of the Kyiv Region has been restored," dated 12 July 2022, found at <https://supreme.court.gov.ua/supreme/pres-centr/news/1294662>.

924 "We bring the Irpin City Court of Kyiv region in order," dated 8 April 2022, found at <https://ko.court.gov.ua/tu10/pres-centr/news/1267533/>; "Borodianka was visited by the Head of the Kyiv Court of Appeal," dated 21 April 2022, found at <https://ko.court.gov.ua/tu10/pres-centr/news/1270167/>; "The leadership of the territorial administration took part in the meeting of the Buchan district council," dated 27 May 2022, found at <https://ko.court.gov.ua/tu10/pres-centr/news/1278611/>; "An on-site meeting of the working group on ensuring adequate financing of the judiciary was held in Kyiv region," dated 16 February 2023, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1383954/>; "USAID program 'Justice for All,'" dated 3 March 2023, found at <https://ip.ko.court.gov.ua/sud1013/pres-centr/news/1390230/>.

925 Annex 2.

926 Annex 3.

927 Kyiv *Oblast* has no second instance court. Appeals for the *Oblast*'s first instance courts are heard by the Kyiv City Court of Appeals.

928 See, e.g., "Participation of judges of the eastern front in national resistance during martial law in Ukraine," dated 22 March 2022, found at <https://ko.court.gov.ua/tu10/pres-centr/news/1264255/>.

929 For an account of the experience of another court in Kyiv *Oblast*, see "Courts in the conditions of war: a difficult history in the occupation, liberation and quick restoration of the work of the Irpinsky City Court of the Kyiv region," dated 28 July 2022, found at https://dsa.court.gov.ua/dsa/inshe/courts_work_war/1301023/.

930 "How the Makariv District Court of the Kyiv Region survived the occupation and resumed its work after liberation," dated 21 June 2022, found at https://dsa.court.gov.ua/dsa/inshe/courts_work_war/1286588/.

On March 6, the court's territorial jurisdiction was transferred to a court in Zhytomyr *Oblast*. Lack of communications left court personnel in the dark about the whereabouts of colleagues and the condition of the court building. After Russian forces retreated in early April, the process of restoring court operations began. Employees were not able to immediately return to the court's offices until the demining process was completed. When they were allowed back, they bought plastic sheeting, covered windows blown out by nearby shelling, and started cleaning the inside of the building. Electricity and Internet access were restored, and databases on the server were updated. On May 6, the territorial jurisdiction of the Makariv court was restored and it resumed operations.⁹³¹

When the Russians attacked Ukraine's energy infrastructure in the autumn and winter of 2022, courts in the Kyiv *Oblast* endured similar issues with power and heat as other regions. Like many of those courts, they "made do." For example, the Vyshgorod District Court set up public charging stations on the court's premises for citizens to charge their phones.⁹³²

Yet despite these hardships, the Kyiv *Oblast* became home to a massive number of IDPs, both from within the region and from *Oblasts* further east. At one point, there were over 300,000 IDPs registered in the *Oblast*, second in number to only Kharkiv.⁹³³ Though judges seconded from courts in those regions added a net of 13 judges to Kyiv *Oblast*'s courts by the end of 2022, the latter remained understaffed according to the Council of Judges' calculations.⁹³⁴

Prior to February 24, there were eight district prosecutor's offices in the Kyiv *Oblast*.⁹³⁵ No reports have been received about damage to prosecutor's offices. Remarkably, minor damage was reported to only one of those offices.⁹³⁶ After the Russian forces withdrew, much of the prosecutors' activity focused on reports of numerous atrocities in the area during the period of Russian occupation.⁹³⁷ While the number of alleged crimes is staggering, one statistic is emblematic: as of late January 2023, prosecutors had identified 52 cases of sexual violence allegedly committed by Russian military personnel during the occupation (the second most of any *Oblast* in Ukraine), though the actual number is likely considerably higher.⁹³⁸

The pre-war Bar in the Kyiv *Oblast* was the largest in the country, with a membership of roughly 9,000 *advokats*.⁹³⁹ Many fled the hostilities, and an unspecified number enlisted in the Armed Forces.⁹⁴⁰ Numerous *advokats* had homes damaged or destroyed,⁹⁴¹ and at least one was killed by Russian attacks.⁹⁴²

931 *Ibid.*

932 "Attention residents of the Vyshgorod urban territorial community and court visitors!" dated 2 November 2022, found at <https://vsh.ko.court.gov.ua/sud1009/presscentr/1/1341378/>.

933 Baseline Report, p. 3.

934 Annex 3.

935 Annex 4. There may have been departmental prosecutor's offices in the *Oblast*, but complete information is not available.

936 Annex 4.

937 See "News and publications - Kyiv Regional Prosecutor's Office," found at https://kobl.gp.gov.ua/ua/news.html?_m=publications&_t=cat&id=100448.

938 "The Prosecutor's Office and the National Police have already recorded 155 cases of sexual violence, the most - in Kherson and Kyiv regions," dated 1 February 2023, found at <https://gp.gov.ua/ua/posts/prokuratura-ta-nacpoliciya-zafiksuvalli-vze-155-vipadkiv-seksualnogo-nasilstva-naibilse-na-xersonshhini-ta-kiyivshhini>. Prosecutors believe that the number of cases of sexual violence committed by the Russian military is much higher since these totals reflect only the number of cases where the victims are ready to testify.

939 Annex 6.

940 "Twice defenders. Both lawyers and soldiers are bringing victory closer together - a meeting with representatives of the 114th Brigade took place in the Council of Advocates of the Kyiv region," dated 17 June 2022, found at <https://Radako.com.ua/news/dvichi-zahisniki-i-advokati-i-voyini-razom-nablizhayut-peremogu-v-radi-advokativ-kiyivskoyi>; "Heroes among us. Lawyer Andrey Bevez destroyed the military equipment of the occupiers on the approaches to Kiev," dated 1 March 2022, found at <https://Radako.com.ua/news/geroyi-sered-nas-advokat-andriy-bevez-znishchiv-viyskovu-tehniku-okupantiv-na-pidstupah-do>.

941 "During the war, the Bar Council of Kyiv region allocated financial assistance for 28 lawyers," dated 1 July 2022, found at <https://Radako.com.ua/news/yuridichni-novini-ukrayini>.

942 "In Kiev during the rocket attack killed lawyer Alexei Nikitin," dated 27 June 2022, found at <https://Radako.com.ua/news/ukievi-pid-chas-raketnogo-obstrilu-zaginuv-advokat-oleksiy-nikitin>.

With the withdrawal of Russian forces, some *advokats* began to return, and the Bar began to resume normal operations.⁹⁴³ At the same time, *advokats* began working to assist local residents that suffered during the Russian occupation.⁹⁴⁴ While the region faces the specter of new Russian attacks, the justice system in the Kyiv *Oblast* has generally resumed a somewhat normal routine. Notaries, many of whom ceased working during the Russian attacks and occupation, also returned in substantial numbers after Russian forces left.⁹⁴⁵

The *Oblast's* largest law faculty at the Ministry of Finance's State Tax University suffered significant damage during the Russian occupation of Irpin. Russian forces shelled the university with tank fire, rockets, and artillery, damaging and almost destroying the main building. Russians used the building housing the law faculty as their headquarters for interrogating prisoners. Civilian residents of the city lived in the institution's buildings, and after Russian forces retreated, used them as a humanitarian headquarters where food and medicine were prepared and distributed.⁹⁴⁶

Kirovohrad *Oblast*⁹⁴⁷



Lying in the heart of central Ukraine, the *Oblast* of Kirovohrad thus far has been largely shielded by the natural barrier of the Dnieper River from ground assaults by Russian forces. Though struck more than 17 times by 50 different missiles,⁹⁴⁸ the *Oblast* has been spared the destruction visited on areas to the north, east and south. At the same time, Kirovohrad *Oblast* has been a transit point for hundreds of thousands of refugees fleeing from those regions.⁹⁴⁹

In late March 2022, the government announced that “The territorial department of the State Judicial Administration of Ukraine in Kirovohrad region operates normally.”⁹⁵⁰ No courts in the *Oblast* reported physical damage; none have had their territorial jurisdiction transferred to another court based on the hostilities. One court in the *Oblast* did take on additional work when it assumed the territorial jurisdiction of a court from Mykolayiv *Oblast*, though that court's jurisdiction was restored in early April 2023.⁹⁵¹

By all accounts the first instance courts and the court of appeals in Kirovohrad *Oblast* have continued to function throughout the war. However, the number of cases filed in 2022 decreased. For example, in the Malovyshivsky District Court, the number of criminal and civil

943 “From June 8, 2022, the acceptance of documents for internships for persons who passed the lawyer's exam is resumed,” dated 3 June 2022, found at <https://Radako.com.ua/news/z-8-cherwnya-2022-roku-vidnovlyuetsya-priym-annya-dokumntiv-na-stazhuvannya-dlya-osib-yaki>.

944 “The new ‘military’ committee of the Council of Advocates of the Kiev region. First results,” dated 27 April 2022, found at <https://Radako.com.ua/news/noviy-voiennyi-komitet-radi-advokativ-kiyivskoyi-Oblasti-pershii-rezultati-foto#/o>; “The profile committee of RAKO and RSA of Podilskyi district of the capital created a joint working group to document war crimes,” dated 2 May 2022, found at <https://Radako.com.ua/news/profilniy-komitet-rako-ta-rda-podil-skogo-rayonu-stolici-stvorili-spilnu-rob-ochu-grupu-dlya>.

945 Annex 7.

946 “They organized the headquarters and kept the prisoners: how the tax university in Irpen was under occupation,” dated 19 April 2022, found at <https://fakty.com.ua/ua/ukraine/20220419-organizuvaly-shtab-i-trymaly-polonenyh-yak-podatkovyj-universytet-v-irpeni-buv-pid-okupacziyeyu/>; “The Tax University in Irpen will be restored after the occupation: tenders have been announced,” dated 14 July 2022, found at <https://bigkyiv.com.ua/podatkovyj-universytet-v-irpeni-vidnovlyuvatymut-pislya-okupacziyi-ogolosheno-tendery/>.

947 In 2019, the Constitutional Court approved the change of the *Oblast's* name to Kropyvnytskyi *Oblast* or Kropyvnychchyna. The change is not yet implemented.

948 “‘Of course, personnel decisions will be made,’ said the new head of the Prosecutor's Office of Kirovohrad *Oblast*,” dated 1 March 2023, found at <https://suspilne.media/401129-bezumovno-kadrovi-risenna-budut-novij-keri-vnik-prokuraturi-kirovogradsini/>.

949 See “From Siege to Sanctuary,” dated 8 March 2022, found at <https://foreignpolicy.com/2022/03/08/ukraine-refugees-sanctuary/>.

950 “Territorial management operates normally,” dated 28 March 2022, found at <https://kr.court.gov.ua/tu12/pres-centr/news/1261944/>.

951 Annex 2.

cases decreased respectively by 20% and 30%.⁹⁵² Moreover, since there have been no active hostilities within the *Oblast*, few war-related cases have been brought before the courts.⁹⁵³

At the start of the war, 132 judges were assigned to courts in the *Oblast*.⁹⁵⁴ Some judges and court staff enlisted,⁹⁵⁵ others left, and by the end of 2022, the number of judges working in the *Oblast* had been reduced by nine. This left the courts with less than 65% of its authorized number of judges, though with almost exactly the number needed according to the statistical calculations used by the Council of Judges.⁹⁵⁶

Yet even here, pre-invasion problems continue to plague the system. For example, the Ustiniv District Court was authorized to have three judges, but two positions were vacant. In September 2021, the five-year term expired for the remaining judge in the district, and he was no longer authorized to administer justice. While the District Court remained open, it was unable to consider cases. Instead, cases were sent to the Kirovohrad Court of Appeal which either assigned them to other courts in the region or kept them in the court office until the appointment or secondment of judges to the Ustiniv Court.⁹⁵⁷ Similarly, corruption issues continue to arise: in January 2023, NABU and SAPO indicted the head of another Kirovohrad *Oblast* district court for alleged bribery.⁹⁵⁸

The five district and 14 departmental prosecutor's offices in the *Oblast* continue to operate, albeit with a different emphasis.⁹⁵⁹ On February 24, 2022, after receiving word of the Russian attack, the regional prosecutor's office moved the files of all criminal proceedings to another *Oblast*. For several months thereafter, the overall number of cases heard in court decreased, in part because the lack of fuel kept people from getting to court. Later, constant air alarms and the threat of rocket fire frightened citizens and forced proceedings to be postponed.⁹⁶⁰

Prosecutors in Kirovohrad *Oblast* now find themselves involved with cases involving war-related offenses. In 2021, prosecutors investigated 92 such allegations, but by the end of 2022, they had handled 811 of these cases.⁹⁶¹ The *Oblast's* prosecutors consider the investigation of war crimes to be their priority, and investigate all cases involving rocket attacks, damage to civilian infrastructure, and the killing of civilians, as well as treason and collaboration. At the same time, given their distance from the hostilities, they also help colleagues from neighboring regions investigate such matters.⁹⁶² And, given the agricultural nature of the *Oblast*, prosecutors continue to handle cases relating to land agrarian issues.⁹⁶³

952 "Review of judicial statistics data on the state of administration of justice for 2022," dated 16 February 2023, found at <https://mv.kr.court.gov.ua/sud1112/pres-centr/news5/1383350/>.

953 See "News and publications - Kirovohrad Regional Prosecutor's Office," found at <https://kir.gp.gov.ua/ua/news.html>.

954 Annex 1.

955 "Eternal glory to The Hero!" dated 16 March 2022, found at <https://kr.kr.court.gov.ua/sud1109/pres-centr/news/1263448/>.

956 Annex 3.

957 "We remind you that from September 24, 2021, the Ustiniv District Court of the Kirovohrad Region stopped considering cases and materials received by the court," dated 16 January 2023, found at <https://us.kr.court.gov.ua/sud1123/pres-centr/1/1370267/>.

958 "Kropyvnytskyi judge case goes to court," dated 13 February 2023, found at <https://nabu.gov.ua/en/novyny/kropyvnytskyi-judge-case-goes-court>.

959 Annex 5.

960 "How the 'war department' of the prosecutor's office of the Kirovohrad region worked during the year of the full-scale invasion of the enemy," dated 14 March 2023, found at <https://gre4ka.info/statti/73306-yak-pratsiuuvav-viddil-viiny-prokuratury-kirovohradshchyny-protiahom-roku-povnomasshtabnoho-vtorhennia-voroha>.

961 *Ibid.*

962 *Ibid.*; "They are suspected of treason. An ex-prosecutor from the Luhansk region is being tried *in absentia* in Kropyvnytskyi," dated 22 February 2023, found at <https://suspilne.media/393734-u-kropivnickomu-zaocno-sudat-eksprokurorku-z-lugansini-aku-pidozruut-u-derzavnij-zradi/>.

963 "'Of course, personnel decisions will be made,' said the new head of the Prosecutor's Office of Kirovohrad *Oblast*," dated 1 March 2023, found at <https://suspilne.media/401129-bezumovno-kadrovi-risenna-budut-novij-keriv-nik-prokuraturi-kirovogradsini/>.

But the prosecutors in the *Oblast* continue to be touched by scandal. The regional prosecutor for Kirovohrad *Oblast* was one of five replaced by the Prosecutor General for unexplained reasons in January 2023.⁹⁶⁴ A deputy prosecutor in the region also was detained on suspicion of extorting a bribe.⁹⁶⁵

Though information is sparse, the Bar Council in Kirovohrad *Oblast* ostensibly is operating on a “business as usual” basis.⁹⁶⁶ Similarly, notaries continue to work in the *Oblast* in about the same numbers as prior to the invasion.⁹⁶⁷ The number of notarial acts decreased slightly, but the mix of business shifted. The demand for registration of inheritance for housing increased, especially in rural areas, due to the settlement of IDPs in houses and apartments that remained undocumented for a long time after the death of their owners. Since Kirovohrad *Oblast* is an agrarian area, the registration of inheritance for agricultural land remains a priority.⁹⁶⁸

While the number of wills being registered has not materially changed, the average age of the testators has dropped as more young people decide to prepare a will. On the other hand, the destruction of the country’s economy caused the certification of contracts for the alienation of housing and agricultural land to significantly decrease compared to previous years.⁹⁶⁹

Notaries have also seen an increase in the number of citizens seeking advice on inheritance rights in the annexed, occupied territories, as well as in the territories involved in active hostilities. Similarly, notaries have found themselves involved in more telephone consultations, particularly with citizens who left the country and who are seeking assistance with apostilles and the translation of documents issued in Ukraine to be used in other countries.⁹⁷⁰

Luhansk *Oblast*



Like Donetsk, the *Oblast* of Luhansk first came under attack in 2014 from Russian-controlled forces who ultimately occupied the southern half of the *Oblast*’s territory. The impact of these hostilities prompted most courts and prosecutors’ offices in those areas to cease operations.⁹⁷¹ At the same time, the Luhansk People’s Republic (LPR) began assert administrative hegemony over the Russian-controlled territory, and “cleansing” it of Ukrainian influence and culture.

Due to this initial Russian invasion, the territorial jurisdictions of 16 first instance courts in Luhansk *Oblast* were transferred to other courts in the *Oblast* in September 2014.⁹⁷² A month later, the Luhansk Court of Appeals was transferred to Severodonetsk.⁹⁷³ The same day, the Luhansk Commercial Court was transferred to Kharkiv⁹⁷⁴ and the Luhansk Administrative Court

964 “Five heads of regional prosecutor’s offices were dismissed,” dated 25 January 2023, found at https://www.gp.gov.ua/ua/posts/zvilnenno-z-posad-pyat-kerivnikiv-oblasnix-prokuratur?fbclid=IwAR0baoGiRRm_QxkyrZATlbnq6aUQrvmq3ar8SqP8Jy-sWAUb3_4GW17wffzY.

965 “In Kropyvnytskyi, the deputy prosecutor of the region was detained on suspicion of extorting a bribe,” dated 27 October 2022, found at <https://www.kypur.net/u-kropyvnyczikomu-zatrymaly-zastupnyka-prokurora-Oblasti-za-pidozroyu-u-vymagan-ni-75-tys-dolariv-habarya-foto/>.

966 “Up-To-Date Information for Regional Lawyers,” dated 25 February 2022, found at <http://www.advRada.kr.ua/adv.html>.

967 Annex 7.

968 “Notary of Kirovohrad Region Under Martial Law,” *Notary of Ukraine*, No. 3-4 (46-47), p. 16 (2022).

969 *Ibid.*

970 *Ibid.*

971 Kuibida, p. 2.

972 Decree No. 2710/38-14, dated 2 September 2014, found at https://zap.gp.gov.ua/ua/news.html?_m=publications&t=rec&id=313864&fp=30.

973 Decree No. 867/2015, dated 12 November 2014. Initially, the Court of Appeals was transferred to Kharkiv, but shortly thereafter it was reassigned to Severodonetsk.

974 *Ibid.*

was moved to Kramatorsk.⁹⁷⁵ These transfers generally remained in place until February 2022, though the territorial jurisdiction of at least one court in the *Oblast* was restored.⁹⁷⁶

In the temporarily occupied territory, the LPR established its own military court system. These “courts” were ineffective, and by October 2014, vigilante justice surfaced when some accused individuals were tried in a public forum with decisions made by a show of hands from the local population.⁹⁷⁷ Over time, the LPR sought to establish a system of “ordinary” courts, including 16 first instance courts. One report indicated that at the end of 2018, the LPR’s “judiciary” was comprised of 78 individuals, including 32 defecting Ukrainian judges.⁹⁷⁸

In the areas in the Luhansk *Oblast* where Ukraine retained control, 15 first instance courts continued to function, including asserting the territorial jurisdictions of the “transferred” courts. Thus, the Ukrainian legal system not only continued to operate in the areas of the *Oblast* under Ukrainian control, but also nominally maintained the displaced structures from the “temporarily occupied areas” in the region. The result was two legal systems asserting jurisdiction over the same territory and citizens.

Courts near the shifting frontlines, in particular, faced numerous risks to their personnel, records, and facilities, often with little security. Many judges and staff in these remaining Ukrainian courts faced threats of violence, especially in criminal proceedings, against themselves and their families.⁹⁷⁹

Prosecutors faced a similar situation. Mirroring the courts, when the situation stabilized after 2014, there were five district and ten departmental prosecutor’s offices in the government-controlled areas of the Luhansk *Oblast*.⁹⁸⁰ Like the judges, these prosecutors faced risks and intimidation, and decisions about whether to leave or stay in this frontier area.

The Russian aggression beginning in February 2022 dramatically changed that status quo. Though the Russian advance in Luhansk *Oblast* was slower than elsewhere in Ukraine, the results were often more devastating. Courts near the front lines came under heavy fire, and most temporarily suspended operations. Books and personal files were distributed to all court employees, who collected the most important documents and removed them from court buildings. Within days, electrical power disappeared, making it impossible to work. Evacuation was difficult, but some courts began to set up for remote work outside the *Oblast*.

As Russian forces continued to slowly grind their way westward, this scene was replayed in the various courts in the *Oblast*. Within the first two weeks, the territorial jurisdictions of the remaining 15 Ukrainian first instance courts inside the *Oblast*, plus the Luhansk Court of Appeal in Severodonetsk, were transferred to courts in the Dnipropetrovsk *Oblast*.⁹⁸¹ These courts also had assumed the territorial jurisdictions of 16 other first instance courts in the *Oblast* in 2014, so the 2022 transfers effectively moved the entirety of the Luhansk *Oblast* judicial system to Dnipropetrovsk *Oblast*, and ended the Ukrainian courts’ minimal ability to dispense justice in that region.⁹⁸²

975 Decree No. 867/2014, dated 12 November 2014.

976 Decree, dated 13 November 2020.

977 Kuibida, p. 14.

978 *Ibid.*

979 Kuibida, p. 12.

980 Annex 4.

981 Decree No. 1/0/9-22, dated 6 March 2022.

982 Annex 3.

However, though the local courts closed and the staff evacuated, the territorial jurisdictions of the Luhansk *Oblast* Administrative and Commercial Courts were not transferred. Instead, those courts kept working remotely.⁹⁸³ For example, the Administrative Court had been scanning case materials and attaching electronic copies to the “Electronic Court” system since 2018 and was effectively paperless. With its materials available in electronic form, that court was able to accept claims, receive e-mail, and consider court cases from Luhansk while working remotely from offices in Dnipro.⁹⁸⁴ The Luhansk Commercial Court, which had been transferred to Kharkiv in 2014, followed a similar pattern.⁹⁸⁵

But the activities of these courts were the exceptions. The remainder of the Luhansk *Oblast* judiciary was idled, so the authorities in Kyiv opened the way for judges from the region to seek reassignment to courts outside the war zone. Under this procedure, Luhansk judges could be “seconded” to courts in western Ukraine on “business trips.” All of the Luhansk *Oblast* Court of Appeals’ judges were seconded to other courts.⁹⁸⁶ Precisely how many first instance judges from Luhansk applied for and were moved to other courts is unclear, but as of August 22, 2022, a total 343 first and second instance judges from Kherson, Donetsk, Luhansk, Mykolayiv and Kharkiv *Oblasts* had been temporarily seconded.⁹⁸⁷

No official information has been published concerning the situations of the judges, court staff, and their families from Luhansk *Oblast* after the most recent Russian attacks. Information on the SJA’s website for Luhansk *Oblast* simply reads:

In order to prevent threats to the life and health of judges and participants in the trial during martial law, access is temporarily suspended.

*Courts administer justice in an uninterrupted manner in the absence of a threat to the life and health of the participants in the case.*⁹⁸⁸

By the end of 2022, only 31 judges were still listed as working in the courts of Luhansk *Oblast*, down from 122 before the expanded Russian invasion. All of those judges were working in the Luhansk *Oblast* Administrative and Commercial Courts which were operating remotely.⁹⁸⁹

Though the Russian attacks in 2022 succeeded in occupying virtually the entire territory of Luhansk *Oblast*, by October 2022 Ukrainian troops liberated a few settlements on its western border. At this writing, fierce fighting continues along the *Oblast*’s western border, and no effort has been made to reestablish any courts in the *Oblast*.

While the courts are closed, prosecutors assigned to Luhansk *Oblast* remain active. All 35 buildings used by those prosecutors are in temporarily occupied areas and are shut down.⁹⁹⁰ However, it appears that the prosecutorial teams continue to work. The Luhansk Regional Prosecutor’s Office moved to Kamianske in Dnipropetrovsk *Oblast* and continued operations, primarily working on cases involving war crimes, treason, and collaboration.⁹⁹¹ At least some

983 See “Commercial Court of Luhansk *Oblast*,” found at <https://lg.arbitr.gov.ua/sud5014/>; and “Luhansk District Administrative Court,” found at <https://adm.lg.court.gov.ua/sud1270/>.

984 “Courts in conditions of war: The experience of setting up remote work of the Luhansk District Administrative Court,” dated 4 November 2022, found at <https://court.gov.ua/press/news/1342351/>.

985 “Economic Court of Luhansk region Informs,” dated 24 June 2022, found at <https://lg.arbitr.gov.ua/sud5014/pres-centr/news/1288942/>.

986 “Even in difficult times for the country, we must develop and continue reforming the judicial system – Chairman of the Supreme Court,” dated 15 September 2022, found at <https://court.gov.ua/press/news/1320074/>.

987 “343 judges have already been transferred from the regions of hostilities to other courts – the Supreme Court,” dated 23 August 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1310478/>.

988 Territorial Department of the State Judicial Administration of Ukraine in Luhansk *Oblast*, found at https://lg.court.gov.ua/tu13/pro_tu/21/.

989 Annex 3.

990 Information provided by Office of the Prosecutor General of Ukraine as of December 5, 2022.

991 “Konstantin Karaman: No war criminal will escape punishment,” dated 6 December 2022, found at https://lug.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=323991.

district prosecutors and their colleagues also apparently continue to pursue cases from offices outside the *Oblast*.⁹⁹²

Prosecutors assigned to the *Oblast* aggressively investigate and bring charges – usually *in absentia* – related to the war, though their indictments now typically are brought in a distant court which has assumed territorial jurisdiction over the area in Luhansk *Oblast* where the crime occurred. The *Oblast*'s remaining prosecutors ranked second in Ukraine in 2022 in the number of indictments based on investigations by SBU investigators, and first in Ukraine in terms of the number of indictments against Russian military personnel relating to war crimes.⁹⁹³

Similarly, prosecutors assigned to Luhansk *Oblast* aggressively pursue cases against alleged LPR collaborators for treason and other crimes against the Ukrainian state, ranking third in terms of the number of collaborators prosecuted.⁹⁹⁴ For example, Ukrainian prosecutors in Luhansk have been identifying and charging former Ukrainian judges and prosecutors who have taken positions in the LPR.⁹⁹⁵ While these defendants are seldom apprehended, the prosecutions are a way of demonstrating Ukraine's resolve to punish those who have taken part in the Russian aggression.⁹⁹⁶

The situation took a new twist in late 2022 when the Russian Federation announced its annexation of Luhansk along with three other *Oblasts*. On November 7, the Russians appointed a former Russian prosecutor from the Republic of Dagestan, as "Chief Prosecutor" for the newly minted Russian province.⁹⁹⁷ According to reports, the new prosecutor is an associate of the leader of Chechnya, whose forces are fighting in the Donbas, and brought a team of Russian prosecutors with him to his new position.⁹⁹⁸

The offices of the Luhansk *Oblast* Bar Council headquartered in Severodonetsk appear to be closed, as that city fell to Russian forces. Though no data is available, it appears that many of the lawyers from the *Oblast* fled west, with some going to work for the expanded FLA network.⁹⁹⁹ It also appears that the *Oblast*'s Bar Council continues to function remotely, collecting dues, adding new members, and holding occasional webinars for its members.¹⁰⁰⁰ Other reports suggest that the *Oblast*'s Bar Council does little to assist its members who fled the occupied areas.¹⁰⁰¹

992 See, e.g., "In Luhansk region, two law enforcement officers were exposed," dated 24 March 2023, found at https://lug.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=330342&fp=50; "Two pseudo-law enforcement officers from Luhansk region were exposed," dated 20 February 2023, found at https://lug.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328287&fp=90.

993 "Konstantin Karaman: No war criminal will escape punishment," dated 6 December 2022, found at https://lug.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=323991.

994 *Ibid.*

995 "The Prosecutor's Office submitted to the court the materials of the prosecution against two collaborators – pseudo-heads of the 'prosecutor's offices' in Luhansk region," dated 2 November 2022, found at https://lug.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=322349&fp=40.

996 See, e.g., "The head of the district court from Luhansk Region faces life imprisonment," dated 9 February 2023, found at https://lug.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327720; "The head of the occupying 'prosecution office of the Stanichno-Luhansk district of the LPR' will be tried," dated 15 February 2023, found at https://lug.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328025&fp=30; "They are suspected of treason. An ex-prosecutor from the Luhansk region is being tried *in absentia* in Kropyvnytskyi," dated 22 February 2023, found at <https://suspilne.media/393734-u-kropivnick-omu-zaocno-sudat-eksprokurorku-z-lugansini-aku-pidozruut-u-derzavnij-zradi/>.

997 "The Russians brought their 'prosecutors' to the temporarily occupied territories of Ukraine," dated 13 November 2022, found at https://gazeta.ua/articles/np/_rosiyani-zavezli-svoyih-prokuroriv-na-timchasovo-zahopleni-teritoriyi-ukrayini/1120602.

998 "Kadyrov's fighters are increasing their influence on Donbas and taking property to Chechnya," dated 18 November 2022, found at <https://www.nta.ua/bojovyky-kadyrova-poslyuyut-vplyv-na-donbas-i-vyvozyat-majno-do-chechni/>.

999 "A meeting with lawyers joining the BPD system took place in Dnipro," dated 14 December 2023, found at <https://legalaid.gov.ua/novyny/zustrich-z-advokatamy-shho-doluchayutsya-do-roboty-u-systemi-bpd-vidbulasya-u-dnipri/>.

1000 See "Luhansk *Oblast* Bar Council," found at <https://www.facebook.com/groups/1941215132623294>.

1001 "Advocates Report under occupation: Situation with observing the advocates' rights in the context of the armed conflict in Ukraine," p. 44, dated 2018, found at https://www.helsinki.org.ua/wp-content/uploads/2019/04/Report_Advocates_under_occupation-Engl.pdf.

Notaries faced a similar situation. Many fled to the west and are no longer registered in Luhansk. Notaries who remained in Luhansk *Oblast*, with a few exceptions, were prohibited from performing notarial acts¹⁰⁰² and none have access to the state registers.¹⁰⁰³

As previously discussed, the largest remaining law faculty left in the *Oblast* after 2014 – Luhansk State University of Internal Affairs named after E.O. Didorenko based in Severodonetsk – was initially evacuated to Dnipro, but then announced that it was moving to Volyn.¹⁰⁰⁴ Eventually, it moved to the city of Ivano–Frankivsk,¹⁰⁰⁵ only to later be merged with the Donetsk State University of Internal Affairs.¹⁰⁰⁶ All of its master’s students¹⁰⁰⁷ and a majority of its bachelor’s enrollees¹⁰⁰⁸ are now correspondence students.

Lviv *Oblast*



A story often repeated in Lviv reprises an apocryphal conversation between a youngster and an old man. The latter regaled the young person with his exploits in Ukraine, Russia, Poland, Germany, and the Soviet Union. The awe-struck youth commented, “You have travelled a great deal!” The elderly gentleman smiled and replied, “No, I’ve never left Lviv.” Echoes of this history are finding their way into events in the modern-day *Oblast*.

On Ukraine’s far western border with Poland, the *Oblast* of Lviv is one of the cultural centers of the country. After the Russian invasion of February 24, 2022, it also became a primary connection between Ukraine and the West. Though far from the front lines, Russia frequently launched missile strikes at infrastructure in the *Oblast*, bringing the sounds of the hostilities home to its residents and the hundreds of thousands of refugees who have fled to or passed through Lviv to the West.

As the largest city in western Ukraine, Lviv is home to not only *Oblast* courts, but also two regional, specialized courts: the Western Commercial Court of Appeals and the Eighth Administrative Court of Appeals. When combined with the *Oblast*’s 29 first instance courts and its own “ordinary” court of appeal, Lviv *Oblast* had 247 judges assigned to it prior to February 24, 2020.¹⁰⁰⁹

Relative to many other courts in the country, the war has caused minimal disruption to the courts in the *Oblast*. For example, the Lviv *Oblast* has seen no transfers of territorial jurisdiction either from or to its courts. All the courts remain open and operating.¹⁰¹⁰ While the courts in the *Oblast* now are seeing cases relating to wartime offenses, the case mix still remains relatively unchanged.

¹⁰⁰² “Notaries of Swativ district. Where to find them and what services you can get,” dated 8 February 2023, found at <https://svatove.city/articles/264851/notariusi-svativskogo-rajonu-de-ih-znajti-ta-yaki-poslugi-mozhna-otrimati>.

¹⁰⁰³ Annex 7.

¹⁰⁰⁴ “The University of Internal Affairs from Luhansk *Oblast* is moving to Volyn,” dated 22 April 2022, found at <https://www.volynnews.com/news/all/na-volyn-pereyizhdzhaye-universytet-vnutrishnikh-sprav-iz-luhanshchyny/>.

¹⁰⁰⁵ “Luhansk University of Internal Affairs will move to Ivano–Frankivsk. What is known about it,” dated 8 May 2022, found at <https://suspilne.media/237134-v-ivano-frankivsk-pereide-luganskij-universitet-vnutrisnih-sprav-so-pro-ce-vidomo/>.

¹⁰⁰⁶ “There have been fewer universities in the system of the Ministry of Internal Affairs,” dated 21 December 2022, found at <https://dejure.foundation/tpost/l4ey97u071-universitetv-v-sistem-mvs-stalo-menshe>.

¹⁰⁰⁷ Annex 9.

¹⁰⁰⁸ Annex 8.

¹⁰⁰⁹ Annex 1.

¹⁰¹⁰ Data received from UBA.

Based on the available information, it does not appear that any judges from the *Oblast* left their positions and fled to Western Europe.¹⁰¹¹ In fact, official data reflects that the *Oblast's* courts gained a net of four judges by the end of 2022.¹⁰¹² However, Lviv also was a prime destination for IDPs with more than 125,000 registered as of December 2022.¹⁰¹³ Hundreds of thousands more displaced persons passed through on their way to Western Europe and beyond. As a result, caseloads exploded for the *Oblast's* courts, particularly the first and second instance administrative courts and the courts in Lviv city, leaving them massively understaffed and overworked.¹⁰¹⁴

Yet data concerning the courts in Lviv also suggests that the official information concerning Ukraine's judiciary is not particularly precise. For example, official data reflected that as of December 31, 2022, there were 162 local general first instance judges assigned to the courts in Lviv.¹⁰¹⁵ Other information received from unofficial sources, however, reflected that of that total, six judges were without authority to administer law, two had been mobilized into the armed forces, two were on parental leave, and one was suspended.¹⁰¹⁶

Prosecutors in Lviv work in a similar environment to their judicial colleagues. Each of the ten District Prosecutor's offices in the *Oblast* remains open.¹⁰¹⁷ Though official data is unavailable, reportedly about 450 prosecutors currently work in the *Oblast*.¹⁰¹⁸ Prosecutors continue to handle offenses of the sort seen prior to the war such as corruption and budgetary crimes, customs control and excise tax issues, and environmental crimes.¹⁰¹⁹ Now, however, they also pursue other offenses such as smuggling conscripts to Poland,¹⁰²⁰ theft of humanitarian aid,¹⁰²¹ and "inciting national hatred, and humiliation of national honor and dignity."¹⁰²²

Prosecutors also handle cases that arose in the east, even though they did not involve any contact with Lviv. Since the beginning of 2022, they successfully prosecuted more than 30 residents of the Luhansk *Oblast* for treason or participation in the LPR forces.¹⁰²³

No hard data is available regarding the number of lawyers who left Lviv *Oblast* since February 24, 2022. However, the data suggests that the number of lawyers practicing in the *Oblast* actually increased since the Russian aggression began, likely due to the arrival of lawyers from the east.¹⁰²⁴ Other data, however, suggests that a significant number of women lawyers left the *Oblast* after the war began.¹⁰²⁵

The workload of lawyers in Lviv *Oblast* also has changed due to the number of requests for pro bono assistance seeking compensation for damage caused by Russian aggression, and from

1011 *Ibid.*

1012 Annex 3.

1013 Baseline Report, p. 3.

1014 Annex 3.

1015 *Ibid.*

1016 Data received from UBA.

1017 Annex 3. No information has been located regarding the existence or number of departmental prosecutor's offices in Lviv *Oblast*. However, it seems likely that a number of such offices are operating.

1018 Data received from UBA.

1019 "A new head of the Lviv Regional Prosecutor's Office has been appointed," dated 6 February 2023, found at https://lviv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327376&fp=10.

1020 "5,5 thousand US dollars for unhindered crossing of the border – detained Lviv woman," dated 6 July 2022, found at https://lviv.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=315883.

1021 "Enrichment on humanitarian aid – the perpetrators will be criminally liable," dated 7 June 2022, found at https://lviv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=314411&fp=50.

1022 "In Lviv will judge three men for inciting national hatred and hatred in the social network," dated 26 May 2022, found at https://lviv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=313895&fp=60.

1023 "They fought on the side of the aggressor – 19 members of the so-called 'LPR' will be tried in Lviv," dated 13 January 2023, found at https://lviv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=325994&fp=50; "Deprivation of liberty with confiscation of property – 13 militants of the so-called 'LPR' were sentenced in Lviv," dated 10 February 2023, found at https://lviv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327781.

1024 As of December 31, 2021, there were 4,022 lawyers registered on the ERAU in Lviv *Oblast*, of which 1,520 had their lawyer's certificate suspended/annulled/terminated. Nine months later, as of August 29, 2022, there were 4,188 lawyers registered on the ERAU in the *Oblast*, of which 1,710 certificates had been suspended, annulled, or terminated.

1025 The gender composition of the Bar has changed from 62% male – 38% female at the end of 2021 (see Annex 5) to 69% male – 31% female as of August 29, 2022 (data received from UBA).

servicemen and IDPs. By the latter part of 2022, the *Oblast* ranked fourth among the regions of Ukraine in providing FLA services.¹⁰²⁶ To assist in this regard, the local Bar undertook several humanitarian projects, including the creation of a wartime Legal Support Office for servicemen and their families.¹⁰²⁷

The relative safety of the *Oblast* meant that other sectors of the legal system remained at least statistically intact. The number of notaries in Lviv *Oblast* remained stable throughout the first year of the war.¹⁰²⁸ Long a center of academic studies, the *Oblast*'s law faculties likewise continued to function.¹⁰²⁹

The situation at the law faculty at Ivan–Franko National University of Lviv, one of the largest and well-known in Ukraine, reflects the disruptions caused by the war. After the war began, the University continued classes in remote mode.¹⁰³⁰ It also began to take in students whose institutions were located in the zone of hostilities and whose coursework was temporarily suspended.¹⁰³¹ Beginning in 2023, bachelor's students will study in a mixed format, while master's students will work using a distance format. These steps were taken to guarantee the safety of full-time students, with all educational buildings at the University now equipped with simple air raid shelters to maximize the safety for students and staff.¹⁰³²

Mykolayiv Oblast



While Russia largely succeeded in its goal of conquering territory to create a “land bridge” along Ukraine’s Black Sea coast east from Crimea, its efforts to take control of the coast west of Crimea faltered in the *Oblast* of Mykolayiv. By the early evening of February 26, 2022, Russian forces reached the outskirts of the city of Mykolayiv. There, a combination of Ukrainian military forces and private citizens repelled the invasion forces, blocking the advance on Odesa.

Unable to move forward, Russian forces resorted to pounding the city with artillery and missile strikes for months. From February 24, 2022 to February 24, 2023, at least 251 people were killed and at least 522 people were injured.¹⁰³³ The unfortunate result was that the strategic port city of Mykolayiv, once home to more than 500,000 residents, became a ghost town, with the few remaining residents relying on handouts and searching for drinkable water.¹⁰³⁴ As the intensity of Russian attacks increased, residents in early July were advised to evacuate the city.¹⁰³⁵

¹⁰²⁶ Data received from UBA.

¹⁰²⁷ “Support office for military personnel and their families,” found at <http://unba.lviv.ua/uk/news-more/items/pro-utvorennja-ofisu-pidtrimki-vijskovosluzhbovciv-ta-chleniv-jix-simej.html>.

¹⁰²⁸ Annex 7.

¹⁰²⁹ Annexes 8 and 9.

¹⁰³⁰ “Address of the Rector of Ivan Franko Lviv National University Volodymyr Melnyk,” dated 24 February, found at <https://lnu.edu.ua/zvernennia-rektora-lvivskoho-natsionalnoho-universytetu-imeni-ivana-franka-volodymyra-melnyka/>; “Current information regarding the resumption of distance learning at the University from March 14, 2022,” dated 10 March 2022, found at <https://lnu.edu.ua/aktualna-informatsiia-shchodo-vidnovlennia-dystantsiynoho-navchannia-v-universyteti-z-14-bereznia-2022-roku/>.

¹⁰³¹ “The university will provide educational services to students of higher education institutions located in the war zone,” dated 17 March 2022, found at <https://lnu.edu.ua/universytet-nadavatyme-osvitni-posluhy-studentam-zvo-iaki-roztashovani-u-zoni-provedennia-boyovykh-diy/>.

¹⁰³² “The academic semester has started at Lviv University,” dated 15 February 2023, found at <https://lnu.edu.ua/u-lvivskomu-universyteti-rozpochavsia-navchalnyj-semestr/>.

¹⁰³³ “A year of full-scale war in the Mykolayiv region: a summary of events,” dated 6 March 2023, found at <https://www.helsinki.org.ua/articles/rik-povnomasshtabnoi-viyny-u-mykolaivskij-Oblasti-uzahalennia-podiy/>.

¹⁰³⁴ “Ukraine’s Mykolayiv on edge amid fears of a new Russian assault,” dated 19 May 2022, found at <https://www.aljazeera.com/news/2022/5/19/ukraine-mykolaiv-on-edge-amid-fears-of-new-russian-assault>.

¹⁰³⁵ “Mykolayiv mayor urges residents to evacuate,” dated 7 July 2022, found at <https://www.aljazeera.com/news/2022/7/7/ukraine-russia-live-news-strikes-on-kharkiv-mykolaiv-donetsk-liveblog>.

One of the casualties from this bombardment was the Mykolayiv Regional State Administration building, which housed the Commercial Court of Mykolayiv *Oblast*. A Russian strike blew a gaping hole through the middle of the multi-story building, killing more than 30 people, including two employees of the Commercial Court. Another court employee was wounded and lost a leg.¹⁰³⁶ Though only one of 25 courts in the *Oblast*,¹⁰³⁷ its destruction symbolized the devastation that pervaded the region.

Russian forces also pushed north in an effort to encircle the city of Mykolayiv, but only four of the *Oblast*'s territorial subdivisions in the north and east were partially or completely occupied by Russian forces.¹⁰³⁸ A number of outlying courts were in jeopardy of being overrun,¹⁰³⁹ and at least six other court buildings in the *Oblast* suffered some damage, though none were destroyed.¹⁰⁴⁰ Yet, in an apparent show of defiance, Ukrainian authorities transferred the territorial jurisdictions of only the destroyed Commercial Court¹⁰⁴¹ and two local first instance courts.¹⁰⁴²

With most of the *Oblast*'s courts still officially open, the judicial system continued to operate on wartime footing.¹⁰⁴³ One priority was reopening the now-iconic Mykolayiv Commercial Court. In July 2022, its territorial jurisdiction was restored¹⁰⁴⁴ and it resumed work in a new building, though the location was not revealed for security reasons.¹⁰⁴⁵

The situation with the prosecutors was equally tumultuous. In April 2022, the head of one of the District Prosecutor's Office in the *Oblast* was detained and charged with providing material assistance to the Russian forces in the early days of the war.¹⁰⁴⁶ As the spring and summer wore on, it does not appear that any of Mykolayiv *Oblast*'s five district and 13 departmental prosecutor's offices closed.¹⁰⁴⁷ Though the pace of work slowed and some staff left the area, most stayed. The deputy head of the *Oblast*'s Regional Prosecutor's Office pointed out that much of the prosecutors' work in the *Oblast* – the scene of heavy fighting – focused on documenting war crimes:

*Everyone is trying to get cases sent to court so that they are considered. But there are still other priorities, and we are also dealing with these issues: we document war crimes committed by the military of the Russian Federation. We have a lot of proceedings open in the region on all acts of aggression, respectively, the investigators are conducting a pre-trial investigation, we are procedurally supervising the investigation. But this does not mean that all other matters have faded into the background. In the foreground, especially crimes against health and life, the facts of theft, robbery, for which the responsibility has been tightened.*¹⁰⁴⁸

1036 “‘Special Rescue Operation’: Vira Panchenko, the Sole Survivor of the Fatal Workday on March 29 at the Mykolayiv Regional State Administration,” dated 1 June 2022, found at <https://zn.ua/eng/special-rescue-operation-vira-panchenko-the-sole-survivor-of-the-fatal-workday-on-march-29-at-the-mykolaiv-regional-state-administration-.html>.

1037 Annex 1.

1038 “The head of the regional prosecutor's office met with representatives of the Parliament of England,” dated 2 September 2022, found at https://myk.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=319100&fp=90.

1039 Annex 2.

1040 “Courthouses of Ukraine during the war: which suffered the most,” dated 27 September 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1325067/>.

1041 Order No. 12/0/9-22, dated 22 March 2022.

1042 Order No. 10/0/9-22, dated 16 March 2022; Order No. 50/0/9-22, dated 15 September 2022.

1043 “Oleksiy Salikov: ‘The work of the courts in conditions of war is evidence of the presence of the Ukrainian authorities in the regions attacked by the aggressor,’” dated 13 June 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1283945/>.

1044 “The territorial jurisdiction of court cases of the Commercial Court of the Mykolayiv region will be restored from July 26, 2022,” dated 25 July 2022, found at <https://court.gov.ua/press/news/1299555/>.

1045 “The head of the DSA of Ukraine visited the Mykolayiv region on a working trip,” dated 17 September 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1320595/>.

1046 “The ex-head of the Mykolayiv prosecutor's office, who is accused of treason, has had his prison term extended,” dated 15 February 2023, found at <https://suspijne.media/386489-eksocilniku-prokuraturi-akogo-zvinu-vacut-u-derzradi-prodovzili-termin-trimanna-u-sizo/>.

1047 Annex 3.

1048 “‘The war has made its own adjustments’: Interview with the Deputy Prosecutor of the Mykolayiv region,” dated 2 April 2022, found at <https://news.pn/ru/RussiaInvadedUkraine/269970>.

But by mid-summer, the Ukrainian counteroffensive in the south began to gain traction, lessening the direct pressure on Mykolayiv. With the liberation of Kherson in November 2022, the likelihood of a Russian ground assault greatly diminished.¹⁰⁴⁹ Reports of an offensive on the Kinburn Spit, which controls the access to the Dnieper River and where Russian forces continued to launch rocket and artillery attacks on the Ochakiv area of the *Oblast*, suggest that Ukrainian forces may further ease the pressure on the city.¹⁰⁵⁰

But Russian long-range attacks on Mykolayiv's judicial infrastructure continued. In late September, the Mykolayiv Administrative Court was damaged in a missile attack. While it soon resumed work, hearings were conducted virtually rather than in person.¹⁰⁵¹ That attack meant that a total of nine court buildings in Mykolayiv *Oblast* had suffered at least some damage.¹⁰⁵²

Other parts of the legal community were also struck. The Black Sea National University in Mykolayiv was shelled by Russian troops on August 17, and then hit by four S-300 missiles on the night of August 19. The main building suffered the greatest damage, though several other buildings were also hit. Two weeks later, debris from another S-300 missile struck another building. Though classes were being held remotely, the damage and impact on the law faculty was substantial.¹⁰⁵³

Because of the hostilities, the courts in the *Oblast* generally saw a decline in the number of cases opened. For example, the number of cases and materials received for consideration by the Veseliniv District Court decreased by nearly 32% compared to the prior year, while the number of reviewed cases decreased by more than 28%. Many cases were postponed primarily due to the non-appearance of the participants, the change of place of residence or departure of the participants, enlistment by one of the parties in the military, or the ubiquitous power outages that plagued the entire country during the 2022-2023 winter.¹⁰⁵⁴

The types of cases being considered also shifted. The number of cases of theft, robbery, extortion, and traffic accidents decreased. At the same time, the number of cases involving war crimes, treason, collaboration, and intentional killings and serious bodily injuries increased. At least 275 investigations involving treason, collaboration, and similar offenses were opened in 2022, and 104 indictments on such charges were filed.¹⁰⁵⁵

At the end of 2022, Ukrainian government statistics indicated that the courts in the *Oblast* had a net loss of 19 judges, or about 17% of its pre-war bench. Yet due to the substantial exodus of residents from the area and the resultant decrease in filings, the Council of Judges' caseload calculations indicated that courts of Mykolayiv *Oblast* were appropriately staffed.¹⁰⁵⁶

Despite the continuing air attacks, the improvement in the military situation allowed the judicial system to begin the rebuilding process. The Mykolayiv Regional State Administration building, once home to the Commercial Court, cannot be restored and a new building will be

1049 "After liberation of Kherson 'threat of enemy ground assaults on Mykolayiv, Odesa reduced'," dated 12 November 2022, found at <https://news.yahoo.com/liberation-kherson-threat-enemy-ground-114700852.html>.

1050 "Critical battle for Ukraine's Kinburn Spit could free Mykolayiv port," dated 23 November 2022, found at <https://www.tradewindsnews.com/ports/critical-battle-for-ukraine-s-kinburn-spit-could-free-mykolaiv-port/2-1-1360084>.

1051 "Regarding the work of the Mykolayiv District Administrative Court," dated 23 September 2022, found at <https://mk.court.gov.ua/tu15/pres-centr/news/1323713/>; "The work of the Mykolayiv District Administrative Court has been resumed," dated 29 September 2022, found at <https://court.gov.ua/press/news/1326463/>.

1052 "Courthouses of Ukraine during the war: which suffered the most," dated 27 September 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1325067/>.

1053 "Report of the Rector of Petro Mohyla Black Sea National University," dated 22 December 2022, found at <https://chmnu.edu.ua/wp-content/uploads/Zvit-rektora-2022.pdf>.

1054 "Review of the state of administration of justice for 2022," dated 17 February 2023, found at https://vl.mk.court.gov.ua/sud1406/pokazniki-diyalnosti/work_results/.

1055 "The head of the regional prosecutor's office held a press conference on the results of work for 2022," dated 15 February 2023, found at https://myk.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328044&fp=30.

1056 Annex 3.

needed.¹⁰⁵⁷ In March 2023, the HCJ restored the territorial jurisdictions of the two local general first instance courts in Mykolayiv *Oblast* that had earlier been transferred (the Snihurivskyi and Berezhnevskyi District Courts) and directed the SJA to immediately take steps to end the secondment of judges of those courts so that they could resume their original assignments.¹⁰⁵⁸ However, the Ochakiv City District Court, though operating, continues to be disrupted by enemy shelling from the Kinburn Spit.¹⁰⁵⁹

As the territories in the north and east were liberated, prosecutors went into the areas to investigate war crimes.¹⁰⁶⁰ By the end of March 2022, over 178 criminal proceedings had been opened in Mykolayiv *Oblast* involving such allegations.¹⁰⁶¹ Though no statistics are available, it appears that the *Oblast's* prosecutors are spending a significant percentage of their time on war-related issues. For example, the number of criminal offenses involving the illegal handling of weapons, ammunition or explosives increased by 61.2%.¹⁰⁶²

On the bright side, as the number residents in the area dropped, other types of crime fell. The number of criminal offenses registered in the *Oblast* dropped by a third from 2021,¹⁰⁶³ and the level of juvenile crime dropped by 52.3%.¹⁰⁶⁴ Yet for reasons not yet explained, the regional prosecutor for the *Oblast* was one of five replaced by the Prosecutor General in January 2023.¹⁰⁶⁵

Initially, the *advokats* in the *Oblast* faced major challenges with daily shelling, damaged offices, and destroyed residential buildings. As one of the regional Bars where over 40% of the *advokats* were female,¹⁰⁶⁶ dealing with family safety issues was at the forefront for many. Residents were advised to evacuate the city of Mykolayiv,¹⁰⁶⁷ so lawyers left the region and integrated into new markets. Others remained but many, unable to maintain contact with clients and colleagues, saw their law practices shrivel. A number turned to other pursuits ranging from enlistment in the military to working on humanitarian efforts.¹⁰⁶⁸

The Bar Council continued to work, albeit remotely, providing assistance to lawyers in cooperation with the FLA system. This assistance ranged from direct material assistance to providing necessary documents and physically transferring documents to other regions.¹⁰⁶⁹

1057 “The building of the Mykolayiv Regional State Administration, fired upon by the occupiers, cannot be restored,” dated 10 December 2022, found at <https://odessa-journal.com/vitaly-kim-the-building-of-the-mykolaiv-regional-state-administration-fired-upon-by-the-occupiers-cannot-be-restored/>.

1058 High Council of the Judiciary, Order No. 283/0/15-23, dated 30 March 2023.

1059 See “Information about the work of the court,” dated 6 March 2023, found at <https://oc.mk.court.gov.ua/sudi420/pres-centr/novosti/1390969/>.

1060 “Prosecutors continue to document crimes committed by the Russian army in the liberated territory of the Bashtan District,” dated 17 January 2023, found at https://myk.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=326152&fp=40; “In the de-occupied territories of the Mykolayiv *Oblast*, law enforcement officers continue to detect and record war crimes of the Russian Federation;” dated 7 March 2023, found at https://myk.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=329206.

1061 “The war has made its own adjustments’: Interview with the Deputy Prosecutor of the Mykolayiv region,” dated 2 April 2022, found at <https://news.pn/ru/RussiaInvadedUkraine/269970>.

1062 “The head of the regional prosecutor’s office held a meeting on the results of work for 2022,” dated 9 February 2023, found at https://myk.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327733&fp=10.

1063 “Head of the Mykolayiv Regional Prosecutor’s Office Dmytro Kazak spoke at the session of the regional council,” dated 7 October 2022, found at https://myk.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=321114&fp=20.

1064 “The head of the regional prosecutor’s office held a meeting on the results of work for 2022,” dated 9 February 2023, found at https://myk.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327733&fp=10.

1065 “Five heads of regional prosecutor’s offices were dismissed,” dated 25 January 2023, found at https://www.gp.gov.ua/ua/posts/zvilneno-z-posad-pyat-kerivnikov-oblasnix-prokuratur?fbclid=IwARobaoGiRRm_QxkyrZATlbn_q6aUQrvmq3ar8SqP8Jy-sWAUb3_4GW17wffzY.

1066 Annex 6.

1067 “Mykolayiv mayor urges residents to evacuate,” dated 7 July 2022, found at <https://www.aljazeera.com/news/2022/7/7/ukraine-russia-live-news-strikes-on-kharkiv-mykolaiv-donetsk-liveblog>.

1068 “In Fact, We Saw the Passing of the Exam for the Institutionalization by the Self-Government of Lawyers in a Broad Sense: Chairman of the Council of Lawyers of the Mykolayiv Region Anitpchenko,” dated 18 January 2023, found at <https://advokatpost.com/faktychno-my-pobachyly-skladannia-ispytu-na-instyutysijnist-advokatskym-samovr-iaduvanniam-v-shyrokomu-sensiholova-rady-advokativ-mykolaivskoi-Oblasti-antypchenko/>.

1069 *Ibid*; Zinchenko, Andrii, “Institutionalization of Attorney Self-Government in Ukraine on the Example of the Council of Attorneys of the Mykolayiv Region During Martial Law in 2022,” *Herald*, No. 12 (87), p. 16 (December 2022).

Many of the employees of the FLA system in the Mykolayiv *Oblast* also continued to work. The hostilities forced them to revise their approach to tasks so that even seemingly simple activities required more time than in peacetime, particularly the provision of secondary legal aid to criminal defendants. Due to the departure of so many lawyers, in some districts there were no lawyers to provide such assistance. Staff was required to spend additional time of searching for a lawyer, often delaying an initial consultation with an accused. Lawyers not only began advising clients online, but also participating in online court hearings.¹⁰⁷⁰

Those working on primary legal aid in the FLA system tried to find opportunities for personal meetings with clients by visiting outlying communities or consulting citizens in humanitarian headquarters. Often, they were asked for assistance by IDPs in replacing or processing documents. Many FLA employees were traumatized by the systematic shelling (most of which took place at night), the accompanying destruction of the homes of relatives and colleagues, and the needs of clients who have lost loved ones. To help address these psychological and emotional traumas, a series of psychological trainings were organized to provide access to experienced crisis psychologists.¹⁰⁷¹

The winter of 2022–2023 also brought other signs of a return to normalcy. While notaries in Ochakiv were still denied access to the registers due to the ongoing Russian shelling,¹⁰⁷² access was restored for many other notaries in Mykolayiv *Oblast*.¹⁰⁷³ Students still studied remotely at the Black Sea University, but the buildings damaged by Russian shelling were being restored.¹⁰⁷⁴

Odesa Oblast



Occupying the heart of southwest Ukraine, Odesa is the country's third largest city and a major port and transportation hub. The city has substantial strategic value to both Ukraine and Russia, and has been a key Russian objective since the outset of the hostilities. Control over the port at Odesa would cement Russian hegemony over the Black Sea and connect Russia directly with its forces in the Transnistria region in Moldova.

Odesa is not only the economic and geopolitical engine for the area, but also is the administrative center of the Ukrainian southwest. The city is home to two specialized regional courts, the Southwest Commercial Court of Appeals and the Fifth Administrative Court of Appeals. Covering a large and varied area, the *Oblast* has 33 first instance courts along with its general jurisdiction court of appeal.¹⁰⁷⁵ Prior to the current hostilities, two of the local courts in the city of Odesa were among the busiest in the country.¹⁰⁷⁶

Initially, there was great concern that Russian troops would break through the defenses at Mykolayiv and take Odesa. While the heroic Ukrainian defense of Mykolayiv blocked Russian ground advances, Russian forces launched over 80 attacks on civilian and critical infrastructure

1070 "Arrivals and Work: How the FLA System Works in the Hottest Spots in Ukraine," dated 13 September 2022, found at <https://minjust.gov.ua/news/ministry/priloti-i-robota-yak-pratsyue-sistema-bpd-u-naygaryachishih-tochkah-ukraini>.

1071 *Ibid.*

1072 "The NPU requests to urgently restore the access of notaries to the registers in Zaporizhzhia and some other territories – in order to protect the rights of citizens and businesses," dated 6 March 2023, found at <https://npu.ua/news/dostupdoreestriv/>.

1073 Annex 7.

1074 "After shelling. How the Black Sea National University named after Petro Mohyla is being restored," dated 21 December 2022, found at <https://suspilne.media/343544-pisla-obstriliv-ak-vidnovluyut-cornomorskij-nacionalnij-universitet-imeni-pe-tra-mogili/>; "Report of the Rector of Petro Mohyla Black Sea National University," dated 22 December 2022, found at <https://chmnu.edu.ua/wp-content/uploads/Zvit-rektora-2022.pdf>.

1075 Annex 1.

1076 "The ten busiest courts of Ukraine have been identified: details," dated 2 June 2022, found at <https://yaizakon.com.ua/opredele-na-desyatka-samyh-zagruzhenyih-sudov-ukrainy-detali/>.

facilities in the *Oblast*.¹⁰⁷⁷ These shellings and missile attacks killed more than 32 civilians (including 2 children) and wounded another 96.¹⁰⁷⁸ Residents, apparently including some judges, fled the area. Data shows that at the beginning of the hostilities, there were 72 vacancies in Odesa *Oblast*'s local first instance courts,¹⁰⁷⁹ but as of June 1, 2022, those same courts reported 93 vacancies.¹⁰⁸⁰

But Ukrainian defenses held and eventually pushed Russian forces back to the east. Despite the missile strikes that continue to hit the region, residents of Odesa have not suffered to the same extent as in nearby Mykolayiv.¹⁰⁸¹ Throughout the *Oblast*, the courts have been able to follow a somewhat normal schedule, subject to the disruptions caused by frequent air raid alarms.¹⁰⁸²

Because ground fighting never reached the *Oblast*, all of the courts are operating and none had their territorial jurisdiction transferred.¹⁰⁸³ The territorial jurisdictions of both the Kherson¹⁰⁸⁴ and Mykolayiv¹⁰⁸⁵ commercial courts were transferred to the Commercial Court of Odesa *Oblast*. Similarly, the territorial jurisdiction of the Kherson Circuit Administrative Court was transferred to the corresponding court in Odesa.¹⁰⁸⁶

Judicial positions were refilled, and by the end of 2022, the number of vacancies in the *Oblast*'s local first instance courts dropped to 77. Overall, the courts in the *Oblast* actually gained 22 judges from the start of the war to the end of 2022, though they remained substantially understaffed according to Council of Judges' calculations.¹⁰⁸⁷

The war has not stopped, and perhaps has exacerbated, tensions between judges, prosecutors, lawyers, and politicians. For example, judges in one local first instance courts took their grievances to the press, complaining of abuse by lawyers, prosecutorial incompetence, and the one-sided coverage of the process by journalists.¹⁰⁸⁸

Work in the *Oblast*'s 17 district prosecutor's offices¹⁰⁸⁹ continues, but with a different mix of cases. The Odesa Regional Prosecutor's Office reported that since February 24, there has been a decrease in the number of criminal offenses reported, from 75 to 63 per 10,000 population.¹⁰⁹⁰ At the same time, prosecutors have commenced numerous investigations of war crimes and other war-related offenses.¹⁰⁹¹ Indictments have been brought against seven persons for treason, 26 persons suspected of encroaching on the territorial integrity and inviolability of Ukraine, three persons suspected of unauthorized dissemination of information, and 59 for collaboration.¹⁰⁹²

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- 1077 "The Prosecutors Office of Odesa summed up the results of the work," dated 23 February 2023, found at <https://pulsodes.od.ua/prokuratura-odeshchunu-pidbula-pidsumku-robotu/>.
- 1078 "The regional prosecutor's office discussed the results of work for 2022," dated 23 February 2023, found at https://od.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328526&fp=20.
- 1079 There were 279 authorized positions in the *Oblast*'s local first instance courts, and 207 judges serving in those courts. See Annex 3.
- 1080 "If you ask, we answer," dated 3 June 2020, found at <https://od.court.gov.ua/tu16/pres-centr/interview/948816/>.
- 1081 "Residents of Odesa feel remorse and gratitude as Mykolayiv, which is nearby, protects them from the horrors of war in Ukraine," dated 24 June 2022, found at <https://technotrenz.com/news/residents-of-odesa-feel-remorse-and-gratitude-as-mykolaiv-which-is-nearby-protects-them-from-the-horrors-of-war-in-ukraine-1980417.html>.
- 1082 See "News," found at <http://unba.odessa.ua/news/>.
- 1083 Information provided by the UBA.
- 1084 Order No. 11/0/9-22, dated 18 March 2022.
- 1085 Order No. 12/0/9-22, dated 22 March 2022.
- 1086 Order No. 11/0/9-22, dated 18 March 2022.
- 1087 Annex 3
- 1088 "Judges Are Tired of Being Silent – A Candid Conversation in the Primor Regional Court," dated 4 March 2023, found at <https://alternatyva.org/2023/03/04/suddiam-nabrydlo-movchaty-vidverta-rozmova-u-prymorskomu-raionnomu-sudi/>.
- 1089 Annex 3. No information could be located regarding the existence or locations of departmental prosecutor's offices in Odesa *Oblast*.
- 1090 "The regional prosecutor's office discussed the results of work in the current year," dated 25 November 2022, found at https://od.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=323563&fp=60.
- 1091 "The head of the Odessa regional prosecutor's office informed about the results of work under martial law," dated 19 October 2022, found at https://od.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=321607.
- 1092 "The regional prosecutor's office discussed the results of work in the current year," dated 25 November 2022, found at https://od.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=323563&fp=60.

The economic plight of lawyers in the *Oblast* deteriorated since the war began. The number of civil and economic cases brought in the *Oblast*'s courts has significantly decreased. According to one non-scientific estimate, the market for legal services in Odesa *Oblast* has dropped by 30–40% since the Russian aggression began.¹⁰⁹³

Because of the ongoing threats from Russian forces and the loss of income, one unofficial estimate is that about 10% of lawyers left the area.¹⁰⁹⁴ At the same time, lawyers fleeing from other regions have relocated in Odesa. In mid-December 2020, there were a little more than 3,000 attorneys registered and qualified to practice in Odesa *Oblast*,¹⁰⁹⁵ while by the end of May 2022, that number had increased to 3,370.¹⁰⁹⁶ Only five applications were submitted by attorneys to suspend legal practice in connection with mobilization, but anecdotal reports indicate that a significantly larger number of attorneys in the region joined the military.¹⁰⁹⁷

Like many regional Bar Councils outside the immediate combat zones, the Bar Council of Odesa *Oblast* established various support and humanitarian mechanisms shortly after the war began.¹⁰⁹⁸ Similarly, the FLA system went into overdrive to deal with the incoming and outgoing tides of migrants. Though the FLA's centers and bureaus generally worked as usual except for interruptions for air alarms, two districts felt particular impacts. For six months, the local center in the Artsyz district endured rocket strikes, and employees worked without electricity for a whole week in May. In the Rozdilnian district, adjacent to Transnistria, FLA attorneys not only dealt with the threat of Russian attacks from the east and by sea to the south, but also monitored the operational situation from their "neighbors" to the west.¹⁰⁹⁹

In the immediate aftermath of the Russian invasion, all but two of the *Oblast*'s public notary offices and half of the private notaries ceased working. By the end of the year as conditions stabilized, all of the public notary offices had reopened and most of the private notaries were back at work.¹¹⁰⁰

Odesa is also home to the Odesa Law Academy, the largest law faculty in the country with an authorized annual combined quota of nearly 7000 master's and bachelor's law students.¹¹⁰¹ As such, it had students from all regions of Ukraine. When the war began, many students could not return to their homes in the temporarily occupied territories, and were forced to live in the Academy's dormitories.¹¹⁰² In the summer of 2022, the decision was made to resume in-person, offline classes.¹¹⁰³ Given the continuing missile attacks from Russian forces, all academic buildings were equipped with shelters in case of an "Airborne alarm" signal.¹¹⁰⁴ In a twist of irony, the Academy's marketing materials touted that its dormitories had modern air raid shelters equipped with independent water supplies, generators, and air flow systems to protect against chemical attacks.¹¹⁰⁵

1093 Information provided by the UBA.

1094 *Ibid.*

1095 Ukrainian National Bar Association, Annual Report for 2020, p. 9 (Kyiv, 2021).

1096 Khotynska–Nor, p. 150.

1097 *Id.*, pp. 150–151.

1098 "Attention! Extremely important information for lawyers of Odessa region!" dated 1 March 2022, found at <http://unba.odessa.ua/uvaga-vkraj-vazhlyva-informatsiya-dlya-advokativ-odeskoyi-Oblasti/>; Khotynska–Nor, pp. 149–150

1099 "Arrivals and Work: How the FLA System Works in the Hottest Spots in Ukraine," dated 13 September 2022, found at <https://minjust.gov.ua/news/ministry/priloti-i-robota-yak-pratsyue-sistema-bpd-u-naygaryachishih-tochkah-ukraini>.

1100 Annex 7.

1101 Annexes 8 and 9.

1102 "A modern shelter was opened in the dormitory of the National University 'Odesa Law Academy,'" dated 19 February 2023, found at <https://slovo.odessa.ua/ru/novosti/52472-v-gurtozhitku-nacionalnogo-universitetu-odeska-juridichna-akademija-vidkrili-suchasne-ukrittja.html>.

1103 "Preparation for the new academic year 2022–2023," dated 14 July 2022, found at <https://onua.edu.ua/news/novosti-universiteta/7305-2022-07-14>.

1104 "Educational process in offline format at the National University 'Odesa Law Academy,'" dated 6 March 2023, found at <https://www.youtube.com/watch?v=FLj-6N8gKyc>.

1105 "A modern shelter was opened in the dormitory of the National University 'Odesa Law Academy,'" dated 19 February 2023, found at <https://slovo.odessa.ua/ru/novosti/52472-v-gurtozhitku-nacionalnogo-universitetu-odeska-juridichna-akademija-vidkrili-suchasne-ukrittja.html>.

Poltava Oblast



In the days following February 24, Russian troops swept north of the Poltava *Oblast* toward Kyiv and attacked east of the *Oblast* in an effort to take Kharkiv. Though its infrastructure has been pounded by missile strikes, the area has been spared ground assaults from Russian forces. As the fighting continued, the *Oblast* both served as a transit point for refugees headed west, and saw tens of thousands of its own citizens join the flight.

This disruption was massive. As of September 2022, Poltava *Oblast* – with a pre-war population of less than 1.4 million¹¹⁰⁶ – was home to nearly 200,000 IDPs, most from the frontline areas to the east.¹¹⁰⁷ While some of its own residents also fled further west, the influx of fellow citizens fleeing the war put a huge strain on the *Oblast*'s services.

The courts were no different. Prior to the war, the 31 first instance courts of Poltava *Oblast* were substantially understaffed; the local first instance courts had only 70% of its allowed positions filled with judges authorized to administer justice.¹¹⁰⁸

These issues were exacerbated when thirteen courts in the Poltava *Oblast* had their territorial jurisdictions expanded. Nineteen jurisdictions were transferred to Poltava courts from the Kharkiv *Oblast*, plus two more from the Sumy *Oblast*.¹¹⁰⁹ These jurisdictional transfers required the Poltava *Oblast* courts to address both “ordinary” and war-related crimes arising from events in *oblasts* to the north since they now exercised jurisdiction over those areas.¹¹¹⁰

The combination of IDPs and increased territorial jurisdictions placed a major strain on the *Oblast*'s courts. Authorities in Kyiv responded by seconding additional judges to the Poltava *Oblast* from courts closed in the east. Using these mechanisms, the number of judges assigned to the local general first instance courts in the *Oblast* increased by 20 by the end of 2022.¹¹¹¹ For example, the secondment process allowed the Chutivskyy District Court, which had been unable to administer justice for more than a year due to the lack of judges, to resume operations.¹¹¹² Nonetheless, under the formula used by the authorities, based on the number of cases handled in 2022, the *Oblast*'s courts remained 93 judges short of the needed judges.¹¹¹³

While this strain impacted all of the courts in the *Oblast*, some courts in the city of Poltava faced especially difficult situations. For example, the Oktiabrskyy District Court had only 19 judges authorized to administer justice, when the standards called for 50 judges to handle the increased caseload. Similarly, the Kyivskyy and Leninskyy District Courts respectively had 13 and 10 judges authorized to administer justice, when the standards called for 27 and 23. The situation was worst with the *Oblast*'s first instance administrative court, which had only 17 out of the statistically-mandated 65 judges (26%) at the end of 2022.¹¹¹⁴

¹¹⁰⁶ Annex 6.

¹¹⁰⁷ Baseline Report, p. 3.

¹¹⁰⁸ Annex 3.

¹¹⁰⁹ Annex 2.

¹¹¹⁰ See, “Russian-controlled militants captured in Kharkiv *Oblast* imprisoned for 15 years,” dated 22 June 2022, found at <https://news.yahoo.com/russian-controlled-militants-captured-kharkiv-152246283.html>; “Two Russians were sentenced to 11.5 years for shelling the Kharkiv region,” dated 31 May 2022, found at <https://news.yahoo.com/two-russians-were-sentenced-11-084639288.html>.

¹¹¹¹ Annex 3.

¹¹¹² “Even in difficult times for the country, we must develop and continue reforming the judicial system – Chairman of the Supreme Court,” dated 15 September 2022, found at <https://court.gov.ua/press/news/1320074/>.

¹¹¹³ Annex 3.

¹¹¹⁴ *Ibid.*

To some extent, these burdens were reduced in late 2022 when the territorial jurisdictions of 12 first instance courts in Kharkiv *Oblast* were restored and the courts reopened.¹¹¹⁵ The impacts of these retransfers are unclear, but it seems quite likely that the Poltava first instance courts will remain significantly understaffed.

The *Oblast*'s proximity to the frontlines also raises significant security threats. Power blackouts and air raid alerts are continuing issues.¹¹¹⁶ Websites of the courts throughout the *Oblast* have taken down identifying information concerning the judges, replaced with a notice: "In order to prevent threats to the life and health of judges and participants in the court process during martial law, access is temporarily suspended."¹¹¹⁷

Prosecutors continue to work in the *Oblast*'s five district offices.¹¹¹⁸ Like the courts, their workload is a mixture of "routine" criminal matters and some that are specifically related to the war.¹¹¹⁹ In January 2023, the *Oblast*'s regional prosecutor was one of five replaced by the Prosecutor General.¹¹²⁰ The exact reasons for the dismissal were not made public, but the prosecutor was engaged in a highly publicized dispute with the court over a case brought against the Mayor of Poltava.¹¹²¹

The Bar Council in Poltava *Oblast* also continued to work though, like the courts, it removed personal information concerning lawyers from its website.¹¹²² Yet despite its distance from the frontlines, lawyers in the Poltava *Oblast* suffered a blow when an *advokat* was killed and another wounded in the now-infamous attack on a shopping mall in Kremenchuk.¹¹²³ How many lawyers continue to work in the area is unclear.

Rivne Oblast



One of the smaller *Oblasts* in Ukraine, the Rivne *Oblast* lies on the Belarusian border in the country's northwestern region and is home to Ukraine's second largest nuclear power facility. In the days after February 24, residents and police in the *Oblast* built barricades to stop the anticipated Russian invasion.¹¹²⁴ However, because it was sufficiently distant from Kyiv, it was not involved in the Russian ground assault from Belarus against the capital.

1115 See, e.g., "Information regarding consideration of cases transferred from the Leninskyi and Ordzhonikidzevskyi District Courts of Kharkiv," dated 14 December 2022, found at <https://ki.pl.court.gov.ua/sud1609/pres-centr/news/1358498/>.

1116 "Peculiarities of the court's work during the power outage period," dated 25 November 2022, found at <https://pr.pl.court.gov.ua/sud1624/pres-centr/news/1350753/>; "Important information regarding hourly blackouts in the Kremenchug district judge," dated 1 December 2022, found at <https://km.pl.court.gov.ua/sud1614/pres-centr/news/1352652/>.

1117 See, e.g., "Lokhvytskyi District Court of Poltava Region," found at https://lh.pl.court.gov.ua/sud1617/pro_sud/structure/.

1118 Annex 3. No information has been located concerning the existence or number of any departmental prosecutor's offices in the *Oblast*.

1119 See, e.g., "A woman was held criminally liable for the distribution of publications that justified the armed aggression of the Russian Federation," dated 23 February 2023, found at <https://pl.court.gov.ua/tu17/pres-centr/news/1386732/>.

1120 "Five heads of regional prosecutor's offices were dismissed," dated 25 January 2023, found at https://www.gp.gov.ua/ua/posts/zvilnen-z-posad-pyat-kerivnikiv-oblasnix-prokuratur?fbclid=IwARobaoGiRRm_QxkyrZATlbnq6aUQrvmq3ar8SqP8Jy-sWAUb3_4GW17wffzY.

1121 See "Oleksandr Mamal accuses the prosecutor's office of putting pressure on the court," dated 5 January 2023, found at <https://irt.pl.ua/news/28032/>; "The Head of the Prosecutor's Office of the Poltava Regio Was Fired: What Is Known," dated 25 January 2023, found at <https://pl.vgorode.ua/news/sobytyia/a1232026-uvolen-rukovoditel-prokuratury-poltavskoj-Oblasti-stolet-nij-chto-izvestno>.

1122 "To the Lawyers of Poltava Region," dated 3 March 2022, found at <https://www.advokatura.poltava.ua/news/do-advokativ-poltavskoyi-Oblasti>.

1123 "Attention! Need help!" dated 4 July 2022, found at <https://www.lura.poltava.ua/news/uvaga-potribna-dopomoga-3>.

1124 "We will stand for our city.' Ukrainian city of Rivne mayor speaks to News 12 about arming citizens," dated 1 March 2022, found at <https://longisland.news12.com/we-will-stand-for-our-city-ukrainian-city-of-rivne-mayor-speaks-to-news-12-about-arming-citizens>.

Since then, like much of central and western Ukraine, the Rivne *Oblast* has been hit with sporadic, but deadly, missile strikes. These attacks have not damaged any courts in the *Oblast*; none have been closed or had their territorial jurisdictions transferred. One first instance court in the Rivne *Oblast* briefly assumed the territorial jurisdictions of three courts in Zhytomyr *Oblast*, but that order was reversed after about six weeks.¹¹²⁵

Accordingly, the work of the *Oblast*'s 18 first instance courts and its *Oblast* court of appeals continued essentially uninterrupted. Rivne *Oblast* is also home to the Northwest Commercial Court of Appeals, a regional second instance court handling commercial appeals from the Vinnytsia, Volyn, Zhytomyr, Rivne, and Khmelnytskyi *Oblasts*.¹¹²⁶

Prior to the expanded Russian aggression in February 2022, the *Oblast*'s courts were significantly understaffed. With the hardships of the war, the number of judges dropped even further in 2022. For example, the number of local general first instance judges authorized to administer justice dropped by 14% during the year.¹¹²⁷

At the same time, though not as substantial as other regions in central and western Ukraine, Rivne *Oblast* saw an influx of IDPs from the east. Since the end of February 2022, the Rivne *Oblast* received more than 82,000 IDPs, with more than 57,000 still living in the region in February 2023.¹¹²⁸ As a result, under the formula used by the Council of Judges, based on the number of cases handled in 2022, the *Oblast*'s local general first instance courts only had about 75% of the needed judges. The workload situation with the *Oblast*'s first instance administrative court was the most dire in the country: its caseload statistically called for 274 judges, yet it had only 13, less than 5% of the recommended number.¹¹²⁹ The beleaguered judges appealed to Kyiv for an increase in staff and/or the secondment of judges from other regions.¹¹³⁰

Prosecutors in the Rivne *Oblast* noted a 16% decrease in overall crime since the Russian invasion.¹¹³¹ The levels of juvenile crime also decreased by more than half.¹¹³² Prosecutors, however, became more actively involved in the prevention, recording, and investigation of crimes related to the Russian aggression. During 2022, they indicted 43 individuals for treason and collaboration. Prosecutors also pursued allegations of embezzlement of humanitarian aid and draft evasion¹¹³³ though, given the *Oblast*'s distance from the frontlines, fewer such prosecutions were brought than in areas more directly affected by Russian aggression.¹¹³⁴

The Bar Council in the *Oblast* has indicated that it continues essentially "business as usual."¹¹³⁵ Nonetheless, the influx of IDPs has increased the workload of the *Oblast*'s 15 legal aid offices. To accommodate these needs, the FLA created a fairly extensive network of consultation points in the *Oblast* in places where significant numbers of IDPs were located.¹¹³⁶

1125 Annex 2.

1126 *Ibid.*

1127 Annex 3.

1128 "The forum 'Integration of displaced persons in the Rivne community: problems, solutions and the role of the IDP Council' took place in Rivne," dated 16 February 2023, found at <https://legalaid.gov.ua/novyny/u-rivnomu-vidbuvsya-forum-integracziya-pereselencziv-u-rivnenskij-gromadi-problemy-rishennya-ta-rol-rady-vpo/>.

1129 Annex 3.

1130 "The Rivne District Administrative Court operates under conditions of staff shortage and excessive workload on judges and staff," dated 2 November 2022, found at https://adm.rv.court.gov.ua/sud1770/pres-centr/news/1341_401/.

1131 "Reducing the level of crime and paying special attention to the crimes of the aggressor - the regional prosecutor's office summed up the year of work," dated 3 February 2023, found at <https://pro.gov.ua/znyzhennya-rivnya-zlochynnosti-ta-osoblyva-uvaga-do-zlochyniv-agresora-v-oblasniy-prokuraturi>.

1132 "Law enforcement officers of the Rivne region summarized the results of cooperation and discussed common challenges," dated 16 February 2023, found at <https://pro.gov.ua/pravoohorongi-rivnenshchyny-pidsumuvaly-rezult-aty-spivpraci-ta-obgovoryly-spilni-vyklyky>.

1133 *Ibid.*

1134 "The Regional Prosecutor's Office Discussed the Peculiarities of Cooperation Under Martial Law," dated 19 August 2022, found at <https://pro.gov.ua/v-oblasniy-prokuraturi-obgovoryly-osoblyvosti-spivpraci-v-umovah-voyen-nogo-stanu>.

1135 See "News," found at <http://raro.in.ua/news/news>.

1136 "The forum 'Integration of displaced persons in the Rivne community: problems, solutions and the role of the IDP Council' took place in Rivne," dated 16 February 2023, found at <https://legalaid.gov.ua/novyny/u-rivnomu-vidbuvsya-forum-integracziya-pereselencziv-u-rivnenskij-gromadi-problemy-rishennya-ta-rol-rady-vpo/>.

The impact of the war in the regions in the northeast can be seen in the situation with the *Oblast's* largest law faculty, the Ostroh Academy. Education and research in the University were suspended from February 24 until the beginning of April 2022 when they resumed online. Students who went abroad were allowed to develop individual plans to continue their education. In-person classes partially resumed in the autumn semester, but security concerns limited these activities. Classwork often was dictated power schedules.¹¹³⁷

Sumy Oblast



Sumy *Oblast* was a focal point for the Russian assault on Ukraine in late February 2022. From bases inside Russia, its forces attempted to race across the *Oblast* to attack Kyiv from the east, while other forces attacked from the north and west. This plan meant that the Russian military in some cases passed through parts of the *Oblast* without making an effort to control the area, on the assumption that those locations could later be secured.

A number of courts in the *Oblast* were in the path of that assault. For example, the *Oblast's* Administrative Court was located in an area near military targets. By February 25, all court proceedings were suspended. Employee books and personal files were distributed to employees, while pending cases of increased public interest, particularly complex cases, and the court's databases, seals, and stamps were taken to a safe place. When the city of Sumy was partially encircled, court employees who lived near the scene of the fighting took cover in the court's shelter where there was heat, light, water, places to sleep, food and basic necessities. Court employees actively transmitted information about explosions, troop movements, and the deployment of enemy equipment.¹¹³⁸

On March 2, the Ukrainian military pushed back some of the invading forces and reached the state border in the Sumy region. As the situation stabilized, the court resumed some remote work. When the Russian offensive against Kyiv failed, many of its forces retraced their steps back across the *Oblast* toward Russia. By April 6, Russian forces had withdrawn from all of the Sumy *Oblast*.¹¹³⁹ On April 8, the court partially resumed operations.¹¹⁴⁰

Though Russian forces have withdrawn across the border, the effects of the invasion remain. Sumy *Oblast* was a patchwork of areas that were untouched, were bypassed but never occupied, or were subject to significant Russian violence but are now liberated. The impact on the courts of the *Oblast* was appreciable. At least four of the *Oblast's* 20 courts were damaged, with the Okhtyrskiy City-District Court suffering heavy damage, while the Burynskiy, Velykopysarivskiy, and Trostianetskiy District Courts suffered more superficial damage. At least four of the *Oblast's* 20 courts were damaged, including the heavily damaged Okhtyrskiy City-District Court, and the more superficially damaged Burynskiy, Velykopysarivskiy, and Trostianetskiy District Courts.¹¹⁴¹

¹¹³⁷ Markiv, p. 25.

¹¹³⁸ "Courts in conditions of war: preservation of life surrounded by the enemy and self-organization of the Sumy District Administrative Court," dated 18 November 2022, found at <https://court.gov.ua/press/news/1347756/>.

¹¹³⁹ "Russo-Ukrainian war, day 43: Russian troops left Sumy Oblast, preparing an offensive in Donbas in 3-4 days," dated 7 April 2022, found at <https://euromaidanpress.com/2022/04/07/russo-ukrainian-war-day-43-russian-troops-left-sumy-oblast-preparing-an-offensive-in-donbas-in-3-4-days/>.

¹¹⁴⁰ "Courts in conditions of war: preservation of life surrounded by the enemy and self-organization of the Sumy District Administrative Court," dated 18 November 2022, found at <https://court.gov.ua/press/news/1347756/>.

¹¹⁴¹ Annex 2.

After Russian forces withdrew from the *Oblast* in early April 2022, the jurisdictions of the Sumy *Oblast* Commercial Court and the Trostianetskyi District Court were restored.¹¹⁴² Within weeks after the Russian withdrawal, the *Oblast*'s judicial system proclaimed that the courts had returned to work as usual.

In time, the Buryń, Velikopysariv, and Trostyanets district courts were repaired and reopened.¹¹⁴³ The damage to the Okhtyrskyi District Court required significant reconstruction, which was completed in late October 2022 and the court reopened. The court in Seredyna-Buda, however, remains shuttered and its territorial jurisdiction has not been restored. That court building stands isolated on the Russian border in the extreme northern part of the *Oblast* and is subject to frequent mortar attacks from inside Russian territory a few hundred meters away.

Though the courts in the *Oblast* are generally open, it is difficult to say that it is business as usual. The Russian border extends more than 500 kilometers along the northern boundary of Sumy *Oblast*. Russian troops remain just across that border, posing a continuing risk of re-invasion. Due to its proximity to Russian forces, the *Oblast* has endured ongoing shelling in addition to the missile attacks suffered in more distant regions. During the 12 months after the expanded Russian aggression, 539 episodes of shelling were recorded in the *Oblast*, killing at least 177 people and injuring at least 344 people more.¹¹⁴⁴

Accordingly, when the courts resumed operating, they issued orders to take special precautions. For example, the court in Krasnopillia, located about five miles from the Russian border, issued the following order in mid-June:

*In the case when an air alarm, the threat of shelling or street fighting is declared in the village during the work of the court, the judges, together with court staff, participants in the process and visitors to the court, are obliged to immediately go down to the shelter, which is located in the basement of the Krasnopillysky District Court of Sumy Region. At the same time, if such circumstances arose during the court hearing, then a break is announced in the court session until the official announcement of the abolition of the alarm or when the danger has passed.*¹¹⁴⁵

Several months later, the *Oblast* continues to be hit by cross-border shelling.¹¹⁴⁶ The threat was sufficient that the courts scheduled special training for judges and staff on fire safety and the handling explosives.¹¹⁴⁷ At least 16 local general courts are currently equipped with generators.¹¹⁴⁸

The Ukrainian military has reported about 500 attacks on the border areas of Sumy and Chernihiv *Oblasts* since the start of 2023.¹¹⁴⁹ In February 2023, the shelling intensified. Rumors of another possible Russian offensive sent residents fleeing again to avoid the prospect of

¹¹⁴² *Ibid.*

¹¹⁴³ "A meeting of the board of the territorial administration of the DSA of Ukraine in the Sumy region was held," dated 14 March 2023, found at <https://br.su.court.gov.ua/sud1802/pres-centr/news/1395101/>.

¹¹⁴⁴ "A year of full-scale war in Sumy and the Sumy region: a summary of events," dated 3 March 2023, found at <https://www.helsinki.org.ua/articles/rik-povnomasshtabnoi-viyny-u-sumakh-ta-sumskiy-Oblasti-uzahalnennia-po-diy/>.

¹¹⁴⁵ "Peculiarities of court work during martial law," dated 14 June 2022, found at <https://kp.su.court.gov.ua/sud1808/pres-centr/news/1284473/>.

¹¹⁴⁶ See, e.g., "2 rockets and 94 hits from artillery and mortars: the Russian military fired at Sumy *Oblast*, residential buildings were damaged," dated 13 March 2023, found at <https://suspilne.media/413001-2-raketi-ta-94-udari-z-artilerii-i-minometiv-vijskovi-ri-obstrilali-sumsinu-poskodzeni-zitlovi-budinki/>; "The occupiers continue to shell the border areas of Sumy *Oblast* and destroy civilian infrastructure – a pre-trial investigation has begun," dated 27 February 2023, found at https://sumy.gp.gov.ua/ua/news.html?_m=publications&_t=cat&id=117266&fp=30.

¹¹⁴⁷ "In the Krasnopil district court of the Sumy region, informational and educational events were held regarding the rules for handling explosive objects, their types and fire safety features in the winter period!" dated 22 December 2022, found at <https://kp.su.court.gov.ua/sud1808/pres-centr/news/1361732/>.

¹¹⁴⁸ "A meeting of the board of the territorial administration of the DSA of Ukraine in the Sumy region was held," dated 14 March 2023, found at <https://su.court.gov.ua/tu19/pres-centr/news/1394775/>.

¹¹⁴⁹ "Up to 10,000 Russian soldiers in Belarus now, situation on border under control," dated 24 February 2023, found at <https://news.yahoo.com/10-000-russian-soldiers-belarus-130238707.html>.

renewed ground fighting.¹¹⁵⁰ Some officials in the *Oblast* are now suggesting that since the territory remains a combat zone where there is an ongoing danger to employees, the territorial jurisdictions of at least some courts in Sumy *Oblast* should be transferred to safer venues.

Like many Ukrainian courts, the courts of Sumy *Oblast* were significantly understaffed when the expanded Russian aggression began. From the data, it appears that a number of judges from the *Oblast* left their positions during the war. For example, the number of local general first instance judges with authority to administer justice fell from 90 to 79 in the months after February 2022. But the massive migration of residents from the *Oblast* also caused the caseloads of many first instance courts to drop, meaning that they were relatively less understaffed at the end of 2022 than before the war.¹¹⁵¹

Details concerning the damage to prosecutor's offices and the displacement of prosecutors are not available. For reasons not made public, the regional prosecutor for Sumy *Oblast* was one of five replaced by the Prosecutor General in January 2023.¹¹⁵²

As in other areas subject to intense hostilities, the available information reflects that prosecutors are still working in the *Oblast*. Their main priority has been to investigate allegations of war crimes committed by Russian forces, along with crimes that threaten national security such as treason, collaboration, and aiding the aggressors. Prosecutors also have focused on identifying and confiscating property and funds of residents of the Russian Federation. Other areas of emphasis have been to safeguard public funds, and to investigate and prosecute corruption, organized crime, drug trafficking, and illegal border crossings. Prosecutors have also given priority to environmental protection, the prevention of domestic violence, and the protection of children's rights.¹¹⁵³

Prior to the war, fewer *advokats* were working in the Sumy *Oblast* than in any other region in Ukraine.¹¹⁵⁴ In view of the violence that shattered the region, lawyers working in the *Oblast* must overcome numerous difficulties including bans on movement in the city during the curfew, air alarms, unstable operation of public and intercity transport, and restrictions on visits to detention centers.¹¹⁵⁵ It appears that a number of *advokats* fled the area, and that the Bar Council is operating at a reduced capacity.¹¹⁵⁶

With the influx and outflow of IDPs, the FLA system in the *Oblast* is stretched thin. The Regional Center, four local centers, and 18 legal aid offices are working.¹¹⁵⁷ The Regional Center also has contracts with 114 *advokats* to provide secondary legal aid in the *Oblast*.¹¹⁵⁸ FLA lawyers advise people both in the office and at a client's residence, and conduct law enforcement work in safe locations. More of their work is digitized, making it possible to provide and receive primary legal aid from a safe distance or even outside the area.

1150 "A year of full-scale war in Sumy and the Sumy region: a summary of events," dated 3 March 2023, found at <https://www.helsinki.org.ua/articles/rik-povnomasshtabnoi-viyny-u-sumakh-ta-sumskiy-Oblasti-uzahalnennia-po-diy/>.

1151 Annex 3.

1152 "Five heads of regional prosecutor's offices were dismissed," dated 25 January 2023, found at https://www.gp.gov.ua/ua/posts/zvilneno-z-posad-pyat-kerivnikiv-oblasnix-prokuratur?fbclid=IwAR0baoGiRRm_QxkyrZATlbnq6aUQrvmq3ar8SqP8Jy-sWAUb3_4GW17wffzY.

1153 "Sumy region prosecutor's office summed up work for 2022," dated 23 February 2023, found at https://sumy.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328535&fp=30.

1154 Annex 6.

1155 "Advocacy Day in Sumy *Oblast*: disobedience and plans for the future," dated 19 December 2022, found at <https://legalaid.gov.ua/novyny/den-advokatury-na-sumshhyni-neskorenist-ta-plany-na-majbutnye/>.

1156 See <http://advokatura.sumy.ua/category/news/>.

1157 "Dialogue session: they talked about the results of the war year of the BPD system of Sumy *Oblast*," dated 21 January 2023, found at <https://legalaid.gov.ua/novyny/seans-dialogu-govoryly-pro-pidsumky-voyennogo-roku-systemy-bpd-sumshhyny/>.

1158 "Advocacy Day in Sumy *Oblast*: disobedience and plans for the future," dated 19 December 2022, found at <https://legalaid.gov.ua/novyny/den-advokatury-na-sumshhyni-neskorenist-ta-plany-na-majbutnye/>.

Even the FLA bureau in Seredyna–Buda remains open. When asked, the Head of the Bureau explained their situation:

*It's hard to work when shells are exploding near your workplace or even when sirens are wailing. Especially when your city is located on the border with an aggressor country, you are always in danger. You constantly hear the sounds of war. But we must live, confront the enemy, help each other, believe in our victory.*¹¹⁵⁹

Ternopil Oblast



Situated in west–central Ukraine, the rocky, mountainous Ternopil *Oblast* is on the transit corridor between Western Europe and Kyiv and the country's industrial areas in the East. When Russian attacks began in late February 2022, the *Oblast* became a pathway for refugees fleeing further west, and supplies from the West destined for the eastern battlefields. Though far from the front, the region continues to experience Russian missile attacks.¹¹⁶⁰

However, being away from the frontlines and Ukraine's borders, the legal system in Ternopil *Oblast* has been relatively unaffected by the hostilities compared to other areas. The attacks have not damaged any court structures or required that the territorial jurisdiction of any Ternopil *Oblast* court be transferred. All 17 of the *Oblast's* first instance courts and its court of appeals continue to function,¹¹⁶¹ and the *Oblast's* small cadre of 91 first instance and 15 second instance judges continue to work.¹¹⁶² Since the beginning of the war, the *Oblast's* local general first instance courts have lost a net of only one judge.¹¹⁶³

While the more than 85,000 IDPs taken in by the *Oblast*¹¹⁶⁴ have brought in new cases, wartime conditions have reduced the “routine” workload. The number of judges in the *Oblast's* local general first instance courts – which were classified as understaffed before the war began – are now roughly adequate to handle the caseload. The *Oblast's* first instance administrative court, like similar courts in most other *Oblasts*, remains significantly understaffed to handle the deluge of administrative matters generated by the massive displacement of the country's population.¹¹⁶⁵

The *Oblast's* six district prosecutor's offices remain open,¹¹⁶⁶ and continue to work on a variety of matters.¹¹⁶⁷ Though away from the active hostilities, prosecutors in Ternopil *Oblast* interviewed IDPs to gather evidence on war crimes committed in other regions.¹¹⁶⁸ And like prosecutors in other *Oblasts* far from the front lines, they have indicted Russians for war crimes *in absentia*.¹¹⁶⁹

1159 “Arrivals and Work: How the FLA System Works in the Hottest Spots in Ukraine,” dated 13 September 2022, found at <https://minjust.gov.ua/news/ministry/priloti-i-robota-yak-pratsyue-sistema-bpd-u-naygaryachishih-tochkah-ukraini>.

1160 “Chortkiv, Ukraine, rocket attack injures 22, regional governor says,” dated 12 June 2022, found at <https://www.reuters.com/world/europe/rocket-attack-ukraines-chortkiv-city-injures-22-regional-governor-2022-06-12/>.

1161 “Head of territorial department paid working visits to all local general courts of Ternopil region,” dated 20 June 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1286243/>; “Meeting with heads of local general courts of Ternopil region,” dated 23 June 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1287624/>.

1162 Annex 1.

1163 Annex 3.

1164 Baseline Report, p. 3.

1165 Annex 3.

1166 Annex 4. No information is available on the existence or number of departmental prosecutor's offices in Ternopil *Oblast*.

1167 See “News,” found at <https://tern.gp.gov.ua/ua/news.html>.

1168 “Dear Ukrainians who came from the places of hostilities to the Ternopil region!” dated 19 March 2022, found at https://tern.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=311903&fp=63.

1169 “Indictments against the deputies of the State Duma of the Russian Federation have been sent to the court,” dated 2 March 2023, found at https://tern.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328921&fp=14.

Relative to those in frontline regions, the work of the lawyers in the Ternopil *Oblast* has not changed as dramatically. However, more than twenty lawyers from the Ternopil region are serving in the Armed Forces.¹¹⁷⁰ Those working with the FLA system have focused on assisting forced migrants with registering as IDPs, restoring lost migrants with registering as an IDP, restoring lost documents, establishing facts of legal significance, processing assistance from international organizations, and seeking monetary compensation for destroyed property. The FLA has opened consultation points in places within the *Oblast* where IDPs have gathered.¹¹⁷¹

With regard to secondary legal aid, contracts have been concluded with 123 lawyers within the *Oblast*.¹¹⁷² Perhaps more significant, shortly before the war, the *Oblast*'s regional center was part of a pilot project to receive and process notifications of detentions from all over Ukraine (except the city of Kyiv).¹¹⁷³ In November 2022, because the systems in many *Oblasts* were disrupted by the war, this pilot project was expanded to the entire country,¹¹⁷⁴ placing the Ternopil at the center of the controversy over control of the secondary legal aid system (above).

Kharkiv *Oblast*



The see-saw battle for Kharkiv fixated the world's attention for the first few months of the Russian invasion. Ukraine's second-largest city located 50 kilometers from the border, Kharkiv initially was a prime objective for Russian forces. For weeks, the two armies fought in the city's outskirts and the surrounding *Oblast*, while Russian artillery pounded the area. Caught in the middle of this fighting, the courts of Kharkiv *Oblast* struggled to survive.

Prior to February 24, the *Oblast* was home to 37 first instance courts with 290 judges. Moreover, the city of Kharkiv was a major court center, serving as home to nine local general first instance courts, the *Oblast*'s commercial and administrative first instance courts, and an additional 66 second instance judges from three courts: the Kharkiv *Oblast* Court of Appeals, the Eastern Commercial Court of Appeals, and the Second Administrative Court of Appeals.¹¹⁷⁵ The number of courts increased further when the Donetsk and Luhansk Commercial Courts, and the Luhansk Commercial Court of Appeals were moved to Kharkiv in 2014.¹¹⁷⁶

On February 24, the Kharkiv *Oblast* Court of Appeals suspended all work in the region's courts.¹¹⁷⁷ During the subsequent fighting in the *Oblast*, 19 court buildings were damaged or destroyed. A building in the city of Kharkiv which was under restoration to house the Zhovtnevy and Leninsky District Courts was also destroyed. While many of the structures remained standing, the exteriors and office spaces were heavily damaged.¹¹⁷⁸

Given the intense hostilities and partial occupation, the territorial jurisdictions of 60% (23 out of 37) local first instance courts in Kharkiv *Oblast* were transferred to courts in the Poltava and Dnipropetrovsk *Oblasts*, while the Kharkiv *Oblast* Court of Appeals was transferred to the Poltava

1170 "Bar Council of Ternopil region," dated 18 December 2022, found at <https://www.facebook.com/advotern/>.

1171 "How specialists of the BPD system of Ternopil *Oblast* worked in 2022," dated 8 February 2023, found at <https://legalaid.gov.ua/novyny/yak-praczuvaly-fahivci-systemy-bpd-ternopilshhyny-u-2022-rocz/>.

1172 *Ibid.*

1173 "How Other Parts of the FLA System Work Under Martial Law Conditions," dated 10 August 2023, found at <https://minjust.gov.ua/news/ministry/yak-pratsuyut-cherгови-chastini-sistemi-bpd-v-umovah-voennogo-stanu>.

1174 "Work of the next part of the BPD system in Ternopil: new challenges and tasks," dated 30 November 2023, found at <https://legalaid.gov.ua/novyny/robova-chergovoyi-chastyny-systemy-bpd-v-ternopoli-novi-vyklyky-ta-zavdannya/>.

1175 Annex 2.

1176 Decree No. 868/2014, dated 12 November 2014.

1177 "Important! Attention lawyers! The work of the courts is suspended!" dated 24 February 2022, found at <https://advokat.org.ua/articles/1601-vazhlyvo-do-uvahy-advokativ-robova-sudiv-pryzupynena.html>.

1178 SJA Report.

Oblast Court of Appeals. Eight of those first instance courts were in territory occupied by Russian forces, and another three were located where active hostilities were ongoing.¹¹⁷⁹ For the remaining courts, including the 14 local first instance courts in the *Oblast* whose jurisdictions were not transferred,¹¹⁸⁰ steps were taken to expand the security in court buildings.¹¹⁸¹

As a result of the fighting, hundreds of thousands of residents fled Kharkiv *Oblast*. Official estimates indicate that almost a third of all Ukrainians displaced by the Russian assault – roughly 1.9 million people – came from areas around Kharkiv.¹¹⁸² Among them were many judges. While the precise numbers are unclear, the *Oblast* lost 83 judges (or nearly 35%) as of the end of 2022.¹¹⁸³

While some may have left the judiciary, authorities in Kyiv opened the way for judges from courts whose territorial jurisdictions were transferred to seek reassignment to courts outside the war zone. Under this procedure, judges from Kharkiv applied and were “seconded” to courts in western Ukraine. Precisely how many Kharkiv judges were seconded is unclear, but as of August 22, 2022, a total 343 first and second instance judges from Kherson, Donetsk, Luhansk, Mykolayiv, and Kharkiv *Oblasts* had been temporarily seconded to other courts.¹¹⁸⁴

For those who stayed, conditions are difficult. While residents fled the *Oblast*, many from areas further east fled to Kharkiv. As of September 2022, Kharkiv *Oblast* was home to an estimated 382,000 IDPs.¹¹⁸⁵ Even ignoring the shelling and power outages, daily living in the *Oblast* has been a constant challenge. The area was and remains dependent on humanitarian aid, and normal life has simply not been possible for legal professionals as well as other citizens.

As the spring of 2022 wore on, the conditions on the battlefield began to change. By mid-May, Russian forces withdrew from the immediate vicinity of Kharkiv, relieving the pressure on the city. By late May, Ukrainian troops controlled roughly 70% of Kharkiv *Oblast*.¹¹⁸⁶ On August 8, the territorial jurisdiction of the Kharkiv Court of Appeal was restored. In early September, the territorial jurisdictions were restored for two district courts in Blyzniuky and Sakhnovshchyna, in the western-central part of the *Oblast*. Later, the territorial jurisdiction was restored to a third court in that area, the Lozivskiy City-District Court.¹¹⁸⁷

Throughout the summer, Russian forces continued to occupy areas in the east of the *Oblast* in the vicinity of Izyum, which it captured in early April.¹¹⁸⁸ Using the Izyum bridgehead, Russian forces continued to push south toward areas in Luhansk *Oblast* that were the scene of intense attacks.¹¹⁸⁹

Seemingly from nowhere, Ukrainian forces in early September launched a lightning counter-offensive against Russian forces in eastern Ukraine. Within a matter of two weeks, Ukrainian

1179 “The head of the territorial administration took part in the meeting,” dated 14 July 2022, found at <https://hr.court.gov.ua/tu21/pres-centr/nov/1295858/>. See Annex 1.

1180 “Information on local general courts of Kharkiv and Kharkiv region, the jurisdiction over the consideration of cases of which was transferred to the courts of Dnipropetrovsk and Poltava regions,” dated 8 June 2022, found at <https://hr.court.gov.ua/tu21/pres-centr/nov/1282469/>.

1181 “Joint meeting of the leadership of the Territorial Department of the State Judicial Administration of Ukraine in Kharkiv region and the leadership of the Territorial Department of the Judicial Protection Service in Kharkiv region,” dated 6 June 2022, found at <https://dbr.gov.ua/news/dbr-povidomilo-pro-pidozru-u-derzhavnij-zradi-golo-vam-dvoh-rajonnih-sudiv-na-lugan-shhini-ta-harkivshhini>; “A joint meeting was held between the territorial administration, SSO and local general courts of the Ivano-Frankivsk region,” dated 7 July 2022, found at <https://if.court.gov.ua/tu09/pres-centr/news/1295830/>.

1182 “Braving mines and missiles to bring aid to Ukraine’s displaced population,” dated 23 August 2022, found at <https://news.un.org/en/story/2022/08/1125262>.

1183 Annex 3.

1184 “343 judges have already been transferred from the regions of hostilities to other courts – the Supreme Court,” dated 23 August 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1310478/>.

1185 Baseline Report, p. 3.

1186 “Ukraine, Russia battle in the east as Zelenskyy visits front,” dated 29 May 2022, found at <https://abcnews.go.com/International/wireStory/russia-takes-small-cities-aims-widen-east-ukraine-85047943>.

1187 Annex 1.

1188 “Russo-Ukrainian war, day 38: Ukraine recaptures large swathes of terrain near Kyiv as Russia focuses on Ukraine’s east,” dated 2 April 2022, found at <https://euromaidanpress.com/2022/04/02/russo-ukrainian-war-latest-news-april-2/>.

1189 “Zelenskyy discusses EU membership with Macron; fighting rages in key city of Severodonetsk,” dated 10 June 2022, found at <https://www.cnn.com/2022/06/09/russia-ukraine-live-updates.html>.

forces liberated more than 2,500 km² of land in the *Oblast*, including all of the land west of the Oskil River, and some lands east of the river. By late November 2022, the entire *Oblast* had been liberated, except for a small salient in the east near Kupiansk.

By the time the fighting subsided, the toll in the *Oblast* had been horrendous. During the first year of the war, the fighting in Kharkiv *Oblast* had killed about 1,780 civilians, including 74 children.¹¹⁹⁰ Among them was a prosecutor who was killed when Russian shelling hit her residence,¹¹⁹¹ and a judge killed while working as a volunteer removing unexploded ordnance.¹¹⁹² Roughly another 2,700 persons, including 214 children, were injured, and over 1,000 civilians disappeared.¹¹⁹³ More than 11,000 structures were completely or partially destroyed.¹¹⁹⁴

As early as mid-September, plans were underway to begin re-opening courts in the liberated areas.¹¹⁹⁵ Ukrainian authorities reported that preliminary surveys disclosed that all of the courts in the de-occupied areas had been looted, with almost all computer equipment stolen or damaged. The replacement cost of the lost court equipment of the Kherson and Kharkiv regions was estimated at 105 million hryvnias (€2,600,000). In those *Oblasts* alone, Russian forces destroyed and looted more than 2,000 pieces of court equipment, including almost 1,000 computers, about 100 pieces of server equipment, and more than 900 pieces of other equipment.¹¹⁹⁶

Since that time, progress has been made in restoring and reopening those courts. Physical repairs are underway, and some have been completed.¹¹⁹⁷ Some judges are returning to their prior positions, but the numbers are still substantially below the pre-war levels. At the same time, however, the massive migration of the residents of Kharkiv *Oblast* reduced the number of judges needed, so that (ignoring the administrative courts) even the reduced number of judges was statistically adequate to handle the 2022 caseload.¹¹⁹⁸

The story of the Leninsky District Court in the city of Kharkiv illustrates the challenges faced by many of these courts. On the morning of February 24, almost all staff went to work and continued working under the roar of explosions. When they realized what was happening, they began to remove the personal data of employees from the court premises and send everyone home. After three days, discussions began about continuing operations or changing the court's jurisdiction. When the decision was made to change the court's territorial jurisdiction, 90% of those who stayed in Kharkiv returned to work and finalized the cases they had under consideration. After this work was completed, the cases were transferred to Poltava.¹¹⁹⁹

On May 23, after the Russian withdrawal to the east, discussions began on restoring the court's jurisdiction. Thirteen employees returned from other regions to resume work. Despite constant shelling, judges and staff periodically came to work to support each other and

1190 "365 days of struggle: Oleksandr Filchakov talked about the work of the prosecutor's office during the Year of Invincibility," dated 24 February 2023, found at https://khar.gov.ua/ua/news.html?_m=publications&_t=rec&id=328606&fp=90.

1191 "We express our sincere condolences to the relatives and friends of prosecutor Olena Maslych, who died as a result of Russian rocket attacks," dated 21 November 2022, found at https://khar.gov.ua/ua/news.html?_m=publications&_t=rec&id=328606&fp=90 and https://khar.gov.ua/ua/news.html?_m=publications&_t=rec&id=323312&fp=70.

1192 "Judge of the Krasnodarsky District Court of the Kharkiv region Dmitry Konstantinov tragically died," dated 30 October 2022, found at <https://hra.court.gov.ua/sud4818/pres-centr/news/1340805/>.

1193 "365 days of struggle: Oleksandr Filchakov talked about the work of the prosecutor's office during the Year of Invincibility," dated 24 February 2023, found at https://khar.gov.ua/ua/news.html?_m=publications&_t=rec&id=328606&fp=90.

1194 "The civilized world supports Ukraine, which means it supports truth and justice – Oleksandr Filchakov," dated 19 October 2022, found at https://khar.gov.ua/ua/golovna_novuna.html?_m=publications&_c=view&_t=rec&id=321624.

1195 "Even in difficult times for the country, we must develop and continue reforming the judicial system – Chairman of the Supreme Court," dated 15 September 2022, found at <https://court.gov.ua/press/news/1320074/>.

1196 "The equipment of the de-occupied courts was almost completely looted by the enemy," dated 2 December 2022, found at <https://court.gov.ua/press/news/1353572/>.

1197 "The consequences of a missile strike on February 25, 2022 were eliminated in the Darnytskyi and Dniprovskiy district courts of Kyiv," dated 11 January 2023, found at <https://court.gov.ua/press/news/1368842/>; "In the Chervonozavodsky District Court of Kharkiv, after the repair, an updated first floor was opened," dated 11 January 2023, found at <https://court.gov.ua/press/news/1369034/>.

1198 Annex 3.

1199 "Teamwork of the Leninsky District Court of the city of Kharkov during the war," dated 16 December 2022, found at <https://court.gov.ua/press/news/1359179/>.

complete unfinished business. When explosions damaged the court's windows, everyone gathered to restore order. The court's territorial jurisdiction ultimately was restored, and it officially resumed operations on November 23, 2022.¹²⁰⁰

Instead of its pre-war complement of 11 judges, only four judges had returned to work as of the end of 2022. Due to the massive migration from the Leninsky district, however, the calculation methodology used by the Council of Judges indicated that four judges were adequate to handle the caseload at 2022 levels.¹²⁰¹

Yet despite Ukrainian territorial gains, Kharkiv *Oblast* is far from secure. Russian missile and artillery attacks continue throughout the *Oblast*.¹²⁰² Even where courts reopened, court presidents were ordered to develop emergency response plans for use by judges, staff, and trial participants during air raids.¹²⁰³ Ominously, Russian forces have counterattacked in the east, threatening to retake territory liberated by Ukrainian forces in September 2022.¹²⁰⁴

Due to these conditions, the territorial jurisdictions of eleven local general first instance courts remained transferred to courts in Poltava and Dnipropetrovsk *Oblasts* as of April 2023. However, HCJ recognized that those courts are significantly removed from Kharkiv *Oblast*, where most of the participants reside. Particularly in wartime conditions, this complicates access to justice, compliance with procedural deadlines, and prompt consideration of cases.¹²⁰⁵

For these reasons, the territorial jurisdictions of these courts were again changed in April 2023. The territorial jurisdiction of the Barvinkivskyi District Court, which was in a safer area, was restored.¹²⁰⁶ But because the security situation in the remaining areas remained tenuous, the territorial jurisdictions of the remaining ten courts were transferred to other courts in Kharkiv *Oblast*, closer to the areas covered by the transferred courts.¹²⁰⁷

The prosecutors' offices in Kharkiv *Oblast* faced many of the same challenges as the courts. Prior to the Russian attacks, the *Oblast* was home to 14 district and 17 departmental prosecutor's offices.¹²⁰⁸ When the attacks began on February 24, the *Oblast*'s regional prosecutor's office moved quickly to remove vital documents, and destroy those that need not be retained.¹²⁰⁹ While it is unclear how many of the district and departmental offices remained open, some continued to operate even after the territorial jurisdictions of the adjacent local courts had been transferred.¹²¹⁰

Aside from an inadequate number of judges, the legal system in Kharkiv *Oblast* also is focused on another issue that stems from its history and proximity to Russia: alleged collaboration. Prior to February 24, the *Oblast* was a known center for pro-Russian sympathizers. Russian strategists wrongly believed that when the invasion began, the citizens of Kharkiv would welcome Russian

¹²⁰⁰ *Ibid.*

¹²⁰¹ Annex 3.

¹²⁰² See, e.g., "In the morning, the enemy launched a missile attack on the civilian infrastructure of Kharkiv – the investigative and prosecutorial team recorded the consequences," dated 15 March 2023, found at https://khar.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=329706; "At night, the occupiers launched a massive rocket attack on Kharkiv *Oblast* – law enforcement officers record the consequences," dated 9 March 2023, found at https://khar.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=329487&fp=30.

¹²⁰³ See, e.g., "To the attention of the participants in the legal process," dated 13 February 2023, found at <https://2aa.court.gov.ua/sud4851/pres-centr/news/1381828/>; "What should court visitors do when the 'Airborne alarm' signal sounds," dated 8 December 2022, found at <https://adm.hr.court.gov.ua/sud2070/pres-centr/news/1295092/>.

¹²⁰⁴ "Ukraine Steps Up Calls for Evacuation of Kupiansk Under Relentless Russian Shelling," dated 12 March 2023, found at <https://www.nytimes.com/2023/03/12/world/europe/ukraine-russia-kupiansk.html>.

¹²⁰⁵ Order of the High Council of Justice, No. 399/0/15-23, dated 20 April 2023.

¹²⁰⁶ Order of the High Council of Justice, No. 384/0/15-23, dated 20 April 2023.

¹²⁰⁷ Annex 2; Order of the High Council of Justice, No. 399/0/15-23, dated 20 April 2023.

¹²⁰⁸ Annex 4.

¹²⁰⁹ "We know the majority of persons involved in crimes against the people of Ukraine – the head of the Kharkiv Regional Prosecutor's Office," dated 5 May 2022, found at https://khar.gp.gov.ua/ua/intervu_ta_komentari?_m=publications&_c=view&_t=rec&id=313141.

¹²¹⁰ See "Combating crime: district attorney's offices discussed law enforcement," dated 29 August 2022, found at https://khar.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=318796&fp=220.

troops. While that did not occur, some pro-Russian residents of the *Oblast* cheered, assisted, and/or joined the invading forces, particularly during the months of occupation leading up to the Ukrainian offensive in September 2022.

Dozens of collaboration investigations and prosecutions based on these actions have been started by prosecutors in the *Oblast*, based on charges ranging from spying to teaching students in Russian. By the first anniversary of the Russian aggression, prosecutors had investigated 118 persons for treason (indicting at least 29) and 313 persons for collaboration (indicting at least 161).¹²¹¹ At least two judges in outlying local courts are under investigation for cooperating with the enemy.¹²¹²

According to the regional prosecutor, none of the employees of the prosecutor's office went over to the side of the enemy. However, Russian shelling killed one employee of a regional prosecutor's office, and injured four others. In addition, three buildings housing district prosecutor's offices were destroyed and nine were damaged. Another 13 buildings were in areas of the *Oblast* where they could not be assessed.¹²¹³

The *Oblast's* prosecutors identified six priorities for their work, beginning with the documentation of war crimes. As of February 2023, prosecutors had opened investigations into more than 12,100 alleged war crimes by Russian troops in Kharkiv *Oblast*.¹²¹⁴ Prosecutors' offices also prioritized the protection of both state and personal property from looters, stopping abuses in the distribution of humanitarian aid, the prosecution of those serving in the ranks of the LPR, and the expropriation of the property and assets of Russian citizens.¹²¹⁵

The Kharkiv *Oblast* also was home to nearly 2,800 *advokats* before the war.¹²¹⁶ When the work of the courts was suspended on February 24, many joined the exodus from the region. An unknown number joined the Armed Forces and Territorial Defense Forces,¹²¹⁷ with at least one being killed.¹²¹⁸ In view of the dire humanitarian situation in the *Oblast*, the local Bar Council in cooperation with European charitable funds undertook to distribute groceries to needy colleagues in the region.¹²¹⁹

When the war began, there were 12 FLA bureaus in the region. Some quickly were occupied, while others were directly in the line of fire. Despite this, employees of the FLA system continued to work. Several offices were able to operate more or less as business as usual.¹²²⁰ Other offices adopted other strategies such as switching to a remote or mixed mode of operation, traveling

1211 "Oleksandr Filchakov held a coordination meeting with law enforcement officers of the Kharkiv region," dated 9 February 2023, found at https://khar.gp.gov.ua/ua/golovna_novuna.html?_m=publications&_c=view&_t=rec&id=327698.

1212 "SBI reported on suspicion of treason to the heads of two district courts in Luhansk and Kharkiv regions," dated 15 May 2022, found at <https://dbr.gov.ua/news/dbr-povidomilo-pro-pidozru-u-derzhavnij-zradi-golovam-dvoh-rajonnih-sudiv-na-lugan-shhini-ta-harkivshhini>; "The head of the district court of Kharkiv region will be tried for the state council," dated 7 February 2023, found at <https://gp.gov.ua/ua/posts/za-derzradu-suditimut-ocilnicyu-raion-nogo-sudu-xarkivskoyi-Oblasti>.

1213 "One prosecutor was killed and four others were injured in Kharkiv Oblast," dated 15 February 2023, found at <https://atn.ua/kharkiv/na-kharkivshchyni-zahynuv-odyn-prokuror-ta-shche-chetvero-otrymaly-poranennia-392550/>; Annex 4.

1214 "Oleksandr Filchakov held a coordination meeting with law enforcement officers of the Kharkiv region," dated 9 February 2023, found at https://khar.gp.gov.ua/ua/golovna_novuna.html?_m=publications&_c=view&_t=rec&id=327698.

1215 "We know most of the people involved in crimes against the people of Ukraine – the head of the Kharkiv Regional Prosecutor's Office," dated 5 May 2022, found at https://khar.gp.gov.ua/ua/intervu_ta_komentari?_m=publications&_c=view&_t=rec&id=313141; "365 days of struggle: Oleksandr Filchakov talked about the work of the prosecutor's office during the Year of Invincibility," dated 24 February 2023, found at https://khar.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328606&fp=90.

1216 Annex 6.

1217 "The Bar Council of Kharkiv region expresses its gratitude to our lawyers, assistants and trainees who defend Ukraine in the ranks of the Armed Forces of Ukraine and Theroboron," dated 23 March 2022, found at <https://advokat.org.ua/articles/1605-Rada-advokativ-kharkivskoyi-Oblasti-vyslovlyuye-vdyachnist-nashym-advokatam-pomichnykam-ta-staz.html>.

1218 "In memory of the deceased defender of Ukraine lawyer Dmitry Antonenko," dated 28 June 2022, found at <https://advokat.org.ua/articles/1622-pam-yati-zahybloho-zakhysnyka-ukrayiny-advokata-dmytra-antonenka.html>.

1219 "Application for humanitarian aid," dated 7 November 2022, found at <https://www.facebook.com/Rada.kharkov/>.

1220 The bureaus in Bohodukhiv, Krasnokutsk, Kolomatsk, Pervomaisky, Zacheplivskiy, Krasnogradskiy, and Novovodolazskiy. See "Arrivals and Work: How the FLA System Works in the Hottest Spots in Ukraine," dated 13 September 2022, found at <https://minjust.gov.ua/news/ministry/priloti-i-robota-yak-pratsyue-sistema-bpd-u-naygary-achishih-tochkah-ukraini>

to outlying areas to assist with issues involving damaged property or war crimes, creating FLA consultation points, or conducting online legal education events.¹²²¹

After their liberation in the summer and fall of 2022, many villages and towns remained without essential services such as communication, Internet, electricity, or gas. FLA volunteers traveled to these areas bringing humanitarian aid and circulating printed materials on legal issues prepared by the Coordinating Center for Legal Aid for Residents of the De-Occupied Territories.¹²²²

Notaries suffered the same challenges as the other professions. The experience of a notary from a small city in Kharkiv *Oblast* offers insight into some of these issues. On the morning the Russian attacks began in February 2022, she gathered up her seal, keys, forms, and laptops, and fled to Ivano-Frankivsk with her family. She ceased working, but in late September her home city was liberated and she returned. The city was a ghost town with only a few people, almost no traffic, no electricity, gas, water, communication, or Internet, destroyed infrastructure, and closed enterprises, institutions, and organizations.¹²²³

Over time, some of the businesses and infrastructure have been restored. People started coming back and began needing notarial help. Three notaries have returned to the city and resumed their activities, along with one who did not leave the city and survived the occupation. The latter described how some residents requested the Russian forces to open notary offices and take control of the archives, but Ukrainian forces liberated the city before that could occur.¹²²⁴

Elsewhere in the liberated areas, the outcome is not as encouraging. For example, in Iziium in Kharkiv *Oblast*, not a single notary has resumed their professional activities. The city was badly damaged and burned, notary offices were destroyed, and archives were damaged. Notaries are trying to adapt to life in the city, but the destruction of both housing and critical infrastructure has made it very difficult.¹²²⁵

Kharkiv has long been a center for legal education, second only to the city of Kyiv in the number of authorized annual slots for both bachelor's and master's law students. The majority of those students attend Yaroslav the Wise National University of Law (above), which currently has an enrollment of over 5,100 students combined in both categories.¹²²⁶ Another public university, V.N. Karazin Kharkiv National University, suspended operations from February 24 until the beginning of 2022. Thereafter, education and research has been online, since only 47% of the academic staff were in Kharkiv. In part, this gap was due to the power outages and blackouts, and the University's inability to provide a sufficient number of generators for the faculty.¹²²⁷

One large, Ministry-operated law faculty originally housed in Kharkiv was the Kharkiv National University of Internal Affairs operated by the Ministry of Internal Affairs with spots for over 4,200 bachelor's and master's law students.¹²²⁸ However, after Russian forces attacked, the University was shelled on March 26.¹²²⁹ The law faculty relocated to Vinnytsia where cadets receive a stipend and are provided with food, uniforms, and dormitory accommodations for their first year.¹²³⁰

1221 *Ibid.*

1222 "Booklets of the BPD system – legal assistance to residents of the de-occupied territories," dated 6 March 2023, found at <https://legalaid.gov.ua/novyny/buklety-systemy-bpd-pravova-dopomoga-zhytelyam-deokupovanyh-terytorij/>.

1223 "Yana Dvornyk: 'In the Morning, Instead of Coffee, We Buy Gasoline for Generators, and We leave the Villages with Sappers,'" *Notary of Ukraine*, No. 3-4 (46-47), p. 12 (2022).

1224 *Ibid.*

1225 *Ibid.*

1226 Annexes 8 and 9.

1227 Markiv, p. 27.

1228 Annexes 8 and 9.

1229 "Kharkiv University of Internal Affairs 'moved' to Khmelnytskyi," dated 7 May 2022, found at <https://suspilne.media/236851-harkivskij-universitet-vnutrisnih-sprav-perehav-na-hmelnicynu/>.

1230 "The branch of Kharkiv University of Internal Affairs is now in Vinnytsia. What are the admission requirements?" dated 18 June 2022, found at <https://vn.20minut.ua/Osvita/filial-harkivskogo-universitetu-vnutrish-nih-sprav-teper-u-vinnit-si-yak-11620455.html>.

Kherson Oblast



Kherson *Oblast* is the pivot point for Russian aggression along the Black Sea coast of Ukraine. Lying just north of the narrow isthmus connecting Crimea to the mainland, the *Oblast* was a natural route for Russian forces from the south to attack north and then spread east and west along the coast. On the morning of February 24, the Russian assault began, and by March 2, the city of Kherson – the administrative center of the *Oblast* – surrendered.

In succeeding days, Russian forces sought to occupy the entire *Oblast* and make Kherson a centerpiece of the “Russification” of Ukraine.¹²³¹ Peaceful anti-Russian citizen protests in Kherson gave way to violent partisan attacks around the *Oblast*.¹²³² Local Ukrainian officials were arrested, and pro-Russian surrogates were installed. In mid-June, Russian occupation authorities began handing out Russian passports to local Ukrainians and on November 7, 2022, the Russian Federation announced its annexation of Kherson along with three other *Oblasts*.

As part of this process, the Ukrainian judicial system in the *Oblast* was eviscerated. The outward physical damage was minor, since the fighting in February and early March was minimal. On the other hand, a number of courts were looted with files and computer systems stolen or destroyed.¹²³³

The Ukrainian government’s reaction was swift and predictable. The courts were closed, and the territorial jurisdictions of all 22 first instance courts in the Kherson *Oblast*,¹²³⁴ as well as the territorial jurisdiction of the Kherson *Oblast* Court of Appeals, were transferred to other courts in the Odesa and Dnipropetrovsk *Oblasts*.¹²³⁵ The website for the Kherson *Oblast* courts simply read: “*In order to prevent threats to the life and health of judges and participants in the trial during martial law, access is temporarily suspended.*”¹²³⁶

The disposition of the roughly 140 judges assigned to the *Oblast* at the start of the expanded Russian aggression is unclear. A number of judges were seconded to other courts, since data from late August 2022 reflected that a total 343 first and second instance judges from Kherson, Donetsk, Luhansk, Mykolayiv and Kharkiv *Oblasts* had been temporarily sent to other courts.¹²³⁷ By September 2022, all Kherson Court of Appeals judges had been seconded to other courts and plans were underway to second the judges of the *Oblast*’s Administrative and Commercial Courts to other jurisdictions.¹²³⁸

Similar steps were taken with respect to the enforcement of judgements. In June 2022, the Ministry of Justice ordered that judgements that needed to be enforced in the Kherson *Oblast* would be enforced by the executors the Kirovohrad *Oblast*.¹²³⁹

1231 See “‘Russia Is Here Forever,’ Top Putin Ally Tells Occupied Ukraine City,” dated 6 May 2022, found at <https://www.newsweek.com/russia-here-forever-putin-ally-andrei-turchak-kherson-1704311>.

1232 See “Growing partisan movement of Kherson *Oblast* now bombs collaborators,” dated 25 June 2022, found at <https://euromaidanpress.com/2022/06/25/growing-partisan-movement-of-kherson-Oblast-now-bombs-collaborators/>.

1233 Website of the State Judicial Administration of Ukraine, “Destroyed/damaged premises of judicial institutions as a result of the armed aggression of the Russian Federation,” dated 26 May 2022, found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

1234 Annex 1. Some reports have indicated that there were three additional local courts located in the city of Kherson, but no judges have been shown as assigned to them on February 22, 2022, and no orders were entered to transfer their territorial jurisdictions after the fall of Kherson.

1235 Annex 2.

1236 See <https://ks.court.gov.ua/tu22/>.

1237 “343 judges have already been transferred from the regions of hostilities to other courts – the Supreme Court,” dated 23 August 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1310478/>.

1238 “Even in difficult times for the country, we must develop and continue reforming the judicial system – Chairman of the Supreme Court,” dated 15 September 2022, found at <https://court.gov.ua/press/news/1320074/>.

1239 Order of the Ministry of Justice No. 2373/5, dated 14 June 2022.

Though no official statement was released, regional prosecutor's offices and six district offices in the Kherson *Oblast* presumably closed.¹²⁴⁰ Prosecutors from the area reportedly were evacuated to Mykolayiv on February 24–25, where they were given housing and new jobs. When Russian troops began to advance toward Mykolayiv, some were sent to other regions or to work under the direction of the Office of the Prosecutor General.¹²⁴¹

Despite these evacuations, the Kherson Regional Prosecutor's Office continued to work from a distance on a variety of matters, primarily involving the documentation of war crimes, treason, and collaboration occurring in the *Oblast*.¹²⁴² Prosecutors also began looking for witnesses to the violent dispersal and arrest of non-violent citizen protesters by Russian troops.¹²⁴³ In a show of resilience, the regional office even announced that it is hiring additional staff.¹²⁴⁴

The circumstances of the various district and departmental offices are unclear. However, by late summer 2022, at least some of these offices began openly pursuing cases involving war crimes or crimes against national security.¹²⁴⁵ Initially, the prosecutors' work was primarily investigative. Many suspects were notified of suspicion, but few indictments were filed. However, by late summer, the *Oblast*'s prosecutors began bringing indictments against various individuals, albeit mostly *in absentia*.¹²⁴⁶

The circumstances on the battlefield – and with it the situation with the judicial system – began to change in the late summer of 2022. During September and October, Ukrainian troops liberated the territories of the Velykooleksandrivskiy, Vysokopilskiy, and Novovorontsovskiy District Courts in the Kherson *Oblast*. Within days, the SJA began inspections of the court buildings.¹²⁴⁷

With this progress, the territorial jurisdictions of all 21 courts from Kherson *Oblast* that had been transferred to courts in Dnipropetrovsk *Oblast* were again transferred in early October 2022, this time to courts in the Odesa *Oblast*.¹²⁴⁸ The net effect of this change was to concentrate the territorial jurisdictions of all courts in Kherson *Oblast* in the Odesa region.

In early November 2022, Ukrainian forces liberated the city of Kherson and the entirety of the *Oblast* on the right bank of the Dnieper.¹²⁴⁹ Eight more court buildings on the right bank of the Dnieper were recaptured, so that by mid-November, 12 courts in Kherson *Oblast* were under Ukrainian control. Some of those premises were wired with explosives, delaying inspections of the buildings while technicians removed the threat.¹²⁵⁰

1240 Annex 4.

1241 “‘The war has made its own adjustments’: Interview with the Deputy Prosecutor of the Mykolayiv region,” dated 2 April 2022, found at <https://news.pn/ru/RussiaInvadedUkraine/269970>.

1242 See “The reorientation of the activities of all law enforcement agencies and operational units, first of all, to ensure proper full recording and pre-trial investigation of crimes against peace, security of mankind and international law and order,” dated 31 August 2022, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=318978&fp=20.

1243 “Attention! The Prosecutor's office is looking for witnesses who know the circumstances and information about the missing people after the rallies against the invaders in Kherson,” dated 24 May 2022, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=313813&fp=20.

1244 “The Kherson Regional Prosecutor's Office announced the selection for the vacant position of the civil service during the period of martial law: chief specialist of the financing and accounting department,” dated 6 June 2022, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=314239&fp=10.

1245 See, e.g., “The pre-trial investigation of the so-called head of the Skadovska District Military Administration and his deputy has been completed,” dated 13 September 2022, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=319679&fp=410.

1246 *Ibid.*; “Implements the education standards of the aggressor country in the temporarily occupied territory of the Kherson region – the teacher will be tried for collaborationism,” dated 10 September 2022, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=319550&fp=410.

1247 “Measures are underway to restore the work of the courts of the Kherson region,” dated 29 November 2022, found at <https://court.gov.ua/press/news/1351492/>.

1248 Order of the Supreme Court, No. 52, dated 26 September 2022.

1249 “Liberation of Kherson,” dated 12 November 2022, found at <https://ks.court.gov.ua/tu22/pres-centr/news/1351989/>.

1250 “Measures are underway to restore the work of the courts of the Kherson region,” dated 29 November 2022, found at <https://court.gov.ua/press/news/1351492/>.

Senior officials from the Ukrainian judiciary quickly arrived in the liberated areas and began discussing the reopening of the courts.¹²⁵¹ Teams were dispatched to review the damage to the court buildings and assess the necessary repairs.¹²⁵² Two floors of the building of the Kherson Court of Appeals had been badly damaged.¹²⁵³ All of the de-occupied courts in the Kherson *Oblast* had been looted by Russian forces. Almost all computer equipment was stolen or damaged during the occupation. Authorities revealed that in the Kherson and Kharkiv *Oblasts* alone, more than 2,000 pieces of court equipment, including almost 1,000 computers, about 100 pieces of server equipment, as well as more than 900 pieces of office equipment and other equipment, were destroyed or stolen.¹²⁵⁴

Discussions also began concerning staffing of the liberated courts. Regional officials have estimated that since the Russian assault began, some 80% of Kherson's pre-war population of about 320,000 fled the city.¹²⁵⁵ Nonetheless, Ukrainian authorities confidently indicated that the staff of the liberated courts remains available to work. The majority of judges (90%) and staff did not travel far, and reportedly were living in Odesa, Zhytomyr, and Rivne. The plan was to return all judges and staff to Kherson and the rest of the liberated territories as soon as the buildings were restored and new equipment was installed.¹²⁵⁶

In January 2023, Ukrainian authorities announced that the territorial jurisdictions of the Kherson *Oblast* Court of Appeals and three District Courts (Bilozerka, Velyka Oleksandrivka, and Novovorontsovka) would be restored effective February 1. That order further indicated that the territorial jurisdictions of the remaining 17 courts in Kherson *Oblast*, including both those liberated and those on the east side of the river still under Russian control, would be transferred from courts in Odesa to the three reopened District Courts.¹²⁵⁷ At the same time, the Ministry of Justice returned the authority for enforcing judgments in Kherson *Oblast* to the various executors' offices in the liberated portion of the region.¹²⁵⁸

This optimism soon faded. While Ukrainian forces controlled the right bank of the Dnieper, Russian forces controlled the left bank. From those positions, the Russians continued to pound the liberated areas with artillery and rocket fire. Later in January 2023, local authorities requested that the HCJ postpone the resumption of work in the courts whose territorial jurisdictions were to be restored. Those officials pointed out that all were within the reach of Russian long-range artillery and do not have bomb shelters. Moreover, the premises had suffered significant damage to heating systems and windows, and lacked internet connections, equipment and furniture, making operations untenable.¹²⁵⁹

The HCJ accordingly postponed the changes in territorial jurisdictions and reopening of the four courts initially until March 1, 2023,¹²⁶⁰ but later until April 1¹²⁶¹ and then to May 1.¹²⁶² In the latter Order, the HCJ cited a letter from the President of the Kherson Court of Appeal stating that

1251 "A blue-yellow flag flies over the building of the Kherson Court of Appeal," dated 14 November 2022, found at <https://oda.court.gov.ua/sud4813/pres-centr/news/1345604/>.

1252 "Measures are underway to restore the work of the courts of the Kherson region," dated 29 November 2022, found at <https://court.gov.ua/press/news/1351492/>.

1253 "Kherson is back in touch!" dated 21 November 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1348427/>.

1254 "The equipment of the de-occupied courts was almost completely looted by the enemy," dated 2 December 2022, found at <https://court.gov.ua/press/news/1353572/>.

1255 "Free for a month, Kherson still toils to clear Russian traps," dated 11 December 2022, found at <https://abcnews.go.com/International/wireStory/free-month-kherson-toils-clear-russian-traps-94976023>.

1256 "A blue-yellow flag flies over the building of the Kherson Court of Appeal," dated 14 November 2022, found at <https://court.gov.ua/press/news/1345576/>.

1257 "From February 1, four courts of the region will resume work," dated 13 January 2023, found at <https://ks.court.gov.ua/tu22/pres-centr/news/1369759/>.

1258 "Order of the Ministry of Justice No. 231/5, dated 16 January 2023.

1259 "The HCJ postponed the restoration of territorial jurisdiction of court cases of courts in Kherson region," dated 31 January 2023, found at <https://court.gov.ua/press/news/1376683/>.

1260 *Ibid.*

1261 "The Supreme Council of Justice postponed the start of the resumption of the work of the courts of the Kherson region due to the presence of security threats," dated 1 March 2023, found at <https://oda.court.gov.ua/sud4813/pres-centr/news/1389439/>.

1262 High Council of Justice Order No. 282/0/15-23, dated 30 March 2023.

security threats that make the proper functioning of courts in Kherson *Oblast* impossible. The HCJ also pointed to the need to purchase of mobile shelters, fill vacant positions in the Judicial Security Service in Kherson, and purchase computers and other equipment, all of which were necessary for these courts to resume work.¹²⁶³

Concerns also were raised about the ability to staff the reopened courts, which were significantly understaffed before the war. For example, prior to February 24, 2022, the Kherson Court of Appeal had only 25 judges authorized to administer justice out of 39 authorized positions. When it convened in January 2023, the HCJ received three applications for resignation from judges of the Kherson Court of Appeal, with other resignations in the offing. Under such circumstances, particularly given the harsh working conditions in this frontline region, it is unclear if the courts, when restored, can be adequately staffed.¹²⁶⁴

The situation with the prosecutors in the *Oblast* appears similarly unsettled. Twenty buildings used by prosecutors prior to the invasion remain in occupied territory. Even in the liberated areas of the *Oblast*, fourteen offices used by prosecutors were damaged, with one fully destroyed.¹²⁶⁵ Whether prosecutors have physically reoccupied offices within liberated areas, or continue to work from other regions, is unclear. Regardless, since the liberation of Kherson prosecutors, including those assigned to offices in areas still occupied by Russian forces, have picked up the pace of pursuing cases against alleged Russia war criminals and Ukrainian collaborators.¹²⁶⁶

The types of criminal activity seen prior to war dropped markedly in 2022, both due to migration and the inability to report crimes in such a chaotic situation. The number of criminal offenses registered with the authorities in 2022 fell by 29% from 2021. “Ordinary” crimes fell dramatically: the number of thefts in the region decreased by 59.7%, robberies by 53.2%, extortion by 63.6%, robberies by 28.6%, and acts of embezzlement, and waste or illegal possession of property by 44.2%.

At the same time, war-related offenses skyrocketed. After February 24, 2022, 70% of all crimes registered with authorities related to the war.¹²⁶⁷ As conditions allowed, prosecutors began documenting alleged crimes committed by the Russian forces in the liberated areas.¹²⁶⁸ As of late January 2023, prosecutors had identified 65 cases of conflict-related sexual violence allegedly committed by the Russian military, the most of any *Oblast* in Ukraine.¹²⁶⁹

Because Kherson fell without much resistance and was under Russian control for months, prosecutors in the *Oblast* are devoting considerable energy not only to investigating war crimes, but also allegations of treason and collaboration.¹²⁷⁰ Employees of the *Oblast*'s prosecutor's office distributed information booklets such as “Collaboration with the enemy – a criminal

¹²⁶³ *Ibid.*

¹²⁶⁴ “Motion for Removal and Subsequent Resignations,” dated 7 March 2023, found at https://zib.com.ua/ua/155130-klopotannya_pro_vidstoronennya_ta_chergovi_vidstavki_zasida.html.

¹²⁶⁵ Annex 4.

¹²⁶⁶ See, e.g., “The so-called ‘deputy head of the military-civilian administration of the Kakhovskiy district’ will be tried for collaborative activity,” dated 30 December 2022, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=325172&fp=291; “She acted as a mediator between local residents and the occupation authorities – a resident of Bilozerka will be tried,” dated 1 February 2023, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327119&fp=230.

¹²⁶⁷ “Information on the results of the activities of the prosecutor's office of the Kherson region in 2022,” dated 27 January 2023, found at https://kherson.gp.gov.ua/ua/publ.html?_m=publications&_c=view&_t=rec&id=269126.

¹²⁶⁸ “In the de-occupied territory of the Kherson region, prosecutors are documenting crimes committed by the Russian army,” dated 18 October 2022, found at <https://gp.gov.ua/ua/posts/na-deokupovanii-teritoriyi-xersonshhini-prokurori-dokumentuyut-zlocini-vcinieni-armijeyu-ri>.

¹²⁶⁹ “The Prosecutor's Office and the National Police have already recorded 155 cases of sexual violence, the most – in Kherson and Kyiv regions,” dated 1 February 2023, found at <https://gp.gov.ua/ua/posts/prokuratura-ta-nac-policija-zafiksuvali-vze-155-vipadkiv-seksualnogo-nasilstva-naibilse-na-xersonshhini-ta-kiyivshhini>. Prosecutors believe that the number of cases of sexual violence committed by the Russian military is much higher since these totals reflect only the number of cases where the victims are ready to testify.

¹²⁷⁰ “The Kherson Regional Prosecutor's Office held a coordination meeting on combating crime under martial law,” dated 21 February 2023, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328364&fp=60.

offense,” and “Your history – your contribution to victory.” Leaflets were accompanied with forms outlining what war crimes are, who are collaborators, traitors and helpers of the Russian Federation, and where and how to contact the prosecutors with information.¹²⁷¹

Prior to the war, relatively few *advokats* were practicing in the Kherson *Oblast*.¹²⁷² After Russian occupation, the courts closed. Slowly, the opportunity to provide legal assistance and to carry out professional activities disappeared. Lawyers began to engage in unskilled labor: trading in the market and unloading goods. Those who could, with the help of video conferences, carried on cases outside the borders of the Kherson *Oblast*. But over time, this option also disappeared. For weeks, Ukrainian officials urged the residents of Kherson to evacuate ahead of the planned Ukrainian military offensive.¹²⁷³ As life became more and more difficult, lawyers like other residents of *Oblast* left their homes and evacuated to unoccupied regions of Ukraine.¹²⁷⁴

The fact that a number of lawyers, including some leaders of the Bar Council, stayed in the *Oblast* during occupation has raised the issue of collaboration. Accusations have circulated that the Kherson Bar collaborated with the Russians.¹²⁷⁵ Local Bar leaders strenuously deny these accusations, contending that, despite threats and pressure, they did not follow Russian instructions but instead at all times followed Ukrainian law and procedures.¹²⁷⁶

The Bar Council’s local leadership point to the attempt by Russian authorities to seize the Council’s offices. On September 18, 2022, the locks were cut in the office, the room was sealed, a “Z” was drawn with a ballpoint pen, and the lock was replaced. The following day, Bar leaders contend that they climbed through the window and changed the locks. When the Russian authorities demanded that they register their office in a Russian registry, they refused.¹²⁷⁷ And throughout the occupation – unlike some other occupied areas – the *Oblast*’s Bar Council continued to post items on its website suggesting that it was meeting as normal in Kherson,¹²⁷⁸ and reflecting that its headquarters’ address remained in Kherson.¹²⁷⁹

Bar leaders argued that if they all left, the self-government bodies of the Kherson *Oblast* would cease their activities, and young lawyers who applied for internships and certificates could not become *advokats*. According to them, they held monthly classes with interns, at significant risk to themselves. Meetings were behind closed doors from February to September 2022, nominally disguised with a leaflet pasted on the door saying that the office was temporarily closed. When the Council worked with interns, they also used electronic communication so that those interns who were evacuated could join the classes and carry out individual training plans.¹²⁸⁰ Reports were received concerning interns, and 25 new lawyers were admitted. Perhaps most important, Bar leaders indicate that they preserved the personal files of their members.¹²⁸¹

1271 “Prosecutors continue an information campaign among the population to collect evidence of the crimes of the Russian Federation and the accomplices of the enemy,” dated 14 February 2023, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327925&fp=80.

1272 Annex 6.

1273 “Ukraine urges people of Kherson and Zaporizhzhia to evacuate,” dated 9 July 2022, found at <https://www.theguardian.com/world/2022/jul/09/ukraine-urges-people-of-kherson-and-zaporizhzhia-to-evacuate>.

1274 “Lawyers of the Kherson Region Are Returning to Work — Inna Mokina,” dated 6 January 2023, found at <https://pivdenukraine.com.ua/2023/01/06/advokati-xersonshhini-povertayutsya-do-roboti-inna-mokina/>.

1275 “Kherson journalists write that the head of the regional bar council is recruiting colleagues to work in Russia. Pravchyna denies everything,” dated 17 October 2022, found at <https://zmina.info/news/hersonski-zhurnalisty-pyshut-shho-golova-rady-advokativ-regionu-verbuye-koleg-dlya-roboty-na-rosiyu-pravchynya-vse-sprostovuye/>.

1276 “Lawyers of the Kherson region courageously withstood the occupation period,” dated 16 December 2023, found at <https://unba.org.ua/news/7792-advokati-hersonshini-muzhn-o-vistoyal-period-okupacii.html>.

1277 *Ibid.*

1278 “Announcement,” dated 26 April 2022, found at <http://advokat.csit.org.ua/>.

1279 See, e.g., Decision No. 46 of 29-06-2022, dated 7 July 2022, found at http://feeds.feedburner.com/advokat_kherson.

1280 “I remember at five in the morning on February 24, when I was woken up by my son’s call: ‘Mom, the war.’: Head of the Bar Council of the Kherson Region Inna Mokina,” dated 23 January 2023, found at <https://advokatpost.com/ia-pryhadiuu-p-ia-tu-ranku-24-liutoho-koly-rozbudyv-dzvinok-syna-mamo-vijna-holova-rady-advokativ-khersonskoi-Oblasti-in-na-mokina/>; “Lawyers of the Kherson Region Are Returning to Work – Inna Mokina,” dated 6 January 2023, found at <https://pivdenukraine.com.ua/2023/01/06/advokati-xersonshhini-povertayutsya-do-roboti-inna-mokina/>.

1281 “Lawyers of the Kherson region courageously withstood the occupation period,” dated 16 December 2023, found at <https://unba.org.ua/news/7792-advokati-hersonshini-muzhn-o-vistoyal-period-okupacii.html>.

With the liberation, many lawyers still practicing in the region are defending those accused of collaboration and are helping others establish that they participated in activities supporting the Ukrainian government while in occupied Kherson. Given the emotions of war and the public desire for retribution, defending these individuals may be a difficult task.¹²⁸²

Kherson's notaries were blocked from the registries and out of work throughout the Russian occupation. A handful – about 6% of the pre-war notarial corps – had returned and been given access to the registries by late March 2023.¹²⁸³ Similarly, legal education was at a standstill as reflected in the story of Kherson State University, discussed above.

Khmelnytskyi Oblast



In November 2020, the Regional Prosecutor announced that Khmelnytskyi Oblast was the safest place in Ukraine. Drunk driving and computer fraud persisted, but the Oblast generally remained safe.¹²⁸⁴ More than two years' later, the country's circumstances have dramatically changed, but the Oblast may still be the safest in Ukraine. It endured frightening air raid warnings and actual missile strikes, but relatively little physical damage from the war.

The Oblast is situated at a historical crossroads of the railway and highway routes connecting Central Europe to Black Sea coast and Russia. Accordingly, the main direct impact of the war on Khmelnytskyi has been the arrival of a significant influx of IDPs¹²⁸⁵ and continuing Russian missile strikes on the transport and energy infrastructure in the Oblast.¹²⁸⁶

The 20 first instance and one second instance courts in the Khmelnytskyi Oblast are intact,¹²⁸⁷ with no physical damage and no transfers of territorial jurisdiction. Nor are there any indications of any significant departures from among the members of the bench due to the war. For example, by the end of 2022, the Oblast's courts had seen a net loss of only three judges. In fact, though considered significantly understaffed before the war, the reduction in court filings during the war closed that gap in 2022, so that most of the Oblast's courts were reasonably well-staffed. Only the Oblast's first instance administrative court and the Khmelnytskyi City-District Court, the largest local general first instance court, were significantly understaffed.¹²⁸⁸

While the number of criminal offenses in the Oblast decreased by about 13% in 2022, the number of prosecutors working in the Oblast's five district offices¹²⁸⁹ actually increased from 216 to 227.¹²⁹⁰ Those prosecutors saw fewer changes in their caseloads compared to their counterparts in many other regions. One of the major problems they faced – likely due to the Oblast's location as a major transportation crossroads – was the illegal trafficking of drugs and weapons. Fraud continued to be a problem in the region, and property crimes and fatal road accidents increased.¹²⁹¹

1282 *Ibid.*

1283 Annex 7.

1284 "Khmelnytskyi Region is the Safest for Citizens to Live In – Regional Prosecutor," dated 19 November 2020, found at <https://www.xm-inside.com/statti/hmelnichchyna-ye-najbilsh-bezpechnoyu-dlya-prozhyvannya-gromadyan-oblasnyj-prokuror/>.

1285 Baseline Report, p. 3.

1286 See "Blasts hit west Ukraine after Russia fires four missiles, officials say," dated 18 February 2023, found at <https://www.reuters.com/world/europe/explosions-reported-after-new-missile-attack-ukraine-2023-02-18/>,

1287 Annex 1.

1288 Annex 3.

1289 Annex 4. No information is available on the existence or number of departmental prosecutor's offices in Khmelnytskyi Oblast.

1290 "Information on the results of the activities of the prosecutor's office of Khmelnytsky region in the first half of 2022," dated 2 August 2022, found at https://khamel.gp.gov.ua/ua/actual.html?_m=publications&_c=view&_t=rec&id=317244.

1291 "A coordination meeting of the heads of law enforcement agencies was held at the Khmelnytskyi Regional Prosecutor's Office," dated 8 February 2023, found at https://khamel.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327626&fp=50.

Though prosecutors in the *Oblast* routinely announce that they give high priority to war crimes, treason and collaboration, the data suggests that such prosecutions are less prevalent than in other *Oblasts*.¹²⁹² Nonetheless, prosecutors in the regional prosecutor's office recently indicted 46 deputies of the Russian State Duma who voted to recognize the independence of the temporarily occupied Donetsk and Luhansk *Oblasts*.¹²⁹³

No data has been located concerning the impacts of the war on the *advokats* in Khmelnytskyi *Oblast*. A number of *advokats* have enlisted in the Armed Forces and Territorial Defense Forces,¹²⁹⁴ and other *advokats* assumed their cases.¹²⁹⁵

The *Oblast's* Bar Council met on the evening of February 24, 2022, and took several steps to adjust its operations to the new wartime realities.¹²⁹⁶ As in most *Oblasts*, the *Oblast's* Bar Council mobilized its members for a variety of activities including emergency medical training, firearms training, and the resettlement and employment of women with children abroad.¹²⁹⁷ The *Oblast's* Bar Council also assisted with the resettlement of *advokats* from other regions, including providing them with jobs and office space.¹²⁹⁸

According to official data, since the beginning of the full-scale war, 300,000 IDPs arrived in the Khmelnytskyi region, and somewhere in the neighborhood of 100,000 people have remained in the region for temporary residence.¹²⁹⁹ The *Oblast's* Regional FLA Center and seven local bureaus, along with nine temporary consultation points for IDPs, worked to address the legal needs of these citizens.¹³⁰⁰

Cherkasy Oblast



Not by coincidence, Cherkasy *Oblast* is an official “sister state” with the American state of Iowa. Both lie in the geographic heartlands of their countries, and both are agricultural powerhouses. But Cherkasy *Oblast* now finds itself caught in the crosscurrents of the war of Russian aggression. The war can be felt in the region. Battles have raged to the north, east, and south, and Russia continues strikes against targets in the *Oblast*.¹³⁰¹

Yet residents continue to work, with many volunteering to aid the Ukrainian armed forces or IDPs – some 140,000 in the region¹³⁰² – in their spare time. Others joined territorial defense units and patrol their routes.¹³⁰³

¹²⁹² *Ibid.*

¹²⁹³ “46 deputies of the State Duma of the Russian Federation who voted for the recognition of the ‘L/DNR’ will be tried,” dated 23 January 2023, found at https://khmel.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=326506&fp=40.

¹²⁹⁴ “Since the beginning of the invasion of Russian troops on the territory of Ukraine, lawyers of Khmelnytskyi region and their families have been actively involved in the ranks of the Armed Forces of Ukraine and territorial defense,” dated 22 March 2022, found at <http://kmRada-unba.org/?p=6985>.

¹²⁹⁵ “According to the results of an emergency meeting of the Bar Council of Khmelnytskyi region and the Committee for the Protection of lawyers’ rights, it was decided,” dated 24 February 2022, found at <http://kmRada-unba.org/?p=6943>.

¹²⁹⁶ Protocol No. 4 of the meeting of the Bar Council of Khmelnytskyi Region, dated 24 February 2022.

¹²⁹⁷ “The Front of Good Deeds,” dated 22 March 2022, found at <http://kmRada-unba.org/?p=6989>.

¹²⁹⁸ “Working offices for lawyers from other regions have been created in Khmelnytskyi *Oblast*,” dated 22 March 2022, found at <http://kmRada-unba.org/?p=6976>.

¹²⁹⁹ Baseline Report, p. 3.

¹³⁰⁰ “How the BPD system helps internally displaced persons during war,” dated 12 April 2022, found at <https://minjust.gov.ua/news/ministry/yak-sistema-bpd-dopomagae-vnutrishno-peremischenim-osobam-pid-chas-viyni>,

¹³⁰¹ “Missiles kill one person and hit strategic bridge near Ukraine’s Cherkasy, officials say,” dated 26 June 2022, found at <https://www.reuters.com/world/europe/missile-strikes-kill-one-near-central-ukrainian-city-cherkasy-govern-or-2022-06-26/>; “The enemy launched a missile attack on the critical infrastructure of Cherkasy region – an investigation has been launched,” dated 1 November 2022, found at https://chk.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=32221&fp=291.

¹³⁰² Baseline Report, p. 3.

¹³⁰³ “How central Ukraine is reacting to war and its new displaced residents,” dated 26 April 2022, found at <https://www.opendemocracy.net/en/odr/ukraine-russia-cherkasy-displaced-persons/>.

In this environment, the courts of Cherkasy *Oblast* continue their work.¹³⁰⁴ Neither the *Oblast* court of appeals nor any of the 23 first instance courts¹³⁰⁵ have been damaged or lost their territorial jurisdictions. Conditions in other *Oblasts* led the Ukrainian government in March 2022 to transfer the territorial jurisdictions of 14 courts from Chernihiv and Sumy *Oblasts* to seven different courts in the Cherkasy *Oblast*, but those changes were reversed several weeks later in May 2022.¹³⁰⁶

Prior to the war, the courts in Cherkasy were considered substantially understaffed – the most understaffed in the country on a percentage basis.¹³⁰⁷ However, one of the ironies of the recent Russian aggression is that it helped reduce that deficit. Though some judges left the judiciary, at least nine judges were seconded to the *Oblast*'s first instance courts from the occupied areas.¹³⁰⁸ Similarly, though two judges of the Cherkasy Court of Appeal resigned, two judges were seconded to that court from the Luhansk Court of Appeal.¹³⁰⁹ The net result was that at the end of 2022, the number of judges authorized to administer justice in the *Oblast*'s courts had actually increased by eight. Moreover, given the reduction in court filings, the *per capita* workload for those judges was made more manageable.¹³¹⁰ Like all of the judiciary, however, the courts in the Cherkasy *Oblast* are struggling with financial issues and the payment of salaries to judges and employees.¹³¹¹

A week after the war began, the chief prosecutor of the Cherkasy *Oblast* resigned.¹³¹² His replacement was soon appointed, and the work of the prosecution service continued. With the start of the war, some prosecutors enlisted and at least one died in combat.¹³¹³

Since the *Oblast* has no large population centers, its prosecutors are dispersed throughout the region, with five district offices and 16 departmental offices in the *Oblast*.¹³¹⁴ Echoing the mandate from Kyiv, Cherkasy prosecutors stress that their first priority is to expose traitors and collaborators. Other priorities are finding and charging draft evaders and human traffickers, fighting economic crimes involving state funds, and exposing corruption.¹³¹⁵ And given the constant threat of missile and air strikes, the regional prosecutor's office filed ten cases to force property owners to ready their structures to shelter local citizens.¹³¹⁶

Cherkasy *Oblast* has not seen any direct ground combat but, like other areas in the west, prosecutors have become involved in prosecuting war crimes and similar offenses committed elsewhere in the country.¹³¹⁷ During the year of the war, the Cherkasy prosecutors participated in more than 300 criminal proceedings related to Russian military aggression involving crimes

1304 "On June 26, 2022, a video conference was held to consider topical issues that arise in the work of local general courts of Cherkasy region during the wartime period," dated 24 June 2022, found at <https://ck.court.gov.ua/tu24/pres-centr/news/1288201/>.

1305 Annex 1.

1306 Annex 2.

1307 Annex 3.

1308 "Information on the secondment of judges to local general courts of the Cherkasy region," dated 15 July 2022, found at <https://ck.court.gov.ua/tu24/pres-centr/news/1296182/>.

1309 "Results of work at the Cherkasy Court of Appeal for 2022," dated 22 February 2023, found at <https://ack.court.gov.ua/sud4821/pres-centr/news/1386102/>.

1310 Annex 3.

1311 "On June 26, 2022, a video conference was held to consider topical issues that arise in the work of local general courts of Cherkasy region during the wartime period," dated 24 June 2022, found at <https://ck.court.gov.ua/tu24/pres-centr/news/1288201/>.

1312 "The chief prosecutor of Cherkasy region has resigned. Who is in his place?" dated 3 March 2022, found at <https://www.vikka.ua/novini/golovnij-prokuror-cherkashhini-zvilnivsya-xto-zamist-nogo/>.

1313 "Eternal memory!" dated 30 May 2022, found at https://chk.gp.gov.ua/news.html?_m=publications&_t=rec&id=314071&fp=50.

1314 Annex 3.

1315 "Cherkasy Regional Prosecutor's Office held a coordination meeting on important issues of combating crime under martial law," dated 21 September 2022, found at https://chk.gp.gov.ua/actual_chk?_m=publications&_c=view&_t=rec&id=320111; "A coordination meeting was held at the Cherkasy Regional Prosecutor's Office, during which the results of joint work on combating crime in 2022 in the conditions of a special period related to the armed aggression of the Russian Federation against Ukraine were summarized," dated 31 January 2023, found at https://chk.gp.gov.ua/actual_chk?_m=publications&_c=view&_t=rec&id=327287.

1316 "The prosecutor's office takes measures to properly maintain civil protection protective structures," dated 4 October 2022, found at https://chk.gp.gov.ua/news.html?_m=publications&_t=rec&id=320835&fp=40.

1317 "Activities of prosecutors in criminal proceedings in 2022," dated 26 January 2023, found at https://chk.gp.gov.ua/news.html?_m=publications&_t=rec&id=326724&fp=50.

committed in the Luhansk, Donetsk, Kherson, and Kharkiv *Oblasts*. Indictments were filed in 60 of those cases.¹³¹⁸

Advokats in the Cherkasy *Oblast* have similarly seen impacts from the disruptions caused by the war. The local Bar Council joined in the humanitarian efforts, but also continued to carry on routine Bar functions with little disruption. The local FLA operation is led by the regional center, with four outlying local centers. FLA personnel, like others in the west, handled an influx of inquiries from the IDPs flooding the region. Shortly before the war, the *Oblast's* regional center was included in a pilot project to receive and process notifications of detentions from all over Ukraine (except the city of Kyiv).¹³¹⁹ In November 2022, because the systems in many *Oblasts* were disrupted, this pilot project was expanded to the entire country,¹³²⁰ placing Cherkasy *Oblast* at the center of the controversy over control of the secondary legal aid system (above).

Chernivtsi *Oblast*



The smallest *Oblast* in Ukraine by area and population, the Chernivtsi *Oblast* may also be the most remote. Tucked along the border with Romania and Moldova, the *Oblast* has little military importance, and reported only a few Russian missile attacks on its infrastructure. But since the start of the recent conflict, it has become a sanctuary for IDPs: its population has grown by 150,000 people, increasing the demand for food, shelter, and medical care.¹³²¹

Given its remoteness, none of the Chernivtsi *Oblast's* 15 first instance courts, or the general jurisdiction *Oblast* court of appeals,¹³²² suffered any damage or received transfers of territorial jurisdiction from courts in other *Oblasts*. At the start of the war, the *Oblast's* judicial corps of 97 judges was the smallest in the country.¹³²³ Ironically, one impact of the war has been an increase in the judges assigned to the *Oblast*: the number of judges serving in the local general first instance courts has grown by five.¹³²⁴

The courts continue to function, handling routine cases¹³²⁵ as well as those related to wartime conditions.¹³²⁶ Given the significant influx of IDPs, caseloads have grown. Accordingly, despite the increase in the number of judges, the courts in the *Oblast* are considered increasingly understaffed.¹³²⁷

Three district and six departmental prosecutor's offices in the *Oblast* pursue a mixture of cases. By July 2022, the *Oblast* saw a 20.8% decrease in the number of criminal offenses recorded in the region since the beginning of the year.¹³²⁸ A significant number of current cases deal with attempts

1318 "Ensuring legality and investigating war crimes during the year of the war," dated 24 February 2023, found at https://chk.gov.ua/ua/news.html?_m=publications&_t=rec&id=328625&fp=70.

1319 "How Other Parts of the FAL System Work Under Martial Law Conditions," dated 10 August 2023, found at <https://minjust.gov.ua/news/ministry/yak-pratsuyut-chergovyi-chastini-sistemi-bpd-v-umovah-voennogo-stanu>.

1320 "Work of the next part of the BPD system in Ternopil: new challenges and tasks," dated 30 November 2023, found at <https://legalaid.gov.ua/novyny/robota-chergovoyi-chastyny-sistemy-bpd-v-ternopoli-novi-vyklyky-ta-zavdannya/>.

1321 "Saskatoon raises \$250k for Ukrainian sister city," dated 4 May 2022, found at <https://globalnews.ca/news/8810444/saskatoon-raises-250k-for-ukrainian-sister-city/>.

1322 Annex 2.

1323 Annex 1.

1324 Annex 3.

1325 See, e.g., "Suspected of ill-treatment of peacock taken into custody - the court satisfied the appeal of the Prosecutor's office," dated 23 June 2022, found at https://chn.gov.ua/ua/news.html?_m=publications&_t=rec&id=315176&fp=10.

1326 See, e.g., "Calls for the overthrow of the constitutional order and propaganda of war will judge bukovinian," dated 6 May 2022, found at https://chn.gov.ua/ua/news.html?_m=publications&_t=rec&id=313215&fp=70.

1327 Annex 3

1328 "Combating crime under martial law - the head of the regional prosecutor's office held a coordination meeting with law enforcement officers of the region," dated 28 July 2022, found at https://chn.gov.ua/ua/news.html?_m=publications&_t=rec&id=316993&fp=120.

to illegally cross the relatively porous borders by deserters and men seeking to avoid military service.¹³²⁹ The regional prosecutor indicated that his office is focused on combating organized crime, as well as collecting evidence of war crimes from the thousands of IDPs now in the *Oblast*.¹³³⁰

Given the *Oblast's* remote location, its *advokats* have been less affected by the war than in most other regions. Nonetheless, several have been mobilized into the Armed Forces,¹³³¹ and other *advokats* in the *Oblast* have assumed their cases.¹³³² The Bar Council continues to function, handling the ordinary business of the Bar.¹³³³

Despite its small size, Chernivtsi is home to a relatively large law faculty, Yuriy Fedkovych Chernivtsi National University, with 555 allocated spots for master's and bachelor's students.¹³³⁴ Like most law faculties, education and research at the University paused from February 24 until the beginning of April 2022, when activities were resumed in an online format. In the autumn semester of 2022, the University moved to a combined format, switching between online and on-site learning.¹³³⁵ Recent data shows that the law faculty is flourishing, with nearly 1,200 law students, with nearly 75% studying full-time.¹³³⁶

Chernihiv Oblast



About 75 kilometers from the Belarusian border, the city of Chernihiv was in the crosshairs of the Russian invasion. On February 24, hundreds of Russian tanks and other armored vehicles poured across the border, intent on attacking Kyiv to the south. For 39 days, Russian forces besieged the city. On March 29, the Russian military announced that it would “drastically reduce military activity” in the area, and a week later, that withdrawal was complete.¹³³⁷

Later investigations determined that 489 civilians were killed and another 786 were wounded as a result of the Russian aggression in Chernihiv *Oblast*.¹³³⁸ About 710 apartment buildings and 1864 other private buildings, 34 medical institutions, 29 administrative buildings, 44 cultural objects, 11 religious buildings, and 55 institutions for children, including 23 schools and 11 preschool educational institutions, were destroyed and damaged.¹³³⁹ The devastation in the region was severe, driving more than 150,000 *Oblast* residents from their homes.¹³⁴⁰

1329 See <https://chm.gp.gov.ua/ua/news.html?fp=0>.

1330 “Head of Chernivtsi Regional Prosecutor’s Office met with representatives of the European Union Advisory Mission in Ukraine,” dated 21 June 2022, found at https://chm.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=315054&fp=10.

1331 “Decisions were made at a meeting of the Council of Advocates of Chernivtsi region June 24, 2022,” dated 24 June 2022, found at https://12cc3e78-a81d-dbd9-6170-9717cf815f2e.filesusr.com/ugd/c81e5e_2feb1183e79c4b79b6c263f00ac6e2f8.pdf.

1332 “To the Attention of the Region’s Lawyers! Decision of rar from 25.02.2022 No. 2/25,” dated 25 February 2022, found at https://12cc3e78-a81d-dbd9-6170-9717cf815f2e.filesusr.com/ugd/c81e5e_3dfe4672342f4377a58f139ce1004820.pdf.

1333 See, e.g., “Protocol No. 1: Meeting of the Bar Council of Chernivtsi region on December 27, 2022,” found at https://12cc3e78-a81d-dbd9-6170-9717cf815f2e.filesusr.com/ugd/c81e5e_eaa30a17e02d48caa78a8ffba8a27879.pdf.

1334 Annexes 8 and 9.

1335 Markiv, p. 32.

1336 Annexes 8 and 9.

1337 “The Siege of Chernihiv,” dated 15 April 2022, found at <https://www.newyorker.com/news/dispatch/the-siege-of-chernihiv>.

1338 “A year of full-scale aggression of the Russian Federation – the results of the work of prosecutors and law enforcement agencies of the region,” dated 24 February 2023, found at https://chrg.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328571&fp=20.

1339 “The head of the regional prosecutor’s office held a coordination meeting with the heads of law enforcement agencies of the region,” dated 21 October 2022, found at https://chrg.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=321711&fp=130.

1340 “UNHCR, and the Chernihiv Regional State Administration solidify ongoing collaboration in support of people impacted by the war to recover and rebuild their homes and lives,” dated 17 November 2022, found at unhcr.org/ua/en/51573-unhcr-and-the-chernihiv-administration.html.

Across the *Oblast*, the damage to the courts' infrastructure was significant. Roughly a quarter of the *Oblast's* 26 first instance courts, as well as the Chernihiv *Oblast* Court of Appeal, suffered damage from the Russian bombardment.¹³⁴¹ In early March, the territorial jurisdictions of all but one of the courts in the *Oblast* were transferred to courts in neighboring areas.¹³⁴²

After the Russian forces withdrew in April, some of those displaced by the fighting began to return.¹³⁴³ The territorial jurisdictions of the Chernihiv courts were restored, and the courts resumed working.¹³⁴⁴ Though many returned, a number of judges and court staff did not. By the end of 2022, the local general first instance courts in the *Oblast* had lost a net of six judges.¹³⁴⁵

Much of the damage to the courts was repaired, and the courts began normal operations. However, due to the unsettled circumstances, efforts have been made to extend protections of the State Security Service to more of the courts in the *Oblast*.¹³⁴⁶ In view of the massive migration of residents from the *Oblast* and the closure of the courts for many weeks, the caseloads of the judges have markedly decreased, even though the courts now have fewer judges than prior to the war.¹³⁴⁷

Among those cases are numerous claims by Ukrainian citizens and companies brought *in absentia* against the Russian Federation for damages caused by the February 2022 invasion.¹³⁴⁸ Many such cases are likely, and in at least some courts in the *Oblast* special training sessions were organized for judges, *advokats*, and FLA lawyers on handling *in absentia* cases.¹³⁴⁹

While conditions in the *Oblast* have improved, the danger from Russian forces remains. Though no attack appears imminent, an estimated 10,000 Russian troops remain across the border in Belarus. The Ukrainian military has reported about 500 attacks on the border areas of Sumy and Chernihiv *Oblasts* since the start of 2023.¹³⁵⁰

These conditions also impact the work of the regional and six district prosecutor's offices in the Chernihiv *Oblast*.¹³⁵¹ Eight buildings used by the *Oblast's* prosecutors suffered minor damage.¹³⁵² With much of the population absent and commercial life at a standstill, prosecutors' work focused on cases that arose prior to the war or related to the Russian aggression.¹³⁵³ Prosecutors have identified more than 5,000 people who have been victimized by Russian forces.¹³⁵⁴ For

1341 See SJA Report.

1342 Annex 2.

1343 "Forced displacement from and within Ukraine: Profiles, experiences, and aspirations of affected populations," dated 28 October 2022, found at https://euaa.europa.eu/sites/default/files/publications/2022-11/2022_11_09_Forced_Displacement_Ukraine_Joint_Report_EUAA_IOM_OECD_0.pdf.

1344 *Ibid.*; "25 courts in Chernihiv region resumed work," dated 5 May 2022, found at <https://cn.court.gov.ua/tu25/pres-centr/news/1272524/>.

1345 Annex 3.

1346 "The Sribnian District Court of the Chernihiv Region has come under the protection of the Judicial Protection Service," dated 13 July 2022, <https://court.gov.ua/press/news/1295402/>.

1347 Annex 3.

1348 See, e.g., "The Economic Court of the Chernihiv Region notifies the Russian Federation of the assignment of case No. 927/41/23 to trial on the merits," dated 10 March 2023, found at <https://cn.arbitr.gov.ua/sud5028/pres-centr/news/1393570/>.

1349 "Separate problems of judicial proceedings during an armed conflict," dated 16 November 2022, found at <https://bh.cn.court.gov.ua/sud2501/pres-centr/news/1346525/>.

1350 "Up to 10,000 Russian soldiers in Belarus now, situation on border under control," dated 24 February 2023, found at <https://news.yahoo.com/10-000-russian-soldiers-belarus-130238707.html>.

1351 Annex 3. No information has been located regarding the existence or number of departmental prosecutor's offices in the Chernihiv *Oblast*.

1352 Annex 4.

1353 "Sergey Vasilina's interview with NPR journalists. War crimes and murder investigations in Nova Basan," dated 29 July 2022, found at https://chrg.gp.gov.ua/ua/int.html?_m=publications&_c=view&_t=rec&id=317061; "The Chernihiv Regional Prosecutor's Office held a final meeting on the results of work in 2022," dated 2 February 2023, found at https://chrg.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327242&fp=10.

1354 "A year of full-scale aggression of the Russian Federation - the results of the work of prosecutors and law enforcement agencies of the region," dated 24 February 2023, found at https://chrg.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=328571&fp=20.

reasons not yet made public, however, the regional prosecutor in the *Oblast* was one of five replaced by the Prosecutor General in January 2023.¹³⁵⁵

Advokats in the *Oblast* were also hit hard by the violence and destruction.¹³⁵⁶ On May 26, the day after the courts fully reopened, the Chernihiv *Oblast* Bar Council was able to resume work in its offices.¹³⁵⁷ It now pursues a full slate of activities, similar to its program before the war.

Many notaries on the *Oblast* joined their fellow residents and fled during the Russian siege, but most have now returned.¹³⁵⁸ The largest university law faculty in the *Oblast*, Chernihiv Polytechnic National University, was badly damaged by Russian shelling during the siege in mid-March 2022. Renovation of one of the buildings began in July.¹³⁵⁹ Overall enrolment at the University increased in the autumn of 2002, though after a survey of students in September, the decision was made that courses would be taught via distance learning.¹³⁶⁰

Kyiv City



If there was a primary target for Putin's forces in February 2022, it was Kyiv. Russian forces attacked from multiple directions, and airborne troops landed on the outskirts of the city. Thousands of residents took up arms while tens of thousands more fled west. But Putin's military gambit failed, and soon Russian troops were forced back. The war continued, but the city of Kyiv and the Ukrainian nation remained essentially intact.

As in most countries, the political capital – Kyiv – also is the center of the country's judicial and legal community. Home to the Constitutional and Supreme Courts, the HACC, and the agencies responsible for judicial administration such as the HQCJ, HCJ and SJA, Kyiv is the nerve center for much of the judiciary. Even on a more local level, it is a powerhouse. Kyiv is home to the Sixth Administrative Court of Appeals and the Northern Commercial Court of Appeals, which serve as the appellate courts for surrounding *Oblasts*. The city's general court of appeals also functions as the appellate court for the courts of *Kyiv Oblast*.

While the national and local courts in the city of Kyiv were not specifically targeted by Russian attacks after February 24, they were part of the Ukrainian governmental infrastructure that President Putin intended to decapitate. Two local courts were damaged by shock waves from missile strikes,¹³⁶¹ though they were eventually repaired and reopened.¹³⁶² No other damage to court buildings in Kyiv has been reported, despite Russian missile attacks that continue to hit

¹³⁵⁵ "Five heads of regional prosecutor's offices were dismissed," dated 25 January 2023, found at https://www.gp.gov.ua/ua/posts/zvilneno-z-posad-pyat-kerivnikiv-oblasnix-prokuratur?fbclid=IwARobaoGiRRm_QxkyrZ ATlbnq6aUQrvmq3ar8SqP8Jy-sWAUb3_4GW17wffzY.

¹³⁵⁶ See "Born during the war," dated 28 June 2022, found at <https://uacrisis.org/en/narodytysya-pid-chas-vijnj>.

¹³⁵⁷ "Attention Lawyers," dated 17 May 2022, found at <https://advokatRada.cn.ua>.

¹³⁵⁸ Annex 7.

¹³⁵⁹ "Chernihiv Polytechnic will start the academic year a month later," dated 14 August 2022, found at <https://www.ukrinform.ua/rubric-regions/3550089-chernigivska-politehnika-rozpocne-navcalnij-rik-na-misac-piznise.html>.

¹³⁶⁰ "Studies have started at Chernihiv universities: how many students were recruited this year," dated 3 October 2022, found at <https://suspilne.media/288069-u-chernigivskih-visah-startovalo-navcanna-skilki-studentiv-nabrali-cogoric/>.

¹³⁶¹ Annex 2; "The Premises of the Capital's Courts Suffered from the Explosion of the Missiles," dated 26 February 2022, found at <https://ki.court.gov.ua/tu11/pres-centr/news/1284391/>.

¹³⁶² "The consequences of a missile strike on February 25, 2022 were eliminated in the Darnytskyi and Dniprovskiy district courts of Kyiv," dated 11 January 2023, found at <https://court.gov.ua/press/news/1368842/>; "In the Chervonozavodsky District Court of Kharkiv, after the repair, an updated first floor was opened," dated 11 January 2023, found at <https://court.gov.ua/press/news/1369034/>.

the city.¹³⁶³ The survival of Kyiv meant the survival of many of the institutions targeted by Putin in his speech on the eve of the invasion.

Prior to the war, Kyiv and its courts also were considered home to significant corruption. The most notorious court in the Ukraine was the District Administrative Court of Kyiv, which handled most of the litigation involving the central public authorities in Kyiv and whose rulings had significant public impacts. For years, the NACC and others investigated abuses by the chairman and judges of that court. NABU in 2020 even published recordings allegedly made in the office of the Court's President in which judges appeared involved in massive corruption and an attempt to seize power. Yet the then-existing HCJ unanimously refused to suspend or discipline the Court's Chairman or his henchmen.¹³⁶⁴ The Court accordingly became both a major impediment to reform and a primary target for reformers.¹³⁶⁵

Besides being the political capital, the city of Kyiv also is the commercial hub of Ukraine and, at least prior to the war, its most populous city. Not surprisingly, the ten local general first instance courts in the city of Kyiv had more judges than the local first instance courts of any *Oblast*.¹³⁶⁶ Similarly, the general jurisdiction court of appeals and commercial court in the city of Kyiv had more judges than comparable courts in any *Oblast*.¹³⁶⁷

The city's "local" courts handled cases that, both in volume and significance, generally outweighed the work of other equivalent courts in Ukraine. Prior to February 24, six of the country's ten busiest courts were first instance courts in the city of Kyiv,¹³⁶⁸ and those courts were viewed as substantially understaffed.¹³⁶⁹

When Russian forces attacked in late February 2022, many residents fled Kyiv. According to some reports, before the start of the full-scale invasion, the population of Kyiv was about 3.8 million. Less than one million people remained in the capital when Russian troops were on its outskirts in March 2022.¹³⁷⁰

As with other citizens of Kyiv, some judges enlisted: three judges of the Kyiv Court of Appeal voluntarily joined the ranks of the Armed Forces.¹³⁷¹ Others elected to leave the city, often to move their families west to safer areas.¹³⁷² However, though hard data is unavailable, it appears that relatively few judges permanently left the city. For example, at the end of 2022, the local courts in Kyiv had a net loss of only 23 judges, or slightly more than 4% of its pre-war total.¹³⁷³

Moreover, while the war caused the level of commercial activity to fall as residents left, over 300,000 residents from outside the city moved into Kyiv as IDPs.¹³⁷⁴ In addition, the city of Kyiv and the surrounding region also saw a relatively high volume of returnees later in the summer

1363 "Russia strikes Kyiv as G-7 summit begins," dated 26 June 2022, found at <https://www.pbs.org/newshour/world/russia-strikes-kyiv-as-g-7-summit-begins>.

1364 "Judicial reform in Ukraine: a short overview," dated November 2022, found at <http://en.dejure.foundation/library/judicial-reform-in-ukraine-what-has-changed-for-the-last-three-years>

1365 "The court that rules Ukraine," dated 1 December 2020, found at <https://www.opendemocracy.net/en/odr/kyiv-regional-administrative-court-rules-ukraine/>; "Abuse of office by the KDAC judges: new episodes," dated 21 July 2020, found at <https://nabu.gov.ua/en/novyny/abuse-office-kdac-judges-new-episodes-video-decoding>.

1366 Annex 1.

1367 *Ibid.*

1368 "The ten busiest courts of Ukraine have been identified: details," dated 2 June 2022, found at <https://yaizakon.com.ua/opredele-na-desyatka-samyh-zagruzhenyih-sudov-ukrainy-detali/>.

1369 Annex 3.

1370 "In life, there is nothing for free. You have to fight," dated 30 December 2022, found at <https://www.spiegel.de/ausland/vitali-klitschko-im-leben-gibt-es-nichts-umsonst-man-muss-kaempfen-a-109fa15b-7ca0-4811-88c5-8ade9982dfd5>.

1371 "The results of the work of the Kyiv Court of Appeal for 2022 are summarized," dated 28 February 2023, found at <https://kia.court.gov.ua/sud4824/pres-centr/news/1388990/>.

1372 Kniaziev Interview.

1373 Annex 3.

1374 Baseline Report, p. 2.

of 2022, compared to other regions.¹³⁷⁵ Current estimates put the population of Kyiv at about 3 million.¹³⁷⁶ As a result, the workload for the courts in the city did not significantly decrease, and most remain significantly understaffed.¹³⁷⁷

As the winter of 2022–23 wore on and Russian attacks on Ukraine’s energy infrastructure took a toll, courts across the city struggled to maintain their operations. Yet despite the attacks, the courts continued to operate. In part to reflect this defiance, the Sixth Administrative Court of Appeal opened its own shelter equipped with a generator, heaters, a kettle, water, snacks, a first aid kit and other basic necessities. When the power failed, personnel were nonetheless able to charge their electrical devices, drink tea, warm up, or work at the computer.¹³⁷⁸

The courts of Kyiv have also been forced to deal with major challenges to courtroom security due to the war. Since the beginning of 2022, court guards discovered and kept more than 20,000 prohibited items from entering the courts of Kyiv and Kyiv Oblast.¹³⁷⁹

Yet the political movements engendered by the war have had some positive impacts. Spurred by the requirements for accession to the European Union, the *Rada* in December 2022 adopted a law on the liquidating the District Administrative Court of Kyiv.¹³⁸⁰ The actual liquidation began on January 12, 2023.¹³⁸¹ This action leaves many logistical questions to be answered, but is considered a major step in the reform process.¹³⁸² Other politicians have begun discussions on merging the Kyiv City and Kyiv Oblast courts as part of the “optimization” efforts for the judiciary postponed until the end of the war.¹³⁸³

The Kyiv City Prosecutor’s Office mirrors the courts structure with ten district prosecutor’s offices.¹³⁸⁴ As with the courts, those offices continue to operate, though there is no official data concerning the number of prosecutors currently serving in the city of Kyiv. With the mass migration from the capital, prosecutors’ workloads lessened. For the year of 2022, total crime decreased by nearly 27%, though the number of serious crimes increased by more than 10%.¹³⁸⁵

Hamstrung by the pre-war political infighting within the Bar,¹³⁸⁶ the Bar Council in the City of Kyiv has been dysfunctional since the start of the war. The Bar Council of Ukraine assumed the local Bar Council’s powers, citing the inability to convene a congress of local lawyers due to the war.¹³⁸⁷ Meanwhile, individual *advokats* from Kyiv deal with the Russian aggression like

1375 “Forced displacement from and within Ukraine: Profiles, experiences, and aspirations of affected populations,” p. 4, dated 28 October 2022, found at https://euaa.europa.eu/sites/default/files/publications/2022-11/2022_11_09_Forced_Displacement_Ukraine_Joint_Report_EUAA_IOM_OECD_o.pdf.

1376 “In life, there is nothing for free. You have to fight,” dated 30 December 2022, found at <https://www.spiegel.de/ausland/vitali-klitschko-im-leben-gibt-es-nichts-umsonst-man-muss-kaempfen-a-109fa15b-7ca0-4811-88-c5-8ade9982dfd5>.

1377 Annex 3.

1378 “The sixth AAS equipped its own point of invincibility,” dated 1 December 2022, found at <https://court.gov.ua/press/news/1352931/>.

1379 “Since the beginning of 2022, employees of the Territorial Department of the Judicial Protection Service in the city of Kyiv and Kyiv region have prevented more than 20 thousand dangerous items from entering judicial institutions,” dated 4 January 2023, found at <https://court.gov.ua/press/news/1366496/>.

1380 “Liquidation of the DACK,” dated 17 December 2022, found at <https://www.kyivpost.com/post/5838>.

1381 “District Administrative Court of the city of Kyiv,” found at <https://court.gov.ua/pidsudnist/171>.

1382 “The effective work of the judicial system during the war is primarily the merit of each of our judges – Chairman of the Supreme Court Vsevolod Knyazev,” dated 9 January 2023, found at <https://supreme.court.gov.ua/supreme/pres-centr/zmi/1367994/>.

1383 “Territorial administrations of DSA in Kyiv and Kyiv region plan to unite,” dated 28 October 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1339261/>.

1384 Annex 5.

1385 “Information on the results of the activities of the bodies of the Kyiv City Prosecutor’s Office for 2022,” dated 22 February 2023, found at https://kyiv.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=329543&fp=60.

1386 See “The Council of Advocates of The City of Kyiv of the past did not provide a transparent and open mode of operation,” dated 16 February 2022, found at <https://kyiv.unba.org.ua/activity/news/7291-Rada-advokativ-mista-kieva-minulogo-skladu-ne-zabezpechila-prozorogo-i-vidkritogo-rezhimu-roboti.html>.

1387 “RAU appointed acting heads of RAMK and KDKA in conditions of impossibility to hold a conference of lawyers in the capital during martial law,” dated 10 November 2022, found at <https://kyiv.unba.org.ua/activity>.

other residents of the city, with some joining military forces,¹³⁸⁸ some fleeing,¹³⁸⁹ and others staying to carry-on in the city.¹³⁹⁰ While many notaries also left the city in the spring of 2022, a substantial number returned by the end of the year.¹³⁹¹

Kyiv also is home to nearly 40 law faculties with 30% of the country's authorized spaces and 30% of the current enrollees in bachelor's and master's law programs.¹³⁹² The wartime experience of the largest university law faculty, Taras Shevchenko National University of Kyiv, is typical. When Russian troops approached Kyiv, part of the teaching staff, students and staff evacuated to safer areas. By April 4, 2022, the law faculty partially resumed its program with instruction online. The full law program resumed online in the autumn of 2022, with the law faculty switching to an online format with occasional hybrid classes later in the year.¹³⁹³

Crimea and Sevastopol



For Ukrainians, the war with Russia began in late February 2014 when Russian forces seized control of the Autonomous Republic of Crimea and the adjacent city of Sevastopol. After a purported referendum in March 2014, the two areas joined as the Republic of Crimea and were annexed by Russia under the name of the Crimean Federal District. Nine years later, Ukraine steadfastly insists that the Crimean peninsula must be returned to its control.

After the annexation to Russia, the Ukrainian legal systems in the two areas were closed, but not abolished. The 27 courts in the Autonomous Republic of Crimea, and nine courts in the City of Sevastopol remained legally intact with their territorial jurisdictions nominally in place.¹³⁹⁴ Cases arising in those courts, however, were transferred to the city of Kyiv, where they were assigned to first instance courts by the appellate courts of that city.¹³⁹⁵

While this was occurring, Russia created a new legal system in the annexed area,¹³⁹⁶ headed by a Supreme Court and including arbitration courts, 25 district courts, and 100 justices of the peace courts.¹³⁹⁷ Scores of judges from the Ukrainian courts joined the Russian system.¹³⁹⁸

This system remained relatively static until the expanded Russian aggression began in February 2022. In July 2022, the Ukrainian *Rada* passed amendments specifically relating to the territorial jurisdictions of courts in occupied territories. Utilizing the powers granted in those amendments, the Supreme Court formally transferred the jurisdictions of the courts of Crimea and Sevastopol to other courts. While the jurisdiction for criminal cases from those two

1388 “Lawyers, a factory worker among the ordinary Ukrainians holding the line against Russia at Izyum,” dated 25 May 2022, found at <https://www.cbc.ca/news/world/ukrainian-nationalists-izyum-1.6463544>.

1389 “Refugee lawyer describes harrowing invasion of Ukraine,” dated 14 April 2022, found at <https://www.abajournal.com/web/article/at-aba-panel-refugee-lawyer-describes-harrowing-invasion-of-ukraine>.

1390 “As male colleagues help fight in Ukraine, women are left to defend the legal system,” dated 31 March 2022, found at <https://www.thetimes.co.uk/article/as-male-colleagues-help-fight-in-ukraine-women-are-left-to-defend-the-legal-system-7f5wbksjv>.

1391 Annex 7.

1392 Annexes 8 and 9.

1393 Markiv, pp. 19–20; Report of the Rector, Taras Shevchenko National University of Kyiv – 2022, found at <https://knu.ua/pdfs/zvit/zvit-rektora-2022.pdf>.

1394 Order of the Supreme Court No. 36/0/9–22, dated 5 July 2022.

1395 Law of Ukraine “On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine,” No. 1207–VII, dated 15 April 2014.

1396 Russian Federation, Federal Law No. 154–FZ, “On the establishment of the courts of the Russian Federation in the territories of the Republic of Crimea and the federal city of Sevastopol and on amendments to certain legislative acts of the Russian Federation,” dated 23 June 2014.

1397 See website of the Supreme Court of Crimea, viewed 24 April 2023, found at <http://vs.krm.sudrf.ru/modules.php?name=sud>.

1398 “Ihor Ponochevny: ‘Traitors of Ukraine who decided to build a new ‘career’ in occupied Crimea should remember the inevitability of punishment,’” dated 6 September 2022, found at https://ark.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=319251&fp=50.

occupied areas stayed with courts in the city of Kyiv, jurisdiction over civil, commercial, and administrative matters was transferred to courts in Odesa.¹³⁹⁹

Russian courts in the Russian-controlled Republic of Crimea were equally busy, often mirroring the activities of the Ukrainian courts. Those courts convicted Tatar activists for participation in “extremist and terrorist organizations,”¹⁴⁰⁰ and other citizens for “actions aimed at discrediting Russia and its military forces”¹⁴⁰¹ and treason.¹⁴⁰²

The situation with Ukrainian prosecutors was much different. In June 2014, the Prosecutor’s Office of the Autonomous Republic of Crimea was relocated to Kyiv.¹⁴⁰³ Through the years, those prosecutors continued to pursue investigations and trials – largely *in absentia* – involving crimes arising in the occupied areas.¹⁴⁰⁴

The expanded Russian aggression of February 2022 accelerated many of these activities. By September 2022, the Ukrainian prosecutor’s office for the region had notified 225 judges of suspicion of treason and sent 66 indictments of judges from the Russian-controlled areas to court.¹⁴⁰⁵ As months passed and the anti-collaboration drive intensified, these highly publicized efforts continued.¹⁴⁰⁶

When Russian forces took over the areas in 2014, the URAU showed 1,418 and 282 *advokats* registered in Crimea and Sevastopol respectively.¹⁴⁰⁷ For those who stayed, Russian authorities announced a number of requirements to continue a legal practice in the occupied areas including obtaining a Russian passport and passing an exam demonstrating knowledge of Russian law. Many *advokats* agreed to these conditions, but a considerable number later left or were forced to terminate their law practices due to political, moral, or ethical considerations. Others terminated their practices for financial reasons as they were unable to compete with Russian *advokats* who flooded the peninsula in the first months of the occupation.¹⁴⁰⁸

1399 Order of the Supreme Court No. 36/0/9–22, dated 5 July 2022.

1400 “In Crimea, a citizen of Ukraine was sentenced to five years for participating in the ‘Crimean Tatar battalion,’” dated 2 March 2023, found at <https://ua.krymr.com/a/news-krym-ukraintsia-zasudyly-uchast-v-krymskotatar-skomu-batalioni/32296250.html>.

1401 “A resident of the Bakhchisaray district was fined for a video of the performance of the national anthem of Ukraine,” dated 10 March 2023, found at <https://ua.krymr.com/a/news-krym-bakhchysaraiskyi-raion-shtraf-video-himn-ukrainy/32312370.html>.

1402 “Two Men Arrested in Russia–Annexed Crimea on High Treason Charge,” dated 8 December 2022, found at <https://www.rferl.org/a/crimea-fsb-two-arrested-treason-ukraine-russia/32167648.html>.

1403 “History of the Prosecutor’s Office of the Autonomous Republic of Crimea and the City of Sevastopol,” found at <https://ark.gov.ua/ua/histark.html>.

1404 See, e.g., “The Prosecutor’s Office of the Autonomous Republic of Crimea initiated criminal proceedings on the termination of the activities of the ATR media holding in the autonomous territory,” dated 3 April 2015, found at https://ark.gov.ua/ua/news.html?_m=publications&_t=rec&id=155690&fp=1320; “The Prosecutor’s Office of the Autonomous Republic of Crimea initiated criminal proceedings on the fact of treason against officials of the Yevpatoriya City Council of the Autonomous Republic of Crimea,” dated 27 May 2015, found at https://ark.gov.ua/ua/news.html?_m=publications&_t=rec&id=156663&fp=1310.

1405 “Ihor Ponochevny: Traitors of Ukraine who decided to build a new ‘career’ in occupied Crimea should remember the inevitability of punishment,” dated 6 September 2022, found at https://ark.gov.ua/ua/news.html?_m=publications&_t=rec&id=319251&fp=50.

1406 “The Prosecutor’s Office of the Autonomous Region accuses another 11 judges from Crimea who defected to the enemy’s side of treason,” dated 8 November 2022, found at https://ark.gov.ua/ua/news.html?_m=publications&_t=rec&id=325742&fp=30; “State treason: the Prosecutor’s Office of the Autonomous Region referred to the court indictments against 8 occupation judges from Crimea,” dated 6 December 2022, found at https://ark.gov.ua/ua/news.html?_m=publications&_t=rec&id=325825&fp=20; “February 26 case’: Crimean judge sentenced to 12 years for criminal prosecution of one of the leaders of the Mejlis of the Crimean Tatar people,” dated 15 December 2022, found at https://ark.gov.ua/ua/news.html?_m=publications&_t=rec&id=325830&fp=10; “They went over to the side of the enemy: two occupation judges from Crimea were convicted on the charges of the autonomous prosecutor’s office,” dated 11 January 2023, found at https://ark.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=325844; “The Prosecutor’s Office of the Autonomous Region accuses 6 occupying ‘judges’ from Crimea of treason,” dated 12 January 2023, found at https://ark.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=325911; “Deportation of Ukrainians from Crimea: the occupying Crimean judge will be tried *in absentia*,” dated 17 January 2023, found at https://ark.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=326217.

1407 “Advocates Report under occupation: Situation with observing the advocates’ rights in the context of the armed conflict in Ukraine,” p. 20, dated 2018, found at https://www.helsinki.org.ua/wp-content/uploads/2019/04/Report_Advocates_under_occupation-Engl.pdf.

1408 *Id.*, p. 18.

Eventually, 982 *advokats*, or 58.77% of the total, abandoned their practices.¹⁴⁰⁹ A large number of them relocated to territory controlled by the Ukrainian government. Though some officially changed their place of work and broke off all ties with the occupied territory, most refused to change their entries in the URAU and nominally kept their affiliation with Ukraine's Crimean and Sevastopol Bar Councils.¹⁴¹⁰ Those Ukrainian bar councils ceased their activities, though they technically have not been disbanded. *Advokats* residing in the occupied territories can still maintain their registration with the Ukrainian Bar, though numerous hurdles often make this problematic.¹⁴¹¹

In their places, the "Advocate Chamber of the Republic of Crimea" and the "Advocate Chamber of the Federal City of Sevastopol" were founded by Russian authorities in Crimea and Sevastopol. As of May 1, 2018, data from these organizations reflected that 918 and 263 *advokats* were registered in Crimea and Sevastopol respectively, buoyed by large numbers of Russian *advokats* who came to the peninsula from Russia.¹⁴¹²

The Ukrainian Ministry of Justice in 2014 ordered private notaries in Crimea and Sevastopol to cease their activities and transfer their documents and archives to the state notary archive in Kherson within one month. Not all complied, and instead began operating under Russian law.¹⁴¹³

Ukraine's insistence on retaining its connections to Crimea is symbolized by the law faculty at V.I. Vernadsky Taurida National University. Founded in Simferopol, Crimea in 1918, the University was one of the major state universities in Ukraine. In January 2015, after the occupation of Crimea, Russian authorities created the Crimean Federal University, shutting down seven Ukrainian universities and colleges (including Taurida) and five research centers.¹⁴¹⁴

Russian officials attempted to convince the University's staff to stay by increasing their pay. When salaries decreased, some stayed while others left. The student population in Crimea was required to undergo so-called "patriotic education," with portraits of pro-Russian militants and Soviet flags displayed throughout educational institutions. When thousands of teachers and students elected to leave for mainland Ukraine, the road was closed forcing those leaving to instead go by boat to Odesa.¹⁴¹⁵

Taurida National University relocated to Kyiv in mid-2016. The Ministry of Education granted the University the exclusive right to accept transfer students from the occupied territories throughout that year.¹⁴¹⁶ Staff worked on a voluntary basis for eight months since they could not secure any funding. About 25 people were transferred from Crimea to Kyiv each month. Admissions remained open until September 2017 to give students time to find a safe way to travel to Kyiv.¹⁴¹⁷

Eventually, the Ministry of Education authorized the University to admit 270 bachelor's and 90 master's students to the law faculty each year. According to data from the Ministry, this "Crimean" law faculty now has an enrollment of 113 bachelor's and 16 master's students.¹⁴¹⁸

¹⁴⁰⁹ *Id.*, p. 20.

¹⁴¹⁰ *Id.*, p. 41.

¹⁴¹¹ *Id.*, pp. 41-43.

¹⁴¹² *Id.*, p. 20.

¹⁴¹³ "Justice ministry orders private notaries in Crimea to stop operation," dated 15 July 2014, found at <https://www.kyivpost.com/article/content/ukraine-politics/justice-ministry-orders-private-notaries-in-crimea-to-stop-operation-356071.html>.

¹⁴¹⁴ "The Forgotten Story Behind Crimea's Only Displaced University," dated 10 August 2018, found at <https://www.atlanticcouncil.org/blogs/ukrainealert/the-forgotten-story-behind-crimea-s-only-displaced-university/>.

¹⁴¹⁵ *Ibid.*

¹⁴¹⁶ "History," found on the website of V.I. Vernadsky Taurida National University at <https://tnu.edu.ua/istoria/>.

¹⁴¹⁷ "The Forgotten Story Behind Crimea's Only Displaced University," dated 10 August 2018, found at <https://www.atlanticcouncil.org/blogs/ukrainealert/the-forgotten-story-behind-crimea-s-only-displaced-university/>.

¹⁴¹⁸ Annexes 8 and 9.

Challenges for a Post-Conflict Justice System

“Our lives have changed a lot. It is now divided into before and after the outbreak of war,” Supreme Court President Kniaziev told a gathering in November 2022. “We wake up early and read the news quickly. We do not go to sleep without reading the latest news from the general staff,” he said, referring to the Ukrainian military.¹⁴¹⁹

With Putin showing no signs of relenting in his war against Ukraine and its democratic system, months or years of further violence appear on the horizon. Though most of the country is preoccupied with military essentials, stakeholders in the justice system struggle not only to keep it afloat, but to prepare for a post-war Ukraine integrated with Western Europe and dedicated to the rule of law.¹⁴²⁰

To some extent, this effort has reflected the differing perspectives of the Ukrainian power structures and the country’s international allies. Many Ukrainian officials tend to focus on bread-and-butter technical issues, often preferring to defer or ignore larger systemic questions. As reflected in the “suggestions” listed by the Council of Europe for Ukraine’s admission to the EU, international organizations, sympathetic governments, and foreign donors instead push Ukraine to adopt broader structural reforms primarily intended to attack the country’s history of pervasive corruption.

Putin’s war has both given energy and presented obstacles to these efforts. The idealism and patriotism driving Ukraine’s valiant fight against the larger Russian foe has given many of its citizens hope that the country’s culture of corruption finally can be defeated. But that culture coupled with the war’s costs – human, emotional, physical, and financial – have created massive impediments to realizing this vision.

Rebuilding the Elements of the Legal System

One set of challenges facing the Ukrainian legal system will be to build the physical, human, and digital infrastructure needed for a modern legal system to function. Among the issues to be addressed are:

Rebuilding destroyed, damaged, and looted courts. Perhaps the most obvious issue facing the Ukrainian judicial system is physical infrastructure. The full extent of the damage to prosecutor’s offices is unknown, but presumably is of comparable magnitude. Lawyers, notaries, and others working in the legal system face similar issues.

No price tag has been placed on reconstructing and re-equipping these facilities, but the cost will be considerable. For example, the replacement cost of the lost court equipment in the Kherson and Kharkiv regions – a small slice of the overall need – is estimated at 105 million hryvnias (€2,600,000).¹⁴²¹ While Ukraine’s development partners will provide assistance,¹⁴²² given the enormous costs of rebuilding entire cities and the country’s devastated infrastructure, it will be difficult to find the funds need to rebuild and replace the legal system’s physical assets.

¹⁴¹⁹ “Ukraine tracking thousands of war crimes despite judicial system woes: chief justice,” dated 1 November 2022, found at <https://ottawa.citynews.ca/local-news/ukraine-tracking-thousands-of-war-crimes-despite-judicial-system-woes-chief-justice-6035995>,

¹⁴²⁰ Report on COE Conference; “How Ukraine will reboot the judicial system to European standards. Interview with deputy head of OP Andriy Smirnov,” dated 11 July 2022, found at <https://su.court.gov.ua/tu19/pres-centr/news/1294053/>.

¹⁴²¹ “The equipment of the de-occupied courts was almost completely looted by the enemy,” dated 2 December 2022, found at <https://court.gov.ua/press/news/1353572/>.

¹⁴²² “Courts damaged by military actions will be restored,” dated 22 September 2022, found at <https://court.gov.ua/press/news/1322809/>.

Restoring and augmenting the judicial workforce and court staff. Prior to February 2022, many Ukrainian courts were significantly understaffed with roughly 28% of the authorized positions on local first instance courts vacant.¹⁴²³ The current hostilities caused further attrition, with data at the end of 2022 showing that 32% of the authorized positions on first and second instance courts were unfilled.¹⁴²⁴

Nor is the pace of the attrition likely to end soon. By the end of 2023, 2,083 judges will have the necessary judicial experience to retire. Of them, 39 judges will have reached the mandatory retirement age of 65. A recent survey showed that 373 judges confirmed their intention to resign, including 142 appellate court judges.¹⁴²⁵

Though some small part of these deficits can be attributed to the war, the primary driver has been the lack of a functioning HQCJ. More than 2000 sitting judges have not yet finished the HQCJ's vetting process and are "unable to administer justice."¹⁴²⁶ Until the HQCJ is reconstituted, it cannot finish vetting sitting judges and select candidates for vacant seats. Though the Selection Commission has moved forward with choosing final candidates for a reconstituted HQCJ, the latter is still months away from formation and likely years away from clearing the backlog. While ways of resolving these issues have been suggested, no concrete steps have been taken.¹⁴²⁷

Solid data is lacking, but court staff apparently have suffered similar rates of attrition. Many court staff members continued to work even under the brutal conditions of war, some coming under fire and all enduring ongoing air raids and blackouts. Thousands had to relocate when the jurisdiction of their court was changed. Many others saw their housing destroyed, and their life circumstances become much more complicated. The significant outflow of personnel from judicial institutions jeopardizes the work of courts at all levels.¹⁴²⁸

Displaced judges and prosecutors from occupied territories. As it became apparent that the war likely will continue for months or years, Ukrainian authorities began reassigning ("seconding") judges from occupied areas to courts needing additional workforce. As of January 2023, almost 500 judges had been temporarily seconded to other courts.¹⁴²⁹ While such reassignments are an interim solution, they do not solve the overall shortage of judges. To the extent that Ukrainian forces retake territory and reopen courts, plans must be made for the staffing of those courts, whether by the original judges or new judges brought into the courts.¹⁴³⁰ Moreover, experience after the 2014 Russian occupation of portions of the Donbas suggests that some of these judges and prosecutors may be subject to coercion based on threats directed at their family members remaining behind in the occupied areas.¹⁴³¹

¹⁴²³ HQCJ Report.

¹⁴²⁴ Annex 3.

¹⁴²⁵ "Next Year, 373 Judge Intend to Resign," dated 6 October 2022, found at <https://pravo.ua/u-nastupnomu-rotsi-373-suddi-maiut-namir-pity-u-vidstavku-bohdan-monich-holova-rsu/>.

¹⁴²⁶ "Oksana Blazhivska outlined the problems that are relevant for judicial governance bodies and courts," dated 15 July 2022, found at <https://court.gov.ua/press/news/1296167>.

¹⁴²⁷ "The ways of settling the issues of restoring the powers of 'five-year judges' and posting the advisory opinions of the HCJ on the website of the Parliament have been determined," dated 11 July 2022, found at <https://su.court.gov.ua/tu19/pres-centr/news/1294044/>.

¹⁴²⁸ "The HCJ draws attention to the need to immediately resolve the issue of decent remuneration of court employees," dated 22 December 2022, found at <https://court.gov.ua/press/news/1361805/>.

¹⁴²⁹ "The Path to the Rule of Law in Ukraine: Vsevolod Kniaziev Summarized 5 Years of the Supreme Court's Activity," dated 20 January 2023, found at <https://court.gov.ua/eng/supreme/pres-centr/news/1372527/>.

¹⁴³⁰ See High Council of the Judiciary, Order No. 283/0/15-23, dated 30 March 2023.

¹⁴³¹ Kuibida, p. 6.

Cases involving courts with transferred jurisdictions. At one point, the territorial jurisdictions of 132 Ukrainian first and second instance courts were transferred to other courts in the same or a neighboring *Oblast*.¹⁴³² Though a significant number of courts have reopened and had their territorial jurisdictions restored, the territorial jurisdictions of nearly 100 courts remain transferred.¹⁴³³

For litigants and lawyers, these transfers are inconvenient and create personal risk to attend court in a distant location, particularly given the difficulties with transportation during wartime. For the judges of the transferee courts, already substantial workloads have been increased. Nor do these issues disappear when a court's territorial jurisdiction is restored, since the coordination between the court, lawyers, and litigants can become complex. Both the efficiency and quality of justice have suffered, and steps will need to be taken to resolve the status of such courts in a post-conflict environment.

Personal and courthouse security. Ukraine's experience prior to February 2022 with personal security for members of the justice system portends major issues in a post-conflict environment. On one hand, experience in the Donbas for the past nine years suggests that Russian forces and their allies will exert significant pressure on courts at or near the frontlines. At the same time, threats and coercion from right-wing groups, some of whom are fighting for the Ukrainian side during the war, likely will intensify. These predictions are borne out by the fact that in the first six months of 2022, visitors attempted bring 1449 firearms into courts around the country, a fifteen-fold increase over the equivalent period in 2021.¹⁴³⁴

Such pressures likely will intensify as the courts consider cases involving highly emotional issues such as war crimes, treason, and collaboration. These cases will pose a real danger to judges, court employees, prosecutors, lawyers, witnesses, and other participants in the court process. Steps must be taken to ensure the personal safety of those involved in the judicial process and their family members, which may include armed round-the-clock security.¹⁴³⁵

Restoration of files. Judicial files in the Ukrainian system include not only documents relating to litigation, but also a variety of personal and commercial documentation needed in daily life. For example, 76.5% of court proceedings in 2020 involved the recordation of birth, death, and other facts of legal significance. Roughly 20% of those proceedings were in areas that are now considered to be temporarily occupied territory of Ukraine.¹⁴³⁶

Looking at it from a different perspective, as of 2021, nearly 60% of cases to establish the fact of birth and 70% of cases to establish the fact of death were pending in temporarily occupied territories in Ukraine.¹⁴³⁷ Moreover, since the Russian aggression against Ukraine began in February 2022, the number of civilians killed in Ukraine is estimated to be in excess of 8,000, though the actual numbers are believed to be considerably higher.¹⁴³⁸

Such documentation, not to mention criminal and civil litigation files, is critical to many Ukrainian citizens. Some of this documentation was destroyed or carried away from court buildings during the hostilities. Other documentation remains behind in areas now controlled by Russian forces or their allies. While some documentation was saved by judges and court

¹⁴³² Annex 1.

¹⁴³³ Annex 2.

¹⁴³⁴ "In the first half of 2022, the number of attempts to get to court with weapons increased 15 times compared to last year 2021," dated 8 July 2022, found at <https://dsa.court.gov.ua/dsa/pres-centr/news/1293572/>.

¹⁴³⁵ "The head of the territorial administration of the State Judicial Administration of Ukraine in the Donetsk region, Serhiy Muzykant, took part in the conference on the topic: 'Peculiarities of ensuring the security of the administration of justice in conditions of martial law,'" dated 23 September 2022, found at <https://dn.court.gov.ua/tu05/pres-centr/news/1323748/>.

¹⁴³⁶ Operational Monitoring, p. 60.

¹⁴³⁷ *Ibid.*

¹⁴³⁸ "Ukraine: civilian casualty update: 13 March 2023," dated 13 March 2023, found at <https://www.ohchr.org/en/news/2023/03/ukraine-civilian-casualty-update-13-march-2023>.

staff, and some exists in digital form, the loss of judicial documentation likely will cause significant issues when the conflict ends.¹⁴³⁹ Efforts are underway to simplify the procedures for handling such issues, but the challenge for the court system will continue for many years beyond the end of hostilities.¹⁴⁴⁰

Remote proceedings and the digitization of the courts. For years prior to February 2022, Ukraine in conjunction with European and international donors invested millions of Euros in an effort to digitize its court system, with little success. The pandemic raised these issues in a different context as judges, prosecutors, lawyers, and litigants pressed for remote appearances in court proceedings. The current wartime conditions, coupled with the transfer of thousands of cases to new and more distant venues, have reignited the pressure for the court system to adopt such measures.¹⁴⁴¹

The donation of a handful of StarLink satellite communication systems to the judiciary during the war increased the appetite for such technology.¹⁴⁴² Supreme Court President Kniaziev in particular has stressed the need to introduce remote justice and e-court systems in Ukraine.¹⁴⁴³ Nonetheless, statutory restrictions, budgetary constraints, military considerations, and technical failings continue to stymie such projects.¹⁴⁴⁴

Funding. Another critical issue facing the Ukrainian judicial system is funding. Much of the funding for the courts comes from court fees. With the substantial reduction in filings due to the war, revenue from court fees has significantly decreased. For example, in the first half of 2022, revenue from court cases was almost half as much as in the same period in 2021.¹⁴⁴⁵ Court staff have not been paid, and ordinary expenses such as postal and telephone service have been cut. While the reduction in cases has permitted the judicial system to reduce some expenses,¹⁴⁴⁶ this situation will be a difficult test for the judiciary.¹⁴⁴⁷

Revitalizing Legal Education. Prior to the war, legal education in Ukraine was struggling to reform. Many of those problems remain. Yet the expanded Russian aggression has raised issues that legal educators had not previously faced:

- Educating students under conditions of physical danger, power outages, and unstable communications.
- Employees and students becoming IDPs or evacuating out of Ukraine.
- The loss of homes and other property, computer equipment, and access to communication facilities by instructors, staff and students.

¹⁴³⁹ Operational Monitoring, pp. 39–43.

¹⁴⁴⁰ “‘You are waiting in court’ project: How to register the fact of birth/death that took place in the temporarily occupied territory,” dated 23 November 2022, found at <https://court.gov.ua/press/news/1349687/>.

¹⁴⁴¹ Operational Monitoring, pp. 25–31.

¹⁴⁴² “SJA of Ukraine on the administration of justice in wartime as of May 18, 2022,” dated 18 May 2022, found at <https://court.gov.ua/press/news/1275655/>.

¹⁴⁴³ “Chairman of the Supreme Court discussed with representatives of the Council of Europe the challenges of the judicial system of Ukraine in the conditions of war,” dated 1 February 2023, found at <https://court.gov.ua/press/news/1376778/>.

¹⁴⁴⁴ “Judges of the Supreme Court discussed with representatives of the Council of Europe the priorities of the judicial system in wartime,” dated 13 June 2022, found at <https://court.gov.ua/press/news/1283735/>.

¹⁴⁴⁵ “The courts are waiting for consolidation, new technologies and tests,” dated 21 September 2022, found at <https://zv.zp.court.gov.ua/sudo809/pres-centr/news/1322158/>.

¹⁴⁴⁶ “Judiciary budget 2023: which needs are fully covered,” dated 29 November 2022, found at <https://court.gov.ua/press/news/1352560/>.

¹⁴⁴⁷ “Even in difficult times for the country, we must develop and continue reforming the judicial system – Chairman of the Supreme Court,” dated 15 September 2022, found at <https://court.gov.ua/press/news/1320074/>; “Judicial remuneration and payments for retired judges: what problems can await judges in 2023,” dated 27 September 2022; found at <https://te.court.gov.ua/tu20/pres-centr/news/1325367/>.

- Deteriorating finances of students and their families which threatens their ability to pay for tuition and accommodations.
- Emotional trauma, military enlistment, or other war-related factors that make students more likely to take academic leave or stop studying.
- Changes in public financing of education due to the new priorities of the state budget, inflation and devaluation.

The Addressing Legal Issues Raised by the War

Though the issues typically addressed by the courts in peacetime remain, one consequence of the war has been to present judges with a panoply of new or mutated legal issues. The makeup of court dockets has been substantially altered, with the addition of new types of cases and the surge or reduction in other categories of cases.

Accountability. In its March 2023 Report, the United Nations' Independent International Commission of Inquiry on Ukraine concluded that:

*The body of evidence collected shows that Russian authorities have committed a wide range of violations of international human rights law and international humanitarian law in many regions of Ukraine and in the Russian Federation. Many of these amount to war crimes and include willful killings, attacks on civilians, unlawful confinement, torture, rape, and forced transfers and deportations of children.*¹⁴⁴⁸

While Ukrainian leaders have advocated for creating a special tribunal to bring the highest political and military leadership of Russia to justice,¹⁴⁴⁹ the vast majority of war crimes cases now pend before the local general first instance courts in Ukraine. Those numbers are staggering: as of the end of February 2023, authorities had registered more than 66,000 allegations of Russian war crimes.¹⁴⁵⁰

At the very outset of the Russian invasion, the Ukrainian government made it clear that “justice in the territory where martial law is imposed is carried out only by the courts,” and that the “creation of extraordinary and special courts is not allowed.”¹⁴⁵¹ Accordingly, the judicial system must prepare to properly and efficiently consider of thousands of criminal proceedings involving alleged war crimes committed by the Russian military, which are already beginning to arrive in the courts of Ukraine.¹⁴⁵²

Very few judges, prosecutors, or lawyers in Ukraine were knowledgeable concerning the legal issues involved in such matters when the war began. International agencies, Western governments, and NGOs have rushed to provide training on the investigation and handling of war crimes cases.¹⁴⁵³ Yet the volume and complexity of such cases threatens to swamp the already understaffed system.

¹⁴⁴⁸ Report of the Independent International Commission of Inquiry on Ukraine, A/HRC/52/62, dated 15 March 2023.

¹⁴⁴⁹ “In order for Russia to be held responsible for aggression, a special tribunal is needed, and we are doing everything to create it – address of the President of Ukraine,” dated 29 November 2022, found at <https://www.president.gov.ua/news/shob-bula-vid-povidalnist-rosiyi-za-agresiyu-potriben-special-79537>.

¹⁴⁵⁰ “Criminal jurisdiction during martial law: the results of activity for 2022 were discussed at the CCS of the Supreme Court,” dated 7 February 2023, found at <https://lp.vn.court.gov.ua/sud0213/pres-centr/news/1379072/>.

¹⁴⁵¹ “IMPORTANT! On the actions of the judiciary during the introduction of the legal regime of martial law,” dated 24 February 2022, found at <https://kr.court.gov.ua/tu12/pres-centr/news/1259983/>.

¹⁴⁵² “The Chairman of the Supreme Council discussed with representatives of the USAID program ‘Justice for All’ the main areas of further cooperation,” dated 28 September 2022, found at <https://court.gov.ua/press/news/1326063/>.

¹⁴⁵³ See “New facets of international cooperation: raising awareness of issues of international humanitarian law,” dated 14 September 2022, found at <https://court.gov.ua/press/news/1319114/>; “A working meeting with representatives of the USAID ‘Justice for All’ Program was held at NSSU,” dated 28 September 2022, found at <https://court.gov.ua/press/news/1325707/>; “There was a discussion of plans for the cooperation of NSSU with the EU Project ‘Law-Justice’,” dated 23 September 2022, found at <https://court.gov.ua/press/news/1323495/>; “The Council of Europe supports training on the basics of OSINT for prosecutors of the War Crimes Department,” dated 2 November 2022, found at <https://www.coe.int/uk/web/kyiv/-/the-council-of-europe-supports-information-session-on-osint-for-prosecutors-of-the-war-crimes-department>.

Treason and collaboration. As of the end of February 2023, Ukrainian authorities had registered more than 17,000 alleged crimes against national security.¹⁴⁵⁴ In virtually every court and prosecutor's office in Ukraine, such cases have proliferated. Some of these matters involve allegations of treason, espionage, or material support for the enemy.¹⁴⁵⁵ Other offenses, however, are more political in nature, often based on allegations of support for Russia's invasion or criticism of Ukraine's actions on social media or in other settings.¹⁴⁵⁶

Putting aside the magnitude of the added workload, such cases raise a variety of new issues for the courts. Wartime emotions make a rush to justice almost inevitable for those accused of supporting the enemy, and taint any judge or lawyer who questions the evidence. Vague standards make it difficult to determine guilt or innocence. The *in absentia* nature of many proceedings further complicates the ability to conduct a fair trial.

New categories of cases. The war also has created various new types of cases not – or seldom – seen in peacetime such as draft evasion, smuggling draft evaders across international borders, and theft of humanitarian aid. New laws allow for the confiscation of property and other assets located in Ukraine but owned by Russian companies or citizens. The massive destruction of property has raised the prospect that citizens of the country will pursue reparations or damage claims against Russian institutions for their losses.¹⁴⁵⁷ These and other new categories of cases will challenge judges, prosecutors, and lawyers unaccustomed to handling such matters.

Surge or variations in established proceedings. Wars create chaos, and this turmoil seeps into many issues handled by the justice system. For example, the administrative courts were swamped with over 360,000 first instance cases and 100,000 appeals filed in 2022, many brought by the millions of IDPs and others who must reestablish their lives in new locations.¹⁴⁵⁸ The war is also creating new issues for families dealing with inheritance issues.¹⁴⁵⁹ Courts, prosecutors, and lawyers will need to find solutions to new problems on a wide array of legal matters, ranging from property rights to family law to citizenship questions.

Continuing the Reformation of the Legal System

The direct consequences of the expanded Russian aggression pose enormous challenges for the Ukrainian legal system. But equally critical for the long-term development of the rule of law is the continuation and completion of the reform process that has stopped and started in Ukraine for the past three decades. Several of these issues were addressed by the European Commission's requirements for admission to the EU.¹⁴⁶⁰ Other reforms have been either introduced or are under discussion. Continuation and completion of these reforms will be vital for the recovery of the Ukrainian legal system in the post-conflict environment.

1454 "Criminal jurisdiction during martial law: the results of activity for 2022 were discussed at the CCS of the Supreme Court," dated 7 February 2023, found at <https://lp.vn.court.gov.ua/sud0213/pres-centr/news/1379072/>.

1455 See, e.g., "Headed the administration illegally created by the occupation authorities – a resident of Kherson region is suspected of collaborationism," dated 30 June 2022, found at https://kherson.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=315584; "Support of the aggressor country and appointment to the post of head of the police department in the occupied Vovchansk: a former law enforcement officer is suspected," dated 30 June 2022, found at https://khar.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=315651&fp=10.

1456 See, e.g., "In Zhitomir will judge a teacher of a music school accused of collaborationism," dated 29 June 2022, found at https://zhit.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=315533; "Believes that Ukrainians occupy the territory of the Russian Federation – a resident of Okhtyrka has been notified of suspicion," dated 30 June 2022, found at https://sumy.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=315559.

1457 "On the collection, processing and accounting of information on damaged and destroyed real estate as a result of hostilities, terrorist acts, sabotage caused by military aggression of the Russian Federation," Cabinet of Ministers of Ukraine Resolution No. 380, dated 26 March 2022.

1458 "Interactive map of the courts of Ukraine 2022," Council of Judges of Ukraine, found at <https://rsu.gov.ua/oas-2022-maps>.

1459 "Inheriting during the War," dated 7 June 2022, found at <https://advokatRada.cn.ua/>.

1460 Commission Opinion, p. 14.

Restore judicial governance. Ukrainians recognize that among the most important issues facing the judicial system is restoring the work of authorized bodies of judicial governance, particularly the HCJ and HQCJ.¹⁴⁶¹ In the past few months, progress has been made, particularly with the reconstitution of the HCJ. Efforts to similarly reconstitute the HQCJ continue, albeit at a slow pace.

But the experience of the past several years demonstrates that those opposed to reform will continue efforts to block or delay the work of these institutions. Even now, not all of the members of the HCJ have been appointed. Yet the work of these institutions, especially in wartime, is vital to maintaining the courts and judiciary.

Reorganize the court system. As discussed above, the existing court structure in Ukraine, particularly among the first instance courts, is inefficient and susceptible to corruption. The understandable wartime decision to defer the scheduled reduction and consolidation of the first instance courts must remain merely a postponement. The so-called “optimization” of the courts, along with other ideas for improvements,¹⁴⁶² are vital steps in creating efficient and honest courts capable of delivering impartial justice for all.

Process judicial disciplinary complaints. Another systemic issue obstructing judicial reform is the large backlog of complaints against judges, many of which have accumulated while the HCJ was not functioning. To the extent that these complaints are legitimate, the offending judges should face discipline. On the other hand, to the extent that the complaints are harassment or retribution by disgruntled litigants or lawyers, they should be cleared. The HCJ is in the process of creating a corps of judicial inspectors to work on these issues.¹⁴⁶³ Others have proposed legislative solutions to address the problem.¹⁴⁶⁴ Regardless, the backlog of complaints needs to be addressed.

Continue the process of professionalizing the prosecution service. Relative to the other sectors of the legal system, information about the prosecutors in Ukraine is difficult to find. While case statistics are widely circulated, little data is available concerning the number and assignments of prosecutors. The re-attestation process for prosecutors reportedly has been completed, but data on the results and the impact on the bloated rosters of prosecutors’ offices cannot be located.

The war, in a sense, also has given prosecutors respite from the criticism that sparked the re-attestation process in the first place. Prosecutors are now seen as guardians of the Ukrainian state, investigating war crimes, collaborators, and Russian oligarchs. Criticism is muted, and the pressure for prosecutorial reform appears to have less urgency than in other sectors. Under these circumstances, care must be taken to avoid allowing the procuracy to resume its traditional role as the “eyes of the sovereign.”

Reconstitute the Bar. The impact of the expanded Russian invasion on individual lawyers, like most Ukrainian citizens, has been catastrophic. Judges and prosecutors who fled the hostilities face substantial personal disruptions, but most will be able to resume working in their profession, if they choose.

¹⁴⁶¹ “The Chairman of the Supreme Council discussed with representatives of the USAID program ‘Justice for All’ the main areas of further cooperation,” dated 28 September 2022, found at https://court.gov.ua/press/news/1326_063/.

¹⁴⁶² “Heads of courts are liquidated because they indulge corruption – project,” dated 11 January 2023, found at https://zib.com.ua/ru/154396-glav_sudov_likvidiruyut_potomu_chno_potakayut_korupcii_pro.html.

¹⁴⁶³ “A new division has been created in the secretariat of the HCJ – the service of disciplinary inspectors,” dated 9 February 2023, found at <https://pl.court.gov.ua/tu17/pres-centr/news/1380367/>.

¹⁴⁶⁴ “Oksana Blazhivska outlined the problems that are relevant for judicial governance bodies and courts,” dated 15 July 2022, found at <https://court.gov.ua/press/news/1296167/>.

Individual lawyers face different challenges. When lawyers leave their home area, most leave their clients – and their source of income – behind. Even when lawyers remain in place, many clients have fled, relocated, or lost their businesses. The turmoil and displacements created by the Russian aggression will reverberate for years as the legal marketplace adjusts to a new reality.

Separate issues face the organized Bar. The Council of Lawyers and the UNBA face a number of challenges unrelated to the Russian aggression, most traceable to pre-war disputes over the reform process. The resignation of the Council's representatives on the HCJ on the eve of the war, and its continuing failure to even begin the process of electing new members, has contributed to the difficulties discussed above. The UNBA's rancorous dispute with the Ministry of Justice over changes to the FLA system likewise impacts the provision of free legal aid in a time of crisis. Resolution of those issues, as well as other concerns about the functioning of the Bar, will shape the future of the profession in Ukraine.

Rethink legal education. The twin cataclysms of the pandemic and the Russian invasion further weakened an already impractical system of legal education in Ukraine. The recently-adopted, updated national legal education standards for bachelor's and master's degree programs in law suggest that the impetus for reform remains. Retaining the will and energy to repair this inefficient system will be challenging, but the mission of training skilled, ethical judges, prosecutors, lawyers, notaries, and executors will be a critical task in a post-conflict Ukraine.

Continue reforming other legal professions. Like other sectors of the legal system, Ukraine's notaries and executors were in the process of dramatic reforms on February 24, 2022. Like other legal professionals, their lives were upended by the attacks of that day. Yet both professions, though often operating below the radar, are vital cogs in the operation of the Ukrainian legal system. The pre-war reforms must continue to be implemented and take root, so that a post-conflict Ukraine can move forward in rebuilding and creating a system based on the rule of law.

Continuing the fight against corruption.

At this writing, tens of thousands have died and more have been wounded defending the ideal of a democratic Ukraine governed by the rule of law. This war erupted during – and in part due to – the country's efforts to rid itself of corruption and kleptocracy. Those efforts are not complete.¹⁴⁶⁵

An unfortunate truism is that war tends to intensify existing corruption and creates new threats. Enormous amounts of international monetary support, military assistance, and humanitarian aid have generated endless opportunities for fraud and theft in Ukraine. The work of the embryonic anti-corruption institutions put in place by the government shortly before the new Russian aggression began has been disrupted by personnel shortages as staff join the country's defense or focus on personal or family safety. Civil society organizations normally involved in surveilling the system likewise have shifted to other priorities.¹⁴⁶⁶

¹⁴⁶⁵ See, e.g., "Earnings from the flood of requests for searches – in Odesa, a judge's assistant was exposed for corruption," dated 9 February 2022, found at https://od.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=327632.

¹⁴⁶⁶ See, e.g., "100 days of full-scale war. How the Anti-Corruption Action Center readjusted the work of organization," dated 3 June 2022, found at <https://antac.org.ua/en/news/100-days-of-full-scale-war-how-the-anti-corruption-action-center-readjusted-the-work-of-organization/>; "To Keep Western Assistance Flowing, Ukraine Must Engage Corruption Concerns Head-On," dated 30 June 2022, found at <https://www.csis.org/analysis/keep-western-assistance-flowing-ukraine-must-engage-corruption-concerns-head>.

Nor has the public's longstanding distrust of the courts been overcome. A poll in September 2022 shows that while Ukrainians are expressing increasing trust in some state institutions, this trend did not extend to the courts: 72% of citizens still do not trust the courts.¹⁴⁶⁷ Ukrainian civil society continues to advocate for reforms.¹⁴⁶⁸ At the same time, calls continue from across the international community for Ukraine to finally push through the reforms needed to build an honest and transparent legal system.¹⁴⁶⁹

Yet the focus on national survival also appears to be lessening concerns among some Ukrainians about the country's historic challenges with endemic corruption. Part of this tolerance is simply fatigue – “too many battles to fight, so choose your priorities.” Other influences are more alarming, such as the tendency to blame allegations of corruption on Russian disinformation.

Some worry that Ukrainian officials have reacted defensively to suggestions that anti-corruption reforms should remain a priority.¹⁴⁷⁰ Some judges urge pausing the fight against judicial corruption during the war, arguing “that it is inappropriate to talk about the much-needed judicial reform at a time when judges, risking their health and life, administer justice in cities where explosions are heard.”¹⁴⁷¹ It would be a cruel irony if forces within Ukraine are able to block anti-corruption reforms using the turmoil from a war that begun in part because of the success of those reforms.

On March 4, 2023, the Cabinet of Ministers approved the State Anti-Corruption Program which calls for several legislative initiatives to improve and expand the country's anti-corruption efforts.¹⁴⁷² Other Ukrainian leaders speak boldly about continuing the reforms.¹⁴⁷³

But perhaps the most cogent answer was provided by a leading member of Ukrainian civil society when asked: “Why does Ukraine need to continue justice reform even during the war?” She responded:

*Russia tried to show Ukraine as an incompetent state that could not overcome corruption and create independent and fair courts. That means that such a country should not be supported because those in power will steal all European or American money sent to Ukraine. That is why judicial reform is essential to show that despite the difficulties we have because of the war, we continue to work on the domestic front and implement change. It was not by chance that Putin mentioned judicial reform in his speech.... That is why they attacked us.*¹⁴⁷⁴

¹⁴⁶⁷ “What is the judicial mafia afraid of in the Anticorruption Program?” dated 26 January 2023, found at <https://www.pravda.com.ua/columns/2023/01/26/7386501/>.

¹⁴⁶⁸ “Ukraine: Why Justice Reform is More Vital Than Ever,” dated 23 August 2022, found at <https://iwpr.net/global-voices/ukraine-why-justice-reform-more-vital-ever>.

¹⁴⁶⁹ “A shakeup in Ukraine masks deeper problems,” *b*, dated 12 February 2023.

¹⁴⁷⁰ “To Keep Western Assistance Flowing, Ukraine Must Engage Corruption Concerns Head-On,” dated 30 June 2022, found at <https://www.csis.org/analysis/keep-western-assistance-flowing-ukraine-must-engage-corruption-concerns-head>.

¹⁴⁷¹ “‘During tragic events, we mobilize and actively work,’ the head of the Zaporizhia District Administrative Court Oleg Prudyvus,” dated 28 November 2022, found at <https://court.gov.ua/press/news/1351235/>,

¹⁴⁷² “The Cabinet of Ministers published the State Anti-corruption Program: what judges should expect,” dated 14 March 2023, found at <https://te.court.gov.ua/tu20/pres-centr/news/1394643/>.

¹⁴⁷³ See “The Path to the Rule of Law in Ukraine: Vsevolod Kniaziev Summarized 5 Years of the Supreme Court's Activity,” dated 20 January 2023, found at <https://court.gov.ua/eng/supreme/pres-centr/news/1372527/>; “War is challenges, decisions and steps expected by society,” dated 7 February 2023, found at <https://lp.vn.court.gov.ua/sud/0213/pres-centr/news/1379079/>.

¹⁴⁷⁴ “Ukraine: Why Justice Reform is More Vital Than Ever,” dated 23 August 2022, found at <https://iwpr.net/global-voices/ukraine-why-justice-reform-more-vital-ever>.

ANNEX 1

First and Second-Instance Courts

<i>Oblast</i>	Second Instance Courts	Second Instance Judges 21 February 2022 ^a	First Instance Courts	First Instance Judges 21 February 2022 ^a	Court Buildings Damaged ^b	Courts Closed or Transferred in 2022 ^d
Vinnitsia <i>Oblast</i>	2	44	29	162	-	-
Volyn <i>Oblast</i>	1	14	17	101	-	-
Dnipropetrovsk <i>Oblast</i>	3	73	46	352	2	-
Donetsk <i>Oblast</i>	2	42	55	258	12	12 ^e
Zhytomyr <i>Oblast</i>	1	17	25	148	3	3
Zakarpattia <i>Oblast</i>	1	12	13	104	-	-
Zaporizhzhia <i>Oblast</i>	1	12	28	194	5	18
Ivano-Frankivsk <i>Oblast</i>	1	13	17	105	-	-
Kyiv <i>Oblast</i>	0	0	28	192	3	4
Kirovohrad <i>Oblast</i>	1	19	23	113	-	-
Luhansk <i>Oblast</i>	1	12	32	110	-	16 ^e
Lviv <i>Oblast</i>	3	27	29	220	-	-
Mykolayiv <i>Oblast</i>	1	22	24	135	13	2
Odesa <i>Oblast</i>	3	64	33	265	1	-
Poltava <i>Oblast</i>	1	27	31	160	-	-
Rivne <i>Oblast</i>	2	29	18	119	-	-
Sumy <i>Oblast</i>	1	7	20	115	4	4
Ternopil <i>Oblast</i>	1	15	17	97	-	-
Kharkiv <i>Oblast</i>	3	66	37	290	18	24
Kherson <i>Oblast</i>	1	25	23	116	10	23
Khmelnitskyi <i>Oblast</i>	1	16	20	140	-	-
Cherkasy <i>Oblast</i>	1	15	23	115	-	-
Chernivtsi <i>Oblast</i>	1	16	15	81	-	-
Chernihiv <i>Oblast</i>	1	16	24	119	7	26
Kyiv (city)	3	181	10	360	2	-
Total	37	784	637	4171	89^c	132

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b "SJA of Ukraine on the administration of justice in wartime as of May 18, 2022," dated 18 May 2022, found at <https://court.gov.ua/press/news/1275655/>; State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," dated 26 May 2022, found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings/; "Courthouses of Ukraine during the war: which suffered the most," dated 27 September 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1325067/>.

c "Courthouses of Ukraine during the war: which suffered the most," dated 27 September 2022, found at <https://te.court.gov.ua/tu20/pres-centr/news/1325067/>. This total does not align with the number of premises specifically identified as damaged in the above column.

d "List of Courts, territorial jurisdiction of which has been changed in connection with the with the inability to administer justice during martial law," dated 26 May 2022, found at https://supreme.court.gov.ua/supreme/gromadyanam/terutor_pidsudnist/.

e Does not include 84 courts in Donetsk and Luhansk *Oblasts*, Crimea, and Sevastopol transferred to other courts in Ukraine in 2014.

ANNEX 2

Individual *Oblast* Courts

Vinnitsia *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction	Nature of Conflict	Damage to Court Buildings
Vinnitsia <i>Oblast</i> Court of Appeals	Vinnitsia	25		Under Ukrainian control	None reported
Seventh Administrative Court of Appeals	Vinnitsia	19		Under Ukrainian control	None reported
Vinnitsia Circuit Administrative Court	Vinnitsia	23		Under Ukrainian control	None reported
Commercial Court of Vinnitsia <i>Oblast</i>	Vinnitsia	9		Under Ukrainian control	None reported
Barskyi District Court	Bar	4		Under Ukrainian control	None reported
Bershadshadskyi District Court	Bershad	4		Under Ukrainian control	None reported
Vinnitskyi District Court	Vinnitsia	6		Under Ukrainian control	None reported
Haisynskyi District Court	Haisyn	5		Under Ukrainian control	None reported
Zhmerynskyi City-District Court	Zhmerynka	5		Under Ukrainian control	None reported
Illinetskyi District Court	Illintsi	3		Under Ukrainian control	None reported
Kalynivskyi District Court	Kalynivka	4		Under Ukrainian control	None reported
Koziantynskyi City - District Court	Koziatyn	2		Under Ukrainian control	None reported
Kryzhopilskyi District Court	Kryzhopil	4		Under Ukrainian control	None reported
Lypovetskyi District Court	Lypovets	3		Under Ukrainian control	None reported
Litynskyi District Court	Lityn	3		Under Ukrainian control	None reported
Mohyliv-Podilskyi City – District Court	Mohyliv-Podilskyi	5		Under Ukrainian control	None reported
Murovanokurylovetskyi District Court	Murovani Kurylivtsi	2		Under Ukrainian control	None reported
Nemyrivskyi District Court	Nemyriv	4		Under Ukrainian control	None reported
Orativskyi District Court	Orativ	2		Under Ukrainian control	None reported
Pishchanskyi District Court	Peschanka	3		Under Ukrainian control	None reported
Pohrebyschenskyi District Court	Pohrebyshe	2		Under Ukrainian control	None reported
Teplytskyi District Court	Teplyk	3		Under Ukrainian control	None reported
Tyrvivskyi District Court	Tyrviv	1		Under Ukrainian control	None reported
Tomashpilskyi District Court	Tomashpil	2		Under Ukrainian control	None reported
Trostianetskyi District Court	Trostianets	3		Under Ukrainian control	None reported
Tulchynskyi District Court	Tulchyn	3		Under Ukrainian control	None reported
Khmilnytskyi City-District Court	Khmilnyk	6		Under Ukrainian control	None reported
Chernivetskyi District Court	Mazurivka	3		Under Ukrainian control	None reported
Chechelnytskyi District Court	Chechelnyk	2		Under Ukrainian control	None reported
Sharhorodskyi District Court	Sharhorod	4		Under Ukrainian control	None reported
Yampilskyi District Court	Yampil	4		Under Ukrainian control	None reported
Ladyzhyn District Court	Ladyzhyn	2		Under Ukrainian control	None reported
Vinnitsia City Court	Vinnitsia	36		Under Ukrainian control	None reported
Total		206			

a Number of judges “administering justice” from High Qualification Commission of Judges of Ukraine, “List of Judges as of 21.02.2022,” found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

Volyn Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction	Nature of Conflict	Damage to Court Buildings
Volyn Oblast Court of Appeals	Lutsk	14		Under Ukrainian control	None reported
Volyn Circuit Administrative Court	Lutsk	15		Under Ukrainian control	None reported
Commercial Court of Volyn Oblast	Lutsk	8		Under Ukrainian control	None reported
Volodymyr-Volynskiy City Court	Vladimir-Volyn	3		Under Ukrainian control	None reported
Ivanychivskiy District Court	Berezovka	2		Under Ukrainian control	None reported
Kamin-Kashyrskiy District Court	Kamen-Kashirsky	2		Under Ukrainian control	None reported
Lokachynskiy District Court	Michailovka	3		Under Ukrainian control	None reported
Lutskiy City-District Court	Lutsk	23		Under Ukrainian control	None reported
Liuboml'skiy District Court	Lyuboml	4		Under Ukrainian control	None reported
Novovolynskiy City Court	Novovolynsk	3		Under Ukrainian control	None reported
Starovyzhivskiy District Court	Staraya Vyzhevka	3		Under Ukrainian control	None reported
Shatskiy District Court	Shatsk	3		Under Ukrainian control	None reported
Kovel'skiy City-District Court	Kovel	5		Under Ukrainian control	None reported
Manevytskiy District Court	Manevichi	3		Under Ukrainian control	None reported
Horokhivskiy District Court	Horokhiv	4		Under Ukrainian control	None reported
Kivertsivskiy District Court	Kivertsiv	5		Under Ukrainian control	None reported
Ratnivskiy District Court	Ratne	4		Under Ukrainian control	None reported
Liubeshivskiy District Court	Lubeshiv	4		Under Ukrainian control	None reported
Rozhyshe District Court	Rozhyshe	4		Under Ukrainian control	None reported
Turiyskiy District Court	Turisk	3		Under Ukrainian control	None reported
Total		115			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

Dnipropetrovsk Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict	Damage to Court Buildings
Dnipropetrovsk Oblast Court of Appeals	Dnipro	29	Luhansk and Donetsk Oblasts Courts of Appeals transferred to this court on March 6, 2016	Under Ukrainian control	None reported
Central Commercial Court of Appeals	Dnipro	16		Under Ukrainian control	None reported
Third Administrative Court of Appeals	Dnipro	28		Under Ukrainian control	None reported
Dnipropetrovsk Circuit Administrative Court	Dnipro	44		Under Ukrainian control	None reported
Commercial Court of Dnipropetrovsk Oblast	Dnipro	33		Under Ukrainian control	None reported
Apostolivskyy District Court	Apostolovo	4	Verkhnorohachytskyi District Court and Velykooleksandrivsky-District Court, both of Kherson Oblast, transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Vasylkivskyy District Court	Vasilkovka	2	Novopskovskyi District Court and Popasnianskyi District Court, both of Luhansk Oblast, transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Dovhintsevskyy District Court in Kryvyi Rih	Kryvyi Rih	5		Under Ukrainian control	None reported
Zhovtnevyi District Court of Dnipropetrovsk City	Dnipro	14		Under Ukrainian control	None reported
Zhovtovodskyy City Court	Zhovty Vody	5	Beryslavskyy District Court, Bilozerskyi District Court, and Velykolepetyskyi District Court, all of Kherson Oblast, transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Kirovskyy District Court of Dnipropetrovsk City	Dnipro	9		Under Ukrainian control	None reported
Kryvorizkyi District Court	Kryvyi Rih	4	Kakhovskyy City-District Court, Novovorontsovskyy District Court, and Nyzhnosirohozkyi District Court, all of Kherson Oblast, transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Mahdalynivskyy District Court	Magdalenivka	2		Under Ukrainian control	None reported
Mezhivskyy District Court	Mezhevaya	3	Kreminskyy District Court of Luhansk Oblast transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Novomoskovskyy City-District Court	Novomoskovsk	14	Sievierodonetskyi Town Court of Luhansk Oblast transferred to this court on March 6, 2022; Balakliiskyy District Court and Kupianskyi City-District Court, both of Kharkiv Oblast, transferred to this court on March 18, 2022; the Balakliiskyy District Court was transferred to the Kominternivskyy District Court of Kharkiv City, and the Kupianskyi City-District Court was transferred to the Chervonoza-vodskyy District Court of Kharkiv City, on April 20, 2023.	Under Ukrainian control	None reported

Petropavlivskiy District Court	Petropavlovka	4	Lysychanskiy Town Court of Luhansk <i>Oblast</i> transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Piatykhatkyy District Court	Pyatikhatki	2		Under Ukrainian control	None reported
Saksahanskiy District Court of Kryvyi Rih City	Kryvyi Rih	10	Chaplynskiy District Court, Kherson City Court, and Tsiurupynskiy District Court, all of Kherson <i>Oblast</i> , transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Solonianskiy District Court	Solenoie	4	Polohivskiy District Court, Kuibyshevskiy District Court, and Kamiansko-Dniprovskiy District Court, all of Zaporizhzhia <i>Oblast</i> , transferred to this court on March 10, 2022; these courts transferred to Ordzhonikidzevskiy District Court of Zaporizhzhia City on 14 September 2022.	Under Ukrainian control	None reported
Ternivskiy Town Court	Ternovka	3	Novoaidarskiy District Court of Luhansk <i>Oblast</i> , and Hornostaivskiy District Court and Holoprystanskiy District Court, both of Kherson <i>Oblast</i> , transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Tomakivskiy District Court	Tomakovka	3	Berdianskiy City-District Court and Melitopolskiy City-District Court, both of Zaporizhzhia <i>Oblast</i> , transferred to this court on March 10, 2022; these courts transferred to Komunarskiy District Court of Zaporizhzhia City in Zaporizhzhia <i>Oblast</i> on 14 March 2022.	Under Ukrainian control	None reported
Shyrokiivskiy District Court	Shirokoe	2	Vysokopilskiy District Court and Henicheskyy District Court, both of Kherson <i>Oblast</i> , transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Vilnohirskiy District Court	Volnogorsk	3		Under Ukrainian control	None reported
Amur-Nyzhniodniprovskyy District Court	Dnipro	13		Under Ukrainian control	None reported
Bahliyskiy District Court	Kamyanske	5		Under Ukrainian control	None reported
Dzerzhynskiy District Court of Kryvyi Rih City	Kryvyi Rih	8		Under Ukrainian control	None reported
Dnipropetrovskiy District Court	Slobozhans'ke	6	Prymorskiy District Court, Pryazovskiy District Court, and Chernihivskiy District Court, all of Zaporizhzhya <i>Oblast</i> , transferred to this court on March 12, 2022; the Barvinkivskiy District Court of Kharkiv <i>Oblast</i> transferred to this court on April 6, 2022; the three Zaporizhzhia courts transferred to Vilnianskiy District Court of Zaporizhzhia <i>Oblast</i> on September 14, 2022; the territorial jurisdiction of the Barvinkivskiy District Court restored on April 20, 2023.	Under Ukrainian control	None reported
Leninskyy District Court of Dnipropetrovsk City	Dnipro	9		Under Ukrainian control	None reported

Marhanets Town and District Court	Marhanets'	5		Under Ukrainian control	Damaged
Petrykivskiy District Court	Petrykivka	4		Under Ukrainian control	None reported
Pokrovskiy District Court	Pokrovske	4	Marinskyi District Court of Donetsk <i>Oblast</i> transferred to this court in September 2014; Markivskiy District Court and Milovskiy District Court, both of Luhansk <i>Oblast</i> , transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Samarskiy District Court	Dnipro	7	Enerhodarskiy Town Court and Yakymivskiy District Court, both of Zaporizhzhia <i>Oblast</i> , transferred to this court on March 14, 2022; these courts transferred to Leninskiy District Court of Zaporizhzhia City on 14 September 2022.	Under Ukrainian control	None reported
Ternivskiy District Court of Kryvyi Rih City	Kryvyi Rih	8		Under Ukrainian control	None reported
Tsentrarno-Miskiy District Court of Kryvyi Rih City	Kryvyi Rih	4	Kalanchatskiy District Court and Ivanivskiy District Court, both of Kherson <i>Oblast</i> , transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Yurivskiy District Court	Yuryivka	2	Stanychno-Luhanskiy District Court of Luhansk <i>Oblast</i> transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Nikopolskiy City-District Court	Nikopol	8		Under Ukrainian control	Damaged
Verkhniodniprovskiy District Court	Verkhnedneprovsk	3		Under Ukrainian control	None reported
Babushkinskiy District Court	Dnipro	8		Under Ukrainian control	None reported
Dniprovskiy District Court of Dniprodzerzhynsk Town	Kamyanske	6		Under Ukrainian control	None reported
Zavodskiy District Court of Dniprodzerzhynsk Town	Kamynske	7		Under Ukrainian control	None reported
Inhuletskiy District Court of Kryvyi Rih City	Kryvyi Rih	5		Under Ukrainian control	None reported
Krynychanskiy District Court	Krynychky	3		Under Ukrainian control	None reported
Ordzhonikidze Town Court	Pokrov	5		Under Ukrainian control	None reported
Pershotravensk Town Court	Pershotravensk	3	Bilovodskiy District Court of Luhansk <i>Oblast</i> transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Synelnykivskiy City-District Court	Sinelnikove	7	Starobilskiy District Court and Troitskiy District Court, both of Luhansk <i>Oblast</i> , transferred to this court on March 6, 2022; Tokmatskiy District Court, Huliaipilskiy District Court, Mykhailivskiy District Court, and Vasylivskiy District Court, all of Zaporizhzhia <i>Oblast</i> , transferred to this court on March 10, 2022; the courts from Zaporizhzhia <i>Oblast</i> transferred to Zavodskiy District Court of Zaporizhzhia <i>Oblast</i> on 14 September 2022	Under Ukrainian control	None reported

Sofiivskiy District Court	Sofiyivka	3		Under Ukrainian control	None reported
Tsarychanskyi District Court	Tsarychanka	1		Under Ukrainian control	None reported
Krasnohvardiyskyi District Court of Dnipropetrovsk City	Dnipro	11	Vuhledarskyi Town Court of Donetsk <i>Oblast</i> transferred to this court on March 18, 2022; Krasnoarmiyskyi City-District Court transferred to this court on 8 April 2022	Under Ukrainian control	None reported
Pavlohradskyi City-District Court	Pavlograd	17	Kyivskyi District Court, Kuibyshevskyi District Court, and Kalinivskyi District Court, all of Donetsk City in Donetsk <i>Oblast</i> , transferred to this court in September 2014; Rubizhanskyi Town Court and Svativskyi District Court, both of Luhansk <i>Oblast</i> transferred to this court on March 6, 2022; Iziumskyi City-District Court of Kharkiv <i>Oblast</i> transferred to this court on March 10, 2022; the Iziumskyi City-District Court of Kharkiv <i>Oblast</i> transferred to the Dzerzhynskyi District Court of Kharkiv City on April 20, 2023	Under Ukrainian control	None reported
Zhovtnevyi District Court of Kryvyi Rih City	Kryvyi Rih	10	Novokakhovskiyi Town Court, Skadovskiyi District Court, and Novotroitskyi District Court, all of Kherson <i>Oblast</i> , transferred to this court on March 6, 2022	Under Ukrainian control	None reported
Industrialnyi District Court of Dnipropetrovsk City	Dnipro	10	Krasnoarmiyskyi City-District Court of Donetsk <i>Oblast</i> transferred to this court on March 14, 2022; Kramatorsk Town Court of Donetsk <i>Oblast</i> transferred to this court on March 15, 2022	Under Ukrainian control	None reported
Total		425			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b From decrees and orders issued by the Supreme Court of Ukraine.

Donetsk Oblast

Court	Location ^a	Judges ^a	Transfers of Jurisdiction ^e	Nature of Conflict ^d	Damage to Court Buildings ^e
Donetsk Oblast Court of Appeal	Donetsk, Mariupol, Bakhmutf	34	Transferred to Court of Appeal of Dnipropetrovsk Oblast in July 2022	Occupied by Russian-controlled forces since 2014.	Destroyed
Donetsk Administrative Court of Appeals	Donetsk	8	Moved to Kramatorsk in September 2014; merged into First Administrative Court of Appeal on 3 October 2018	Occupied by Russian-controlled forces since 2014.	None reported
Donetsk Commercial Court of Appeals	Donetsk	-	Moved to Kharkiv in September 2014; merged into Eastern Commercial Court of Appeals on 29 September 2018	Occupied by Russian-controlled forces since 2014.	None reported
Donetsk Circuit Administrative Court	Donetsk	50	Moved to Slavyansk in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Commercial Court of Donetsk Oblast	Donetsk	27	Moved to Kharkiv in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Amvrosiivskiy District Court	Amvrosiyivka	-	Transferred to Orikhov District Court in Zaporizhzhia Oblast in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Artemivskiy City-District Court	Bakhmut	Authorized for 21 positions, 15 filled, 13 authorized to administer justice	Yenakiivskiy Town Court and Zhdanivskiy Town Court transferred to this court in September 2014; transferred to the Druzhkivskiy Town Court on 21 October 2022	Heavy fighting, with Russian advances	None reported
Avdiivskiy Town Court	Avdiyivka (working remotely after 6 May 2022)	Authorized for 4 positions, 2 filled, 1 authorized to administer justice	Transferred to Dobropilskiy City District Court in September 2014; territorial jurisdiction restored January 20, 2022	Under heavy Russian assault, but remains under Ukrainian control	None reported
Budonnivskiy District Court of Donetsk City	Donetsk	-	Transferred to Krasnoarmeysk City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Chervonohvardiiskiy District Court of Makiyivka Town	Makeevka	-	Transferred to Kostiantynivka City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Debaltsevskiy Town Court	Debaltsevo	-	Transferred to Oleksandrivskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Dobropilskiy City-District Court	Dobropillia	14 positions authorized, 9 positions filled, 6 authorized to administer justice	Avdiivskiy Town Court and Khartsyzkiy Town Court transferred to this court in September 2014	Under Ukrainian control	None reported
Dokuchaievskiy Town Court of Donetsk Oblast	Dokuchaevsk	-	Transferred to Pology District Court in Zaporizhzhia Oblast in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Druzhkivskiy Town Court of Donetsk Oblast	Druzhkivka	9 positions authorized, 6 positions filled, 5 authorized to administer justice	Yasynuvatskiy City-District Court transferred to this court in September 2014; Artemivskiy City-District Court transferred to this court on October 21, 2022	Under Ukrainian control	None reported

Dymyrov Town Court in Donetsk <i>Oblast</i>	Mirnograd	6 positions authorized, 6 positions filled, 6 authorized to administer justice		Under Ukrainian control	None reported
Dzerzhynskiyi Town Court of Donetsk <i>Oblast</i>	Toretsk (Dzerzhinsk) (working remotely after 11 May 2022)	14 positions authorized, 8 positions filled, 3 authorized to administer justice	Leninskyi District Court and Proletarskyi District Court, both of Donetsk City, transferred to this court in September 2014	Under Ukrainian control	None reported
Hirnytskyi District Court of Makiyivka Town	Makeevka	-	Transferred to Kramatorsk City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Illichivskiyi District Court of Mariupol City	Mariupol	11 positions authorized, 9 positions filled, 6 authorized to administer justice	Transferred to Kirovskiyi District Court of Dnipropetrovsk City in Dnipropetrovsk <i>Oblast</i> on March 6, 2022	Occupied by Russian-controlled forces in May 2022.	Damaged
Kalininskyi District Court of Donetsk City	Donetsk	-	Transferred to Pavlograd City District Court in Dnipropetrovsk <i>Oblast</i> in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Kalininskyi District Court of Horlivka Town	Horlovka	-	Transferred to Slavyansk City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Khartsyzkyi Town Court	Khartsyzsk	-	Transferred to Dobropilskyi City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Kirovskiyi District Court of Donetsk City	Donetsk	-	Transferred to Krasnoarmiiskiyi City-District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Kirovskiyi District Court of Makiyivka Town	Makeevka	-	Transferred to Kramatorsk City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Kirovskiyi Town Court	Kirovske	-	Transferred to Chernihiv District Court of Zaporizhzhia <i>Oblast</i> in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Kostiantynivskiyi City-District Court	Kostyantynivka (working remotely after 28 April 2022)	15 positions authorized, 13 positions filled, 10 authorized to administer justice	Chervonohvardiiskiyi District Court and Tsentralno-Miskiyi District Court, both of Makiyivka, transferred to this court in September 2014	Under Ukrainian control	None reported
Kramatorsk Town Court	Kramatorsk	22 positions authorized, 17 positions filled, 7 authorized to administer justice	Kirovskiyi District Court, Hirnytskyi District Court, and Sovietskyi District Court, all of Makiyivka Town, transferred to this court in September 2014; this court transferred to Industrialnyi District Court of Dnipropetrovsk City in Dnipropetrovsk <i>Oblast</i> on March 15, 2022	Under Ukrainian control	None reported
Krasnoarmiiskiyi City-District Court	Pokrovsk	15 positions authorized, 13 positions filled, 10 authorized to administer justice	Budonnivskiyi District Court and Kirovskiyi District Court, both of Donetsk City, transferred to this court in September 2014; this court transferred to Krasnohvardiiskiyi District Court of Dnipropetrovsk City on 8 April 2022	Under Ukrainian control	None reported

Krasnolymanskyi Town Court of Donetsk Oblast	Lyman	8 positions authorized, 7 positions filled, 2 authorized to administer justice	Petrovskiy District Court of Donetsk City transferred to this court in September 2014; this court transferred to Industrialnyi District Court of Dnipropetrovsk City in Dnipropetrovsk Oblast on March 14, 2022	Occupied by Russian-controlled forces in May 2022, liberated by Ukrainian forces in October 2022	Destroyed
Kuibyshevskiy District Court of Donetsk City	Donetsk	-	Transferred to Pavlograd City District Court in Dnipropetrovsk Oblast in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Kyivskiy District Court of Donetsk City	Donetsk	-	Transferred to Pavlograd City District Court in Dnipropetrovsk Oblast in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Leninskyy District Court of Donetsk City	Donetsk	-	Transferred to Dzerzhinsky City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Marinskyy District Court	Kurakhovo	7 positions authorized, 6 positions filled, 2 authorized to administer justice	Transferred to Pokrovsky District Court in Dnipropetrovsk Oblast in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Mykytivskiy District Court of Horlivka Town	Horlovka	-	Transferred to Slavyansk City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Novoazovskiy District Court	Novoazovsk	-	Transferred to Pryazovsky District Court in Zaporizhzhia Oblast in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Novohrodivskiy Town Court of Donetsk Oblast	Novohrodivka	3 positions authorized, 1 position filled, 1 authorized to administer justice	Transferred to Industrialnyi District Court of Dnipropetrovsk City of Dnipropetrovsk Oblast on April 29, 2022	Under Ukrainian control	None reported
Oleksandrivskiy District Court	Oleksandrivka	3 positions authorized, 2 positions filled, 1 authorized to administer justice	Debaltsevskiy Town Court transferred to this court in September 2014	Under Ukrainian control	None reported
Ordzhonikidzevskiy District Court of Mariupol City	Mariupol	11 positions authorized, 9 positions filled, 4 authorized to administer justice	Transferred to Leninskyy District Court of Dnipropetrovsk City in Dnipropetrovsk Oblast on March 6, 2022	Occupied by Russian-controlled forces in May 2022.	Damaged/destroyed
Pershotravnevyy District Court	Mangush	3 positions authorized, 2 positions filled, 1 authorized to administer justice	Transferred to Leninskyy District Court of Dnipropetrovsk City in Dnipropetrovsk Oblast on March 6, 2022	Occupied by Russian-controlled forces in March 2022.	Damaged
Petrovskiy District Court of Donetsk City	Donetsk	-	Transferred to Krasnolymanskyi City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Proletarskiy District Court of Donetsk City	Donetsk	-	Transferred to Dzerzhinsky City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Prymorskiy District Court of Mariupol City	Mariupol	8 positions authorized, 6 positions filled, 0 authorized to administer justice	Transferred to Leninskyy District Court of Dnipropetrovsk City in Dnipropetrovsk Oblast on March 6, 2022	Occupied by Russian-controlled forces in May 2022.	Damaged

Selydivskiyi Town Court of Donetsk <i>Oblast</i>	Selidovo (working remotely after 9 May 2022)	11 positions authorized, 7 positions filled, 3 authorized to administer justice	Voroshylivskiyi District Court of Donetsk City transferred to this court in September 2014	Under Ukrainian control	None reported
Shakhtarskiy City-District Court	Shakhtersk	-	Transferred to Berdyansk City District Court of Zaporizhzhia <i>Oblast</i> in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Slovianskiy City-District Court	Slavyansk (working remotely after 11 May 2022)	23 positions authorized, 12 positions filled, 9 authorized to administer justice	Kalininskiy District Court, Tsentralno-Miskiy District Court, and Mykytivskiy District Court, all of Horlivka Town, transferred to this court in September 2014	Under Ukrainian control	None reported
Snizhnianskiy Town Court	Snizhne	-	Transferred to Kuibyshevskiy District Court in Zaporizhzhia <i>Oblast</i> in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Sovietskiy District Court of Makiyivka Town	Makeevka	-	Transferred to Kramatorsk City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Starobeshivskiy District Court	Starobeshevo	-	Transferred to Tokmak District Court in Zaporizhzhia <i>Oblast</i> in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Telmanivskiy District Court	Telmanovo	-	Transferred to Primorskiy District Court in Zaporizhzhia <i>Oblast</i> in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Torezkiy Town Court	Torez	-	Transferred to Berdyansk City District Court of Zaporizhzhia <i>Oblast</i> in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Tsentralno-Miskiy District Court of Horlivka Town	Horlovka	-	Transferred to Slavyansk City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Tsentralno-Miskiy District Court of Makiyivka Town	Makeevka	-	Transferred to Kostiantynivka City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Velykonovosilkivskiy District Court	Velika Novoselka (working remotely after 17 May 2022)	4 positions authorized, 4 positions filled, 2 authorized to administer justice	Volnovaskiy District Court transferred to this court in September 2014	Under Ukrainian control	None reported
Volnovaskiy District Court	Volnovaha	8 positions authorized, 6 positions filled, 4 authorized to administer justice	Transferred to Velikonovosilkivskiy District Court in September 2014; transferred to Krasnohvardiiskiy District Court of Dnipropetrovsk City in Dnipropetrovsk <i>Oblast</i> on March 6, 2022	Occupied by Russian-controlled forces in March 2022.	Destroyed
Volodarskiy District Court	Nykolske	4 positions authorized, 4 positions filled, 1 authorized to administer justice	Transferred to Amur-Nizhnedniprovskiy District Court in Dnipropetrovsk <i>Oblast</i> on March 6, 2022	Occupied by Russian-controlled forces in March 2022.	Damaged
Voroshylivskiy District Court of Donetsk City	Donetsk	-	Transferred to Selydiv City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	

Vuhledarskyi Town Court	Ugledar	3 positions authorized, 2 positions filled, 0 authorized to administer justice	Transferred to Amur-Nyzhniodniprovskyy District Court in Dnipropetrovsk <i>Oblast</i> on March 6, 2022; transferred to Krasnohvardiiskyy District Court of Dnipropetrovsk City in Dnipropetrovsk <i>Oblast</i> on March 6, 2022	Occupied by Russian-controlled forces in May 2022.	Damaged
Yasynuvatskyi City-District Court	Yasinovataya	-	Transferred to Druzhkovskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Yenakiivskyyi Town Court of Donetsk <i>Oblast</i>	Yenakiyevo	-	Transferred to Artemivsk City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Zhdanivskyyi Town Court	Zhdanovka	-	Transferred to Artemivsk City District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Zhovtnevyi District Court of Mariupol City	Mariupol	19 positions authorized, 3 positions filled, 3 authorized to administer justice	Transferred to Zhovtnevyi District Court of Dnipropetrovsk City on March 6, 2022	Occupied by Russian-controlled forces in May 2022.	Damaged/destroyed
Total		180^b			

a "Information on the consideration of cases," dated 12 July 2022, found at <https://dn.court.gov.ua/tu05/pres-centr/news/1294674/>.

b Total of positions filled, including judges "not authorized to administer justice."

c From decrees and orders issued by the Supreme Court of Ukraine.

d Reports as of 24 February 2023.

e According to one report, 12 court buildings have been damaged or destroyed in the Donetsk *Oblast*. See "SJA of Ukraine on the administration of justice in wartime as of May 18, 2022," dated 18 May 2022, found at <https://court.gov.ua/press/news/1275655/>.

f At one time, the Donetsk Court of Appeal was located in three cities - Donetsk, Mariupol and Artemivsk (Bakhmut). After 2014, the court in Donetsk city was moved to Mariupol. After the invasion in February 2020, the court in Mariupol was overrun and the staff evacuated. Later in 2022, the court in Bakhmut was evacuated to the Khmelnytskyi Court of Appeal. "Courts in conditions of war: evacuation from Bakhmut and rescue from Mariupol of the Donetsk Court of Appeal," dated 18 July 2022, found at https://dsa.court.gov.ua/dsa/inshe/courts_work_war/1296891/?fbclid=IwAR0sI2JUANctcplc8rvhroIE-2QUS-RiB-SwTbDjYc9nmTQ7XEdRsXab4ec. In July 2022, the territorial jurisdiction of that court was transferred to the Dnipropetrovsk *Oblast* Court of Appeals.

Zhytomyr *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Zhytomyr <i>Oblast</i> Court of Appeals	Zhytomyr	17		Under Ukrainian control	None reported
Zhytomyr Circuit Administrative Court	Zhytomyr	19		Under Ukrainian control	Damaged
Commercial Court of Zhytomyr <i>Oblast</i>	Zhytomyr	16		Under Ukrainian control	None reported
Brusylivskiy District Court	Brusilov, Donetsk <i>Oblast</i>	3	Transferred to Koretskyi District Court of Rivne <i>Oblast</i> on March 10, 2022; territorial jurisdiction restored April 22, 2022	Under Ukrainian control	None reported
Volodarsko-Volynskiy District Court	Horoshev	2		Under Ukrainian control	None reported
Zhytomyrskiy District Court	Zhytomyr	5		Under Ukrainian control	None reported
Korostyshivskiy District Court	Korostyshev	5		Under Ukrainian control	None reported
Malynskiy District Court	Malin	4	Transferred to Koretskyi District Court of Rivne <i>Oblast</i> on March 10, 2022; territorial jurisdiction restored April 22, 2022	Under Ukrainian control	Damaged
Novohrad-Volynskiy City-District Court	Novograd-Volynskiy	10		Under Ukrainian control	None reported
Popilnianskiy District Court	Popelya	2		Under Ukrainian control	None reported
Romanivskiy District Court	Romanov	2		Under Ukrainian control	None reported
Chervonoarmiiskiy District Court	Pulino	3		Under Ukrainian control	None reported
Liubarskiy District Court	Lubar	3		Under Ukrainian control	None reported
Andrushivskiy District Court	Andriivka	3		Under Ukrainian control	None reported
Yemilchynskiy District Court	Yemilchyne	2		Under Ukrainian control	None reported
Korolovskiy District Court of Zhytomyr City	Zhytomyr	14		Under Ukrainian control	None reported
Luhynskiy District Court	Luhyny	4		Under Ukrainian control	None reported
Olevskiy District Court	Olevsk	1		Under Ukrainian control	None reported
Radomyshl'skiy District Court	Radomyshl	3	Makarivskiy District Court of Kyiv <i>Oblast</i> transferred to this court on March 6, 2022; territorial jurisdiction of that court restored on May 5, 2022	Under Ukrainian control	None reported
Chudnivskiy District Court	Chudniv	2		Under Ukrainian control	None reported

Baranivskiy District Court	Baranivka	3		Under Ukrainian control	None reported
Bohunskiy District Court of Zhytomyr City	Zhytomyr	15		Under Ukrainian control	None reported
Korostenskiy City-District Court	Korosten	6		Under Ukrainian control	Damaged
Narodytskiy District Court	Narodichi	3		Under Ukrainian control	None reported
Ovrutskiy District Court	Ovruch	5	Transferred to Koretskyi District Court of Rivne <i>Oblast</i> on March 10, 2022; territorial jurisdiction restored April 22, 2022	Under Ukrainian control	None reported
Berdychivskiy City-District Court	Berdychiv	8		Under Ukrainian control	None reported
Ruzhynskiy District Court	Ruzhin	1		Under Ukrainian control	None reported
Cherniakhivskiy District Court	Chernyakhiv	4		Under Ukrainian control	None reported
Total		165			

- a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.
- b From decrees and orders issued by the Supreme Court of Ukraine.
- c Reports as of 24 February 2023.
- d State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Zakarpattia Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction	Nature of Conflict	Damage to Court Buildings
Zakarpattia Oblast Court of Appeals	Uzhhorod	12		Under Ukrainian control	None reported
Zakarpattia Circuit Administrative Court	Uzhhorod	12		Under Ukrainian control	None reported
Commercial Court of Zakarpattia Oblast	Uzhhorod	5		Under Ukrainian control	None reported
Mizhhirskiy District Court	Mezhigorye	2		Under Ukrainian control	None reported
Rakhivskiy District Court	Rakhiv	3		Under Ukrainian control	None reported
Svaliavskiy District Court	Svaliava	6		Under Ukrainian control	None reported
Tiachivskiy District Court	Tyachiv	8		Under Ukrainian control	None reported
Khustskiy District Court	Khust	9		Under Ukrainian control	None reported
Volovetskiy District Court	Volovets	2		Under Ukrainian control	None reported
Vynohradivskiy District Court	Vinogradov	6		Under Ukrainian control	None reported
Irshavskiy District Court	Irshava	6		Under Ukrainian control	None reported
Perechynskiy District Court	Perechyn	3		Under Ukrainian control	None reported
Uzhhorodskiy City-District Court	Uzhgorod	20		Under Ukrainian control	None reported
Velykobereznianskiy District Court	Velikiy Berezny	3		Under Ukrainian control	None reported
Berehivskiy District Court	Berehove	5		Under Ukrainian control	None reported
Mukachivskiy City-District Court	Mukachevo	14		Under Ukrainian control	None reported
Total		116			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

Zaporizhzhia Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Zaporizhzhia Oblast Court of Appeals	Zaporizhzhia	12	Donetsk Oblast Court of Appeal (Bakhmut City) transferred to this court in September 2014	Under Ukrainian control	Damaged
Zaporizhzhia Circuit Administrative Court	Zaporizhzhia	21		Under Ukrainian control	None reported
Commercial Court of Zaporizhzhia Oblast	Zaporizhzhia	21		Under Ukrainian control	None reported
Lenynskiy District Court of Zaporizhzhia City	Zaporizhzhia	10	Enerhodarskyi Town Court and Yakymivskiy District Court, both of Zaporizhzhia Oblast, transferred to this court on 14 September 2022	Under Ukrainian control	None reported
Orikhivskiy District Court	Orehov	5	Amvrosiivskiy District Court of Donetsk Oblast transferred to this court in September 2014; this court transferred to Shevchenkivskiy District Court of Zaporizhzhia City on 10 May 2022	Under Ukrainian control, but under Russian pressure	Damaged
Prymorskyi District Court	Primorsk	1	Telmanivskiy District Court of Donetsk Oblast transferred to this court in September 2014; this court transferred to Dnipropetrovskiy District Court of Dnipropetrovsk Oblast on 12 March 2022; transferred to Vilnianskiy District Court of Zaporizhzhia Oblast on 14 September 2022.	Under Ukrainian control, but under Russian pressure	None reported
Tokmatskyi District Court	Tokmak	6	Starobeshivskiy District Court of Donetsk Oblast transferred to this court in September 2014; this court transferred to Sinelnykivskiy District Court of Dnipropetrovsk Oblast on 10 March 2022; transferred to Khortytyskyi District Court of Zaporizhzhia City on 14 September 2022	Russian occupied	None reported
Veselivskiy District Court	Vesele	1	Transferred to Zaporizkyi District Court of Zaporizhzhia Oblast on 4 April 2022	Under Ukrainian control	None reported
Huliaipilskiy District Court	Hulyaypole	3	Transferred to Sinelnykivskiy District Court of Dnipropetrovsk Oblast on 10 March 2022; transferred Zavodskiy District Court of Zaporizhzhia City on 14 September 2022	Under Ukrainian control, but under Russian pressure	Damaged
Enerhodarskyi Town Court	Energodar	3	Transferred to Samarskyi District Court of Dnipropetrovsk Oblast on 14 March 2022; transferred to Lenynskiy District Court of Zaporizhzhia City on 14 September 2022.	Russian occupied	Ransacked
Zhovtnevyi District Court of Zaporizhzhia City	Zaporizhzhia	8	Berdianskyi City-District Court of Zaporizhzhia Oblast transferred to this court on 14 September 2022.	Under Ukrainian control	None reported

Kamiansko-Dniprovskiy District Court	Kamenka-Dneprovskaya	1	Transferred to Solonyansky District Court in Dnipropetrovsk <i>Oblast</i> on 10 March 2022; transferred to Ordzhonikidzevskiy District Court of Zaporizhzhia City on 14 September 2022	Under Ukrainian control, but under Russian pressure	None reported
Novomykolayivskiy District Court	Novomykhailivka	2		Russian occupied	None reported
Ordzhonikidzevskiy District Court of Zaporizhzhia City	Zaporizhzhia	13	Kamiansko-Dniprovskiy District Court, Zaporizkiy District Court, and Polohivskiy District Court transferred to this Court on 14 September 2022;	Under Ukrainian control	None reported
Polohivskiy District Court	Pology	2	Dokuchaievskiy Town Court of Donetsk <i>Oblast</i> transferred to this court in September 2014; this court transferred to Solonyansky District Court in Dnipropetrovsk <i>Oblast</i> on 10 March 2022; transferred to Ordzhonikidzevskiy District Court of Zaporizhzhia City on 14 September 2022	Russian occupied	Damaged
Rozivskiy District Court	Rozivka	3	Transferred to Zaporizkiy District Court on 4 April 2022	Russian occupied	Damaged
Chernihivskiy District Court	Chernigovka	4	Transferred to Dnipropetrovskiy District Court of Dnipropetrovsk <i>Oblast</i> on 12 March 2022; transferred to Vilnianskiy District Court of Zaporizhzhia <i>Oblast</i> on 14 September 2022.	Russian occupied	None reported
Komunarskiy District Court of Zaporizhzhia City	Zaporizhzhia	10	Melitopolskiy City-District Court transferred to this court 14 September 2022	Under Ukrainian control	None reported
Zavodskiy District Court of Zaporizhzhia City	Zaporizhzhia	6	Huliaipilskiy District Court and Vasyliivskiy District Court transferred to this court 14 September 2022	Under Ukrainian control	None reported
Melitopolskiy City-District Court	Melitopol	12	Transferred to Tomakivskiy District Court of Dnipropetrovsk <i>Oblast</i> on 10 March 2022; transferred to Komunarskiy District Court of Zaporizhzhia City on 14 September 2022	Russian occupied	None reported
Mykhailivskiy District Court	Mikhailivka	4	Transferred to Sinelnikivskiy District Court in Dnipropetrovsk <i>Oblast</i> on 10 March 2022; transferred to Khortytskiy District Court of Zaporizhzhia City on 14 September 2022.	Russian occupied	None reported
Yakymivskiy District Court	Yakimivka	4	Transferred to Samarskiy District Court of Dnipropetrovsk <i>Oblast</i> on 14 March 2022; transferred to Leninskiy District Court of Zaporizhzhia City on 14 September 2022.	Russian occupied	None reported

Berdianskyi City-District Court	Berdiansk	13	Torezkyi Town Court and Shakhtarskyi City-District Court, both of Donetsk <i>Oblast</i> , transferred to this court in September 2014; this court transferred to Tomakivskyi District Court in the Dnipropetrovsk <i>Oblast</i> on 10 March 2022; this court transferred to Zhovtnevyi District Court of Zaporizhzhia City on 14 September 2022.	Russian occupied	None reported
Vilnianskyi District Court	Vilnyansk	5	Pryazovskyi District Court, Prymorskyi District Court, and Chernihivskyi District Court, all of Zaporizhzhia <i>Oblast</i> transferred to this court on 14 September 2022	Under Ukrainian control	None reported
Kuibyshevskyi District Court	Bilmac	5	Snizhnianskyi Town Court of Donetsk <i>Oblast</i> transferred to this court in September 2014; this court transferred to Solonyansky District Court in Dnipropetrovsk <i>Oblast</i> on 10 March 2022	Russian occupied	None reported
Khortytskyi District Court of Zaporizhzhia City	Zaporizhzhia	8	Mykhailivskyi District Court and Tokmatskyi District Court transferred to this court on 14 September 2022	Under Ukrainian control	None reported
Velykobilozerskyi District Court	Velyka Bilozerka Village	1	Transferred to Zaporizkyi District Court on 6 April 2022.	Russian occupied	None reported
Shevchenkivskyi District Court of Zaporizhzhia City	Zaporizhzhia	11	Orikhivskyi District Court transferred to this court on 10 May 2022.	Under Ukrainian control	None reported
Zaporizkyi District Court	Zaporizhzhia	6	Veselivskyi District Court and Rozivskyi District Court transferred to this court on 4 April 2022; Velykobilozerskyi District Court transferred to this court on 6 April 2022; transferred to Ordzhonikidzevskyi District Court of Zaporizhzhia City on 14 September 2022	Under Ukrainian control	None reported
Pryazovskyi District Court	Pryazovsky	3	Kirovskyi Town Court and Novoazovskyi District Court, both of Donetsk <i>Oblast</i> , transferred to this court in September 2014; this court transferred to Dnipropetrovskyi District Court of Dnipropetrovsk <i>Oblast</i> on 12 March 2022; transferred to Vilnianskyi District Court of Zaporizhzhia <i>Oblast</i> on 14 September 2022	Russian occupied	None reported
Vasylivskyi District Court	Vasylivka	3	Transferred to Sinelnikivskyi District Court in Dnipropetrovsk <i>Oblast</i> on 10 March 2022; transferred Zavodskyi District Court of Zaporizhzhia City on 14 September 2022.	Under Ukrainian control	Damaged
Total		207			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b From decrees and orders issued by the Supreme Court of Ukraine.

c Reports as of 24 February 2023.

d State Judicial Administration of Ukraine, “Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation,” found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Ivano-Frankivsk *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction	Nature of Conflict	Damage to Court Buildings
Ivano-Frankivsk <i>Oblast</i> Court of Appeals	Ivano-Frankivsk	13		Under Ukrainian control	None reported
Ivano-Frankivsk Circuit Administrative Court	Ivano-Frankivsk	16		Under Ukrainian control	None reported
Commercial Court of Ivano-Frankivsk <i>Oblast</i>	Ivano-Frankivsk	14		Under Ukrainian control	None reported
Bolekhivskiyi Town Court	Bolekhiv	2		Under Ukrainian control	None reported
Horodenkivskiyi District Court	Horodenka	3		Under Ukrainian control	None reported
Ivano-Frankivsk City Court	Ivano-Frankivsk	19		Under Ukrainian control	None reported
Rozhniativskiyi District Court	Rozhnyatov	3		Under Ukrainian control	None reported
Tlumatskiy District Court	Tlumach	3		Under Ukrainian control	None reported
Bohorodchanskiy District Court	Bogorodchany	3		Under Ukrainian control	None reported
Verkhovynskiy District Court	Verkhovyna	3		Under Ukrainian control	None reported
Halytskyi District Court	Galich	2		Under Ukrainian control	None reported
Kaluskiy City-District Court	Kalush	7		Under Ukrainian control	None reported
Kolomyiskiy City-District Court	Kolomyia	7		Under Ukrainian control	None reported
Nadvirnianskiy District Court	Nadvirna	3		Under Ukrainian control	None reported
Sniatynskiy District Court	Snyatin	3		Under Ukrainian control	None reported
Tysmenytskiy District Court	Ivano-Frankivsk	3		Under Ukrainian control	None reported
Yaremchanskiy Town Court	Yaremche	2		Under Ukrainian control	None reported
Kosivskiy District Court	Kosiv	4		Under Ukrainian control	None reported
Rohatynskiy District Court	Rogatyn	3		Under Ukrainian control	None reported
Dolynskiy District Court	Dolyna	5		Under Ukrainian control	None reported
Total		118			

a Number of judges “administering justice” from High Qualification Commission of Judges of Ukraine, “List of Judges as of 21.02.2022,” found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

Kyiv Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Kyiv Circuit Administrative Court	Kyiv	23		Under Ukrainian control	None reported
Commercial Court of Kyiv Oblast	Kyiv	28		Under Ukrainian control	None reported
Zghurivskiyi District Court	Dolina	2	Horodnianskiy District Court, Ripkynskiy District Court, and Chernihivskiy District Court transferred to this court on 8 March 2022; territorial jurisdiction of these courts restored on 4 May 2022	Under Ukrainian control	None reported
Irpin Town Court	Irpin	8	Transferred to Pereiaslav-Khmelnytskyi City-District Court on 6 March 2022; territorial jurisdiction of this court restored on 19 May 2022	Heavy fighting, now under Ukrainian control	Damaged
Kyiv-Sviatoshyn District Court, Kyiv	Kyiv	14		Heavy fighting, now under Ukrainian control	None reported
Makarivskiyi District Court	Makarov	4	Transferred to Radomyshl'skiy District Court of Zhytomyr Oblast on 6 March 2022; territorial jurisdiction restored on 5 May 2022	Heavy fighting, now under Ukrainian control	Damaged
Myronivskiyi District Court	Myronivka	3		Under Ukrainian control	None reported
Rzhyshevskiyi Town Court	Rzhyschiv	2		Under Ukrainian control	None reported
Slavutytskiy Town Court	Slavutych	3		Heavy fighting, now under Ukrainian control	None reported
Stavyshchenskiy District Court	Stavyshche	3		Under Ukrainian control	None reported
Tarashchanskiy District Court	Tarashcha	2		Under Ukrainian control	None reported
Fastivskiy City-District Court	Fastiv	8		Under Ukrainian control	None reported
Baryshivskiy District Court	Baryshevka	2		Heavy fighting, now under Ukrainian control	None reported
Vyshhorodskiy District Court	Vyshgorod	7		Heavy fighting, now under Ukrainian control	None reported
Berezanskiy Town Court	Berezan	4	Koriukivskiy District Court, Menskiy District Court, Sosnytskiy District Court, and Koropskiy District Court, all of Chernihiv Oblast, transferred to this court on 8 March 2022; territorial jurisdiction of these courts restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Bilotserkiyivskiy City-District Court	Bila Tserkva	16		Under Ukrainian control	None reported
Brovarskiy City-District Court	Brovary	6		Heavy fighting, now under Ukrainian control	None reported

Vasylkivskiy City-District Court	Vasilkov	7		Heavy fighting, now under Ukrainian control	None reported
Rokytnianskyi District Court	Rokytno	0		Under Ukrainian control	None reported
Pereiaslav-Khmelnytskyi City-District Court	Pereiaslav	7	Borodianskyi District Court, Irpin Town Court, and Ivankivskiy District Court transferred to this court on 6 March 2022; territorial jurisdiction for Ivankivskiy District Court restored 22 April 2022; territorial jurisdiction for Irpin District Court restored 19 May 2022; territorial jurisdiction for Borodianskyi District Court restored 12 July 2022	Under Ukrainian control	None reported
Yahotynskiy District Court	Yahotyn	3	Desnianskyi District Court, Semenivskiy District Court, Sribnianskyi District Court, Novozavodskiy District Court, and Novhorod-Siverskyi District, all of Chernihiv <i>Oblast</i> , transferred to this court on 8 March 2022; territorial jurisdictions of these courts restored on 4 May 2022	Under Ukrainian control	None reported
Boryspilskiy City-District Court	Borispil	11		Under Ukrainian control	None reported
Borodianskyi District Court	Borodianka	4	Transferred to Pereiaslav-Khmelnytskyi City-District Court on 6 March 2022; territorial jurisdiction restored 12 July 2022	Under Ukrainian control	Destroyed, but reopened in a new building
Obukhivskiy District Court	Obukhiv	8		Under Ukrainian control	None reported
Volodarskyi District Court	Volodarka	3		Under Ukrainian control	None reported
Kaharlytskyi District Court	Kagarlyk	4		Under Ukrainian control	None reported
Tetiivskiy District Court	Tetiev	2		Under Ukrainian control	None reported
Bohuslavskiy District Court	Boguslav	2		Under Ukrainian control	None reported
Skvyrskiy District Court	Skvira	2		Under Ukrainian control	None reported
Ivankivskiy District Court	Ivankiv	4	Transferred to Pereiaslav-Khmelnytskyi City-District Court on 6 March 2022; territorial jurisdiction restored 22 April 2022	Heavy fighting, now under Ukrainian control	None reported
Total		192			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b From decrees and orders issued by the Supreme Court of Ukraine.

c Reports as of 24 February 2023.

d State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Kirovohrad *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict	Damage to Court Buildings
Kirovohrad <i>Oblast</i> Court of Appeals	Kropyvnytsky	19		Under Ukrainian control	None reported
Kirovohrad Circuit Administrative Court	Kropyvnytsky	14		Under Ukrainian control	None reported
Commercial Court of Kirovohrad <i>Oblast</i>	Kropyvnytsky	6		Under Ukrainian control	None reported
Holovanivskiy District Court	Golovanevsk	4		Under Ukrainian control	None reported
Dolynskiy District Court	Dolinsk	3		Under Ukrainian control	None reported
Kirovskiy District Court of Kirovohrad City	Kropyvnytsky	14		Under Ukrainian control	None reported
Novoarkhangel'skyy District Court	Novoarkhangel'sk	3		Under Ukrainian control	None reported
Novomyrhorodskiy District Court	Novomyrhorod	3		Under Ukrainian control	None reported
Onufriivskiy District Court	Onufrievka	3		Under Ukrainian control	None reported
Svitlovodskiy City-District Court	Sverlovodsk	6		Under Ukrainian control	None reported
Ulianovskiy District Court	Blagoveshchenskoe	1		Under Ukrainian control	None reported
Dobrovelychkivskiy District Court	Dobrovelychkivka	2	Berezhnevatskyi District Court of Mykolayiv <i>Oblast</i> transferred to this court on 15 September 2022; jurisdiction of that court restored 3 April 2023	Under Ukrainian control	None reported
Kirovohradskiy District Court	Kropyvnytsky	4		Under Ukrainian control	None reported
Leninskiy District Court of Kirovohrad City	Kropyvnytsky	9		Under Ukrainian control	None reported
Novhorodkivskiy District Court	Novhorodka	2		Under Ukrainian control	None reported
Petrivskiy District Court	Petrove	3		Under Ukrainian control	None reported
Ustynivskiy District Court	Ustynivka	1		Under Ukrainian control	None reported
Znamianskyy City-District Court	Znamianka	7		Under Ukrainian control	None reported
Haivoronskyy District Court	Haivoron	4		Under Ukrainian control	None reported
Kompaniivskiy District Court	Kompaniyivka	3		Under Ukrainian control	None reported
Oleksandrivskiy District Court	Oleksandrivka	2		Under Ukrainian control	None reported
Malovyskivskiy District Court	Mala Vyska	4		Under Ukrainian control	None reported

Bobrynetskiy District Court	Bobrynets, Poltava <i>Oblast</i>	3	Snihurivskiy District Court of Mykolayiv <i>Oblast</i> transferred to this court on 16 March 2022; territorial jurisdiction of that court restored 1 April 2023	Under Ukrainian control	None reported
Vilshanskiy District Court	Vilshanka	2		Under Ukrainian control	None reported
Novoukrainskiy District Court	Novoukrainka	3		Under Ukrainian control	None reported
Oleksandriyskiy City-District Court	Alexandria	7		Under Ukrainian control	None reported
Total		132			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b From decrees and orders issued by the Supreme Court of Ukraine.

Luhansk *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Luhansk <i>Oblast</i> Court of Appeals	Luhansk	12	Transferred to Kharkiv <i>Oblast</i> Court of Appeals in September 2014; transferred to Dnipropetrovsk <i>Oblast</i> Court of Appeal on 6 March 2016	Occupied by Russian-controlled forces since 2014.	Destroyed
Luhansk <i>Oblast</i> Administrative Court	Luhansk	16	Moved to Severodonetsk in September 2014	Occupied by Russian-controlled forces since 2014.	Damaged
Commercial Court of Luhansk <i>Oblast</i>	Luhansk	18	Moved to Kharkiv in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Anratsyivskiy City-District Court	Anratsyt	-	Transferred to Starobilskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Artemivskiy District Court of Luhansk City	Luhansk	-	Transferred to Bilokurakynskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Zhovtnevyi District Court of Luhansk City	Luhansk	-	Transferred to Troitskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Kamianobridskiy District Court of Luhansk City	Luhansk	-	Transferred to Markivskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Krasnodonskiy City-District Court	Krasnodon	1	Transferred to Svativskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014	None reported
Leninskiy District Court of Luhansk City	Luhansk	-	Transferred to Svativskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Lutuhynskiy District Court	Lutuhyne	-	Transferred to Bilokurakynskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Milovskiy District Court	Melove	3	Transferred to Pokrovskiy District Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Occupied by Russian-controlled forces since February 2022.	None reported

Pervomaiskyi Town Court	Pervomaisk	-	Transferred to Rubizhne District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Rovenkivskyi Town Court	Rovenky	-	Transferred to Bilovodskyi District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Sievierodonetskyi Town Court	Severodonetsk	12	Stakhanovskyi Town Court transferred to this court in September 2014; transferred to Novomoskovskyi City-District Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Occupied by Russian-controlled forces since June 2022.	Damaged
Slovianoserbskyi District Court	Slovianoserbsk	-		Occupied by Russian-controlled forces since 2014.	None reported
Stakhanovskyi Town Court	Stakhanov	-	Transferred to Sievierodonetskyi District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Alchevskyi Town Court	Alchevsk	-	Moved to Lysychanski City Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Bilovodskyi District Court	Bilovodsk	4	Rovenkivskyi Town Court transferred to this court in September 2014; this court transferred to Pershotravensk Town Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Occupied by Russian-controlled forces since February 2022.	None reported
Briankivskyi Town Court	Bryanka	1	Transferred to Starobilskyi District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Kirovskyi Town Court	Kirovsk	-	Transferred to Kreminskyi District Court in September 2014	Occupied by Russian-controlled forces since 2014.	None reported
Krasnolutskyi Town Court	Krasnyy Luch	-	Transferred to Novopskov District Court in September 2014	Occupied by Russian-controlled forces since 2014	None reported
Lysychanskyi Town Court	Lysychansk	8	Alchevskyi Town Court transferred to this court in September 2014; this court transferred to Petropavlivskyi District Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Occupied by Russian-controlled forces since July 2022.	Destroyed
Markivskyi District Court	Markivka	5	Kamianobridskyi District Court of Luhansk City transferred to this court in September 2014; this court transferred to Pokrovskyi District Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Occupied by Russian-controlled forces since February 2022.	None reported
Novopskovskyi District Court	Novopskov	3	Krasnolutskyi Town Court and Stanychno-Luhanskyi District Court transferred to this court in September 2014; this court transferred to Vasylkivskyi District Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Occupied by Russian-controlled forces since February 2022.	None reported
Rubizhanskyi Town Court	Rubizhne	8	Pervomaiskyi Town Court transferred to this court in September 2014; this court transferred to Pavlohradskyi City-District Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	w	Damaged

Troitskiy District Court	Troitske	3	Zhovtnevyi District Court of Luhansk City transferred to this court in September 2014; this court transferred to Synelnykivskiy City-District Court of Dnipropetrovsk Oblast on 6 March 2022	Occupied by Russian-controlled forces since May 2022.	None reported
Kreminskyi District Court	Kreminna	5	Kirovskiy Town Court transferred to this court in September 2014; this court transferred to Mezhyvskiy District Court of Dnipropetrovsk Oblast on 6 March 2022	Occupied by Russian-controlled forces since April 2022.	Damaged
Novoaidarskiy District Court	Novoaydar	3	Transferred to Ternivskiy Town Court of Dnipropetrovsk Oblast on 6 March 2022	Occupied by Russian-controlled forces since April 2022.	None reported
Stanychno-Luhanskiy District Court	Stanychno-Luhanske	-	Transferred to Novopetrovsk District Court in September 2014; territorial jurisdiction restored on 1 December 2020; this court transferred to Yurivskiy District Court of Dnipropetrovsk Oblast on 6 March 2022	Occupied by Russian-controlled forces since February 2022.	None reported
Starobilskiy District Court	Starobilsk	7	Anratsiyivskiy City-District Court and Briankivskiy Town Court transferred to this court in September 2014; this court transferred to Synelnykivskiy City-District Court of Dnipropetrovsk Oblast on 6 March 2022	Occupied by Russian-controlled forces since March 2022.	None reported
Perevalskiy District Court	Perevalsk	-		Occupied by Russian-controlled forces since 2014	None reported
Bilokurakynskiy District Court	Bilokurakyne	3	Lutuhynskiy District Court and Artemivskiy District Court of Luhansk City transferred to this court in September 2014; this court transferred to Pershotravensk Town Court of Dnipropetrovsk Oblast on 6 March 2022	Occupied by Russian-controlled forces since February 2022.	None reported
Popasnianskiy District Court	Popasna	-	Transferred to Vasylykivskiy District Court of Dnipropetrovsk Oblast on 6 March 2022	Occupied by Russian-controlled forces since May 2022.	None reported
Svativskiy District Court	Svatovo	10	Krasnodonskiy City-District Court and Leninskiy District Court of Luhansk City transferred to this court in September 2014; this court transferred to Pavlohradskiy City-District Court of Dnipropetrovsk Oblast on 6 March 2022	Occupied by Russian-controlled forces since April 2022.	None reported
Sverdlovskiy Town Court	Sverdlovsk	-	Transferred to Bilovodskiy District Court in September 2014	Occupied by Russian-controlled forces since 2014	
Total		122			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b From decrees and orders issued by the Supreme Court of Ukraine.

c Reports as of 24 February 2023.

d State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Lviv Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction	Nature of Conflict	Damage to Court Buildings
Lviv Oblast Court of Appeals	Lviv	23		Under Ukrainian control	None reported
Western Commercial Court of Appeal	Lviv	16		Under Ukrainian control	None reported
Eighth Administrative Court of Appeal	Lviv	35		Under Ukrainian control	None reported
Lviv Circuit Administrative Court	Lviv	29		Under Ukrainian control	None reported
Commercial Court of Lviv Oblast	Lviv	33		Under Ukrainian control	None reported
Brodivskiy District Court	Brody	2		Under Ukrainian control	None reported
Buskyi District Court	Busk	3		Under Ukrainian control	None reported
Zhydachivskiy District Court	Zhidachev	3		Under Ukrainian control	None reported
Zaliznychniy District Court of Lviv City	Lviv	13		Under Ukrainian control	None reported
Kamianka-Buzkyi District Court	Kamenka-Bugskaya	4		Under Ukrainian control	None reported
Lychakivskiy District Court of Lviv City	Lviv	8		Under Ukrainian control	None reported
Mykolayivskiy District Court	Nikolaev	4		Under Ukrainian control	None reported
Peremyshlianskiy District Court	Peremyshlyany	3		Under Ukrainian control	None reported
Pustomytskiy District Court	Pustomyty	6		Under Ukrainian control	None reported
Radekhivskiy District Court	Radekhiv	3		Under Ukrainian control	None reported
Sykhivskiy District Court of Lviv City	Lviv	10		Under Ukrainian control	None reported
Skolivskiy District Court	Skole	4		Under Ukrainian control	None reported
Starosambirskiy District Court	Old Sambor	2		Under Ukrainian control	None reported
Sokalskyi District Court	Sokal	4		Under Ukrainian control	None reported
Truskavetskyi Town Court	Truskavets	3		Under Ukrainian control	None reported
Frankivskiy District Court of Lviv City	Lviv	8		Under Ukrainian control	None reported
Shevchenkivskiy District Court of Lviv City	Lviv	13		Under Ukrainian control	None reported
Boryslavskiy Town Court	Boryslav	1		Under Ukrainian control	None reported
Drohobyskyi City-District Court	Drohobych	11		Under Ukrainian control	None reported
Horodotskyi District Court	Horodok	5		Under Ukrainian control	None reported

Zolochivskiy District Court	Zolochiv	4		Under Ukrainian control	None reported
Mostyskiy District Court	Mostys'ka	3		Under Ukrainian control	None reported
Sambirskiy City-District Court	Sambir	4		Under Ukrainian control	None reported
Stryiskiy City-District Court	Stryi	6		Under Ukrainian control	None reported
Yavorivskiy District Court	Yavoriv	7		Under Ukrainian control	None reported
Turkivskiy District Court	Turka	2		Under Ukrainian control	None reported
Chervonohradskiy Town Court	Chervonograd	7		Under Ukrainian control	None reported
Halytskiy District Court of Lviv City	Lviv	10		Under Ukrainian control	None reported
Zhovkivskiy District Court	Zhovkva	5		Under Ukrainian control	None reported
Total		294			

a Number of judges “administering justice” from High Qualification Commission of Judges of Ukraine, “List of Judges as of 21.02.2022,” found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

Mykolayiv Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Mykolayiv Oblast Court of Appeals	Mykolayiv	22		Heavy fighting, now under Ukrainian control	Damaged
Mykolayiv Circuit Administrative Court	Mykolayiv	15		Heavy fighting, now under Ukrainian control	Damaged
Commercial Court of Mykolayiv Oblast	Mykolayiv	11	Transferred to Commercial Court of Odesa Oblast on 22 March 2022; territorial jurisdiction restored on 26 July 2022	Heavy fighting, now under Ukrainian control	Destroyed
Bashtanskiy District Court	Bashtanka	2		Heavy fighting, now under Ukrainian control	None reported
Berezhnevatskiy District Court	Berezhnevate	3	Transferred to Dobrovelychkivskiy District Court of Kirovohrad Oblast on 15 September 2022; territorial jurisdiction of this court restored 3 April 2023	Under Ukrainian control	None reported
Vradiivskiy District Court	Vradiivka	2		Under Ukrainian control	None reported
Domanivskiy District Court	Domanivka	2		Under Ukrainian control	None reported
Yelanetskiy District Court	Yelanets	1		Under Ukrainian control	None reported
Kazankivskiy District Court	Kazanka	3		Under Ukrainian control	None reported
Korabelnyi District Court of Mykolayiv City	Mykolayiv	7		Heavy fighting, now under Ukrainian control	Damaged

Kryvozerskyi District Court	Kryve Ozero	1		Under Ukrainian control	None reported
Mykolayivskyi District Court	Mykolayiv	2		Heavy fighting, now under Ukrainian control	None reported
Novoodeskyi District Court	Nova Odesa	3		Heavy fighting, now under Ukrainian control	None reported
Snihurivskyi District Court	Snihurivka	4	Transferred to Bobrynetskyi District Court in Kirovohrad Oblast on 16 March 2022; territorial jurisdiction of this court restored 1 April 2023	Occupied by Russian forces	Damaged
Tsentralnyi District Court	Mykolayiv	13		Heavy fighting, now under Ukrainian control	Damaged
Voznesenskyi City-District Court	Voznesensk	8		Heavy fighting, now under Ukrainian control	None reported
Novobuzkyi District Court	Novy Buh	4		Under Ukrainian control	Damaged
Veselynivskyi District Court	Veselynove	4		Under Ukrainian control	None reported
Leninskyi District Court of Mykolayiv City	Mykolayiv	9		Heavy fighting, now under Ukrainian control	Damaged
Ochakivskyi City-District Court	Ochakiv	3		Under Ukrainian control, but frequently attacked by missiles	None reported
Yuzhnoukrainskyi Town Court	Yuzhnoukrainsk	3		Under Ukrainian control	None reported
Zavodskyi District Court of Mykolayiv City	Mykolayiv	13		Heavy fighting, now under Ukrainian control	Damaged
Arbuzynskyi District Court	Arbuzynka	4		Under Ukrainian control	None reported
Berezanskyi District Court	Berezanka	2		Under Ukrainian control	None reported
Zhovtnevyi District Court	Mykolayiv	5	Transferred to Bobrynetskyi District Court in Kirovohrad Oblast on 16 March 2022	Heavy fighting, now under Ukrainian control	None reported
Bratskyi District Court	Bratske	1		Under Ukrainian control	None reported
Pervomaiskyi City-District Court	Pervomaisk	10		Under Ukrainian control	None reported
Total		157			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b From decrees and orders issued by the Supreme Court of Ukraine.

c Reports as of 1 April 2023.

d State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Odesa Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict	Damage to Court Buildings ^c
Odesa Oblast Court of Appeals	Odesa	20		Under Ukrainian control	None reported
Southwest Commercial Court of Appeals	Odesa	17		Under Ukrainian control	None reported
Fifth Administrative Court of Appeals	Odesa	27		Under Ukrainian control	None reported
Odesa Circuit Administrative Court	Odesa	34	Kherson Circuit Administrative Court transferred to this court on 18 March 2022	Under Ukrainian control	None reported
Commercial Court of Odesa Oblast	Odesa	27	Commercial Court of Kherson Oblast transferred to this court on March 18, 2022; Commercial Court of Mykolayiv Oblast transferred to this court on 22 March 2022	Under Ukrainian control	None reported
Mykolayivskiy District Court	Mykolayiv	2		Under Ukrainian control	None reported
Prymorskiy District Court of Odesa City	Odesa	28		Under Ukrainian control	None reported
Reniyskiy District Court	Reni	4		Under Ukrainian control	None reported
Rozdilnianskiy District Court	Razdelnaya	6		Under Ukrainian control	None reported
Tatarbunarskiy District Court	Tatarbunary	1		Under Ukrainian control	None reported
Tarutynskiy District Court	Tarutino	2		Under Ukrainian control	None reported
Frunzivskiy District Court	Zakharovka	3		Under Ukrainian control	None reported
Yuzhnyi Town Court	Yuzhny	3		Under Ukrainian control	None reported
Artsyzkiy District Court	Artsiz	4		Under Ukrainian control	None reported
Berezivskiy District Court	Berezovka	3		Under Ukrainian control	None reported
Biliaivskiy District Court	Belyaevka	7		Under Ukrainian control	None reported
Ivanivskiy District Court	Ivanovka	3		Under Ukrainian control	None reported
Illichivskiy Town Court	Chernomorsk	5		Under Ukrainian control	Damaged
Kotovskiy City-District Court	Podolsk	5		Under Ukrainian control	None reported
Liubashivskiy District Court	Lyubashevka	2		Under Ukrainian control	None reported
Izmailskiy City-District Court	Izmail	10		Under Ukrainian control	None reported
Ovidiopol'skiy District Court	Ovidiopol	8		Under Ukrainian control	None reported

Savranskyi District Court	Savran	3		Under Ukrainian control	None reported
Saratskyi District Court	Sarata	2		Under Ukrainian control	None reported
Shyriavskyi District Court	Shyryayevo	2		Under Ukrainian control	None reported
Bolhradskyi District Court	Bolgrad	4		Under Ukrainian control	None reported
Kominternivskyi District Court	Dobroslav	8		Under Ukrainian control	None reported
Baltskyi District Court	Balta	3		Under Ukrainian control	None reported
Bilhorod-Dnistrovskyi City-District Court	Belgorod-Dnistrovsky	11		Under Ukrainian control	None reported
Velykomykhailivskyi District Court	Velykomikhailivka	2		Under Ukrainian control	None reported
Kyivskyi District Court of Odesa City	Odesa	22		Under Ukrainian control	None reported
Kodymskyi District Court	Kodima	3		Under Ukrainian control	None reported
Ananivskyi District Court	Ananiev	2		Under Ukrainian control	None reported
Kiliivskyi District Court	Kilia	2		Under Ukrainian control	None reported
Krasnooknianskyi District Court	Okni	2		Under Ukrainian control	None reported
Malynovskyi District Court of Odesa City	Odesa	26		Under Ukrainian control	None reported
Suvorovskyi District Court of Odesa City	Odesa	18		Under Ukrainian control	None reported
Teplodarskyi Town Court	Teplodar	1		Under Ukrainian control	None reported
Total		329			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b From decrees and orders issued by the Supreme Court of Ukraine.

c State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Poltava *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict	Damage to Court Buildings
Poltava <i>Oblast</i> Court of Appeals	Poltava	27	Kharkiv <i>Oblast</i> Court of Appeals transferred to this court on 25 March 2022	Under Ukrainian control	None reported
Poltava Circuit Administrative Court	Poltava	19		Under Ukrainian control	None reported
Commercial Court of Poltava <i>Oblast</i>	Poltava	16		Under Ukrainian control	None reported
Velykobahachanskyi District Court	Velika Aleksandrovka	2		Under Ukrainian control	None reported
Hrebinkivskyi District Court	Hrebinka	3		Under Ukrainian control	None reported
Zinkivskyi District Court	Zinkiv	2		Under Ukrainian control	None reported
Kobeliatskyi District Court	Kobelyaki	5		Under Ukrainian control	None reported
Komsomolskyi Town Court	Horishnii Plavni	4		Under Ukrainian control	None reported
Lokhvytskyi District Court	Lokhvytsia	3		Under Ukrainian control	None reported
Lubenskyi City-District Court	Lubny	2		Under Ukrainian control	None reported
Oktiabrskyi District Court of Poltava City	Kyiv	15	Moskovskyi District Court and Frunzenskyi District Court, both of Kharkiv, transferred to this court on 8 March 2022; territorial jurisdictions of both courts restored 23 November 2022	Under Ukrainian control	None reported
Poltavskyi District Court	Poltava	7	Kharkivskyi District Court of Kharkiv <i>Oblast</i> transferred to this court on 8 March 2022; territorial jurisdiction restored 23 November 2022	Under Ukrainian control	None reported
Khorolskyi District Court	Horol	3		Under Ukrainian control	
Chutivskyi District Court	Chutovo	1		Under Ukrainian control	None reported
Avtozavodskyi District Court of Kremenchuk Town	Kremenchuk	13		Under Ukrainian control	None reported
Hlobynskyi District Court	Hlobyne	4	Chuhuiivskyi Town Court of Kharkiv <i>Oblast</i> transferred to this court on 8 March 2022; territorial jurisdiction restored 23 November 2022	Under Ukrainian control	None reported

Dykanskyi District Court	Dykanka	2	Zolochivskyi District Court, Sakhnovshchynskyi District Court, and Shevchenkivskyi District Court, all of Kharkiv <i>Oblast</i> , transferred to this court on 14 March 2022; the territorial jurisdiction of the Sakhnovshchynskyi District Court was restored on 5 September 2022; the Zolochivskyi District Court was transferred to the Dergachivskyi District Court of Kharkiv <i>Oblast</i> , and the Shevchenkivskyi District Court was transferred to the Ordzhonikidzevskyi District Court of Kharkiv City, on April 20, 2023	Under Ukrainian control	None reported
Kyivskyi District Court of Poltava City	Poltava	10	Leninskyi District Court and Ordzhonikidzevskyi District Court, both of Kharkiv City in Kharkiv <i>Oblast</i> , transferred to this court on 14 March 2022; territorial jurisdictions of both courts restored 23 November 2022	Under Ukrainian control	None reported
Kremenchutskyi District Court	Kremenchuk	3		Under Ukrainian control	None reported
Leninskyi District Court of Poltava City	Kyiv	7	Chervonozavodskyi District Court and Kominternivskyi District Court, both of Kharkiv City in Kharkiv <i>Oblast</i> , transferred to this court on 10 March 2022; territorial jurisdictions of both courts restored 23 November 2022	Under Ukrainian control	None reported
Mashivskyi District Court	Mashivka	2	Velykoburlutskyi District Court and Vovchanskyi District Court, both of Kharkiv <i>Oblast</i> , transferred to this court on 8 March 2022; the Velykoburlutskyi and Vovchanskyi District Courts were transferred to the Chuguivskyi Town Court of Kharkiv <i>Oblast</i> , on April 20, 2023	Under Ukrainian control	None reported
Novosanzharskyi District Court	Novi Sanzhary	3		Under Ukrainian control	None reported
Pyriatynskyi District Court	Pyriatyn	3		Under Ukrainian control	None reported
Semenivskyi District Court	Semenivka	2		Under Ukrainian control	None reported
Chornukhynskyi District Court	Chornukhy	2		Under Ukrainian control	None reported
Hadiatskyi District Court	Hadyach	4	Trostianetskyi District Court and Seredyna-Buda District Court, both of Sumy <i>Oblast</i> , transferred to this court on 18 March 2022; territorial jurisdiction of Trostianetskyi District Court restored 25 May 2022	Under Ukrainian control	None reported

Karlivskiy District Court	Karlivka	2	Dvorychansky District Court of Kharkiv <i>Oblast</i> transferred to this court on 8 March 2022; that court transferred to the Ordzhonikidzevskiy District Court of Kharkiv City on 20 April 2023	Under Ukrainian control	None reported
Kriukivskiy District Court of Kremenchuk Town	Kremenchuk	6		Under Ukrainian control	None reported
Myrhorodskiy City-District Court	Myrhorod	2		Under Ukrainian control	None reported
Reshetylivskiy District Court	Reshetylivka	2		Under Ukrainian control	None reported
Shyshatskiy District Court	Shyshaky	3	Okhtyrskiy City-District Court of Sumy <i>Oblast</i> transferred to this court on 25 March 2022	Under Ukrainian control	None reported
Kozelshchynskiy District Court	Kozelshchyna	3	Pechenizkiy District Court of Kharkiv <i>Oblast</i> transferred to this court on 8 March 2022; that court transferred to the Dzerzhynskiy District Court of Kharkiv City on 20 April 2023	Under Ukrainian control	None reported
Kotelevskiy District Court	Kotelva	2	Derhachivskiy District Court and Borivskiy District Court, both of Kharkiv <i>Oblast</i> , transferred to this court on 8 March 2022; the territorial jurisdiction of the Derhachivskiy District Court restored 23 November 2022; the Borivskiy District Court transferred to the Dzerzhynskiy District Court of Kharkiv City on 20 April 2023	Under Ukrainian control	None reported
Orzhitskiy District Court	Orzhitsa	3			
Total		187			

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b From decrees and orders issued by the Supreme Court of Ukraine.

Rivne Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict	Damage to Court Buildings
Rivne Oblast Court of Appeals	Rivne	8		Under Ukrainian control	None reported
Northwest Commercial Court of Appeals	Rivne	21		Under Ukrainian control	None reported
Rivne Circuit Administrative Court	Rivne	16		Under Ukrainian control	None reported
Commercial Court of Rivne Oblast	Rivne	16		Under Ukrainian control	None reported
Bereznivskiy District Court	Berezne	3		Under Ukrainian control	None reported
Dubrovyskiy District Court	Dubrovitsa	2		Under Ukrainian control	None reported
Dolbunivskiy District Court	Zdolbuniv	6		Under Ukrainian control	None reported
Koretskiy District Court	Korets	4	Ovrutskiy District Court, Brusylivskiy District Court, and Malynskiy District Court, all of Zhytomyr Oblast, transferred to this court on 10 March 2022; territorial jurisdiction restored to those three courts on 22 April 2022	Under Ukrainian control	None reported
Ostrozkiy District Court	Ostrog	3		Under Ukrainian control	None reported
Radyvylivskiy District Court	Radivilov	2		Under Ukrainian control	None reported
Rivnenskiy District Court	Rivne	9		Under Ukrainian control	None reported
Volodymyretskiy District Court	Vladimerets	3		Under Ukrainian control	None reported
Kostopilskiy District Court	Kostopil	4		Under Ukrainian control	None reported
Rivnenskiy Town Court	Rivne	21		Under Ukrainian control	None reported
Sarnenskiy District Court	Sarny	5		Under Ukrainian control	None reported
Hoshchanskiy District Court	Hoshcha	3		Under Ukrainian control	None reported
Lubny Town-District Court	Dubno	2		Under Ukrainian control	None reported
Zarichnenskiy District Court	Zarichne	4		Under Ukrainian control	None reported
Kuznetsovskiy Town Court	Kuznetsovsk	6		Under Ukrainian control	None reported
Rokytnivskiy District Court	Rokytno	3		Under Ukrainian control	None reported
Demydivskiy District Court	Demidivka	3		Under Ukrainian control	None reported
Mlynivskiy District Court	Mlyniv	4		Under Ukrainian control	None reported
Total		148			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b From decrees and orders issued by the Supreme Court of Ukraine.

Sumy *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Sumy <i>Oblast</i> Court of Appeals	Sumy	7		Heavy fighting, remained under Ukrainian control	None reported
Sumy Circuit Administrative Court	Sumy	16		Heavy fighting, remained under Ukrainian control	None reported
Commercial Court of Sumy <i>Oblast</i>	Sumy	9	Transferred to the Commercial Court of Cherkasy <i>Oblast</i> on 22 March 2022; territorial jurisdiction restored on 22 April 2022.	Heavy fighting, remained under Ukrainian control	None reported
Konotopskyi City-District Court	Konotop	9		Heavy fighting, now under Ukrainian control	None reported
Krasnopilskyi District Court	Krasnopillia	3		Heavy fighting, now under Ukrainian control	None reported
Krolevetskyi District Court	Krolevets	3		Heavy fighting, now under Ukrainian control	None reported
Lypovodolynskyi District Court	Lipova Dolyna	3		Under Ukrainian control	None reported
Nedryhailivskyi District Court	Nedryhailiv	3		Heavy fighting, now under Ukrainian control	None reported
Putyvlskyi District Court	Putivl	2		Heavy fighting, now under Ukrainian control	None reported
Sumskyi District Court	Sumy	3		Heavy fighting, remained under Ukrainian control	None reported
Trostianetskyi District Court	Trostryanets	2	Transferred to Hadiatskyi District Court in Poltava <i>Oblast</i> on 22 March 2022; territorial jurisdiction of this court restored 25 May 2022	Heavy fighting, now under Ukrainian control	Damaged
Yampil'skyi District Court	Yampil	3		Heavy fighting, now under Ukrainian control	None reported
Burynskyi District Court	Buryn	1		Heavy fighting, now under Ukrainian control	Damaged
Velykopysarivskyi District Court	Velyka Pysarivka	3		Heavy fighting, now under Ukrainian control	Damaged
Zarichnyi District Court of Sumy City	Sumy	12		Heavy fighting, now under Ukrainian control	None reported
Hlukhivskyi City-District Court	Hlukhiv	4		Heavy fighting, remained under Ukrainian control	None reported

Bilopilnyi District Court	Bilopilnya	3		Heavy fighting, remained under Ukrainian control	None reported
Kovpakivskyi District Court of Sumy City	Sumy	13		Heavy fighting, remained under Ukrainian control	None reported
Lebedynskyi District Court	Lebedyn	4		Heavy fighting, now under Ukrainian control	None reported
Romenskyi City-District Court	Romny	5		Heavy fighting, remained under Ukrainian control	None reported
Shostkynskyi City-District Court	Shostka	6		Heavy fighting, now under Ukrainian control	None reported
Okhtyrskyi City-District Court	Okhtyrka	6	Transferred to Shyshatskyi District Court in Poltava <i>Oblast</i> on 25 March 2022; territorial jurisdiction restored 24 October 2022.	Under Ukrainian control	Damaged
Seredyna-Buda District Court	Seredyna-Buda	2	Transferred to Hadiatskyi District Court in Poltava <i>Oblast</i> on 22 March 2022	Heavy fighting, now under Ukrainian control	None reported
Total		122			

- a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.
- b From decrees and orders issued by the Supreme Court of Ukraine.
- c Reports as of 24 February 2023.
- d State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Ternopil *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction	Nature of Conflict	Damage to Court Buildings
Ternopil <i>Oblast</i> Court of Appeals	Ternopil	15		Under Ukrainian control	None reported
Ternopil Circuit Administrative Court	Ternopil	10		Under Ukrainian control	None reported
Commercial Court of Ternopil <i>Oblast</i>	Ternopil	13		Under Ukrainian control	None reported
Berezhanskyi District Court	Berezhany	5		Under Ukrainian control	None reported
Borshchivskyi District Court	Borshchev	3		Under Ukrainian control	None reported
Zbarazkyi District Court	Zbarazh	4		Under Ukrainian control	None reported
Kremenetskyi District Court	Kremenets	5		Under Ukrainian control	None reported
Pidvolochyskyi District Court	Pidvolochisk	-		Under Ukrainian control	None reported
Ternopilskyi City-District Court	Ternopil	25		Under Ukrainian control	None reported
Husiatynskyi District Court	Husiatin	3		Under Ukrainian control	None reported
Zborivskyi District Court	Zboriv	3		Under Ukrainian control	None reported
Pidhaietskyi District Court	Pidgaytsi	3		Under Ukrainian control	None reported
Chortkivskyi District Court	Chortkiv	5		Under Ukrainian control	None reported
Buchatskyi District Court	Buchach	4		Under Ukrainian control	None reported
Lanovetskyi District Court	Lanivtsi	2		Under Ukrainian control	None reported
Monastyrskyi District Court	Monastyrska	2		Under Ukrainian control	None reported
Terebovlianskyi District Court	Terebovlya	4		Under Ukrainian control	None reported
Kozivskyi District Court	Kozova	1		Under Ukrainian control	None reported
Zalishchytskyi District Court	Zalishchyky	2		Under Ukrainian control	None reported
Shumskyi District Court	Shumsk	3		Under Ukrainian control	None reported
Total		112			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

Kharkiv *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Kharkiv <i>Oblast</i> Court of Appeals	Kharkiv	13	Luhansk <i>Oblast</i> Court of Appeals transferred to this court in September 2014; this court transferred to Poltava Court of Appeal on 25 March 2022;	Under Ukrainian control	Destroyed
Eastern Commercial Court of Appeals	Kharkiv	31		Under Ukrainian control	None reported
Second Administrative Court of Appeals	Kharkiv	22		Under Ukrainian control	None reported
Kharkiv Circuit Administrative Court	Kharkiv	34		Under Ukrainian control	None reported
Commercial Court of Kharkiv <i>Oblast</i>	Kharkiv	39	Donetsk and Luhansk Commercial Courts of Appeals moved to Kharkiv in September 2014	Under Ukrainian control	Damaged
Barvinkivskiy District Court	Barvenkovo	1	Transferred to Dnipropetrovsk District Court of Dnipropetrovsk <i>Oblast</i> 10 March 2022; the territorial jurisdiction of this court restored on 20 April 2023	Under Ukrainian control	Damaged
Velykoburlutskiy District Court	Velykiy Burluk	3	Transferred to Mashivskiy District Court in Poltava <i>Oblast</i> on 8 March 2022; the territorial jurisdiction of this court transferred to the Chuguivskiy Town Court on 20 April 2023	Occupied by Russian forces; liberated by Ukrainian forces in September 2022	None reported
Dvorychansky District Court	Dvorichna	2	Transferred to Karlivskiy District Court in Poltava <i>Oblast</i> on 8 March 2022; the territorial jurisdiction of this court transferred to the Ordzhonikidzevskiy District Court of Kharkiv City on 20 April 2023	Occupied by Russian forces; liberated by Ukrainian forces in September 2022	None reported
Dzerzhynskiy District Court of Kharkiv City	Kharkiv	17	The territorial jurisdictions of the Iziumskiy City-District Court, Borivskiy District Court, and Pechenizkiy District Court, all of Kharkiv <i>Oblast</i> transferred to this court on 20 April 2023	Under Ukrainian control	None reported
Zmiivskiy District Court	Zmiiv	5		Under Ukrainian control	None reported
Zolochivskiy District Court	Zolochiv	2	Transferred to Dykan District Court in Poltava <i>Oblast</i> on 10 March 2022; the territorial jurisdiction of this court transferred to on 20 April 2023	Under Ukrainian control	Damaged
Kyivskiy District Court of Kharkiv City	Kharkiv	11		Under Ukrainian control	None reported
Krasnohradskiy District Court	Krasnograd	4		Under Ukrainian control	None reported
Krasnokutskiy District Court	Krasnokutsk	3		Under Ukrainian control	None reported
Leninskiy District Court of Kharkiv City	Kharkiv	11	Transferred to Kyiv District Court in Poltava <i>Oblast</i> on 14 March 2022; territorial jurisdiction restored 23 November 2022	Heavy fighting, remained under Ukrainian control	Damaged

Lozivskiy City-District Court	Lozovaya	6	Transferred to Amur-Nizhnedniprovskiy District Court of Dnipropetrovsk <i>Oblast</i> on 6 April 2022; territorial jurisdiction restored 26 September 2022	Under Ukrainian control	None reported
Liubotynskiy Town Court	Liubotyn	2		Under Ukrainian control	None reported
Novovodolazkyy District Court	Nova Vodolaha	3		Under Ukrainian control	None reported
Ordzhonikidzevskiy District Court of Kharkiv City	Kharkiv	12	Transferred to Kyiv District Court in Poltava <i>Oblast</i> on 14 March 2022; territorial jurisdiction restored 23 November 2022; the territorial jurisdictions of the Dvorychansky and Shevchenkivskiy District Courts of Kharkiv <i>Oblast</i> transferred to this court on 20 April 2023	Under Ukrainian control	Damaged
Frunzenskiy District Court of Kharkiv City	Kharkiv	11	Transferred to Oktiabrskiy District Court of Poltava City on 8 March 2022; territorial jurisdiction restored 23 November 2022	Under Ukrainian control	None reported
Chuguivskiy Town Court	Chuguyiv	5	Transferred to Hlobynskiy District Court of Poltava <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored 23 November 2022; the territorial jurisdictions of the Velykoburlutskiy and Vovchanskyy District Courts of Kharkiv <i>Oblast</i> transferred to this court on 20 April 2023.	Under Ukrainian control	Damaged
Kominternivskiy District Court of Kharkiv City	Kharkiv	11	Transferred to Leninskyy District Court of Poltava City of Poltava <i>Oblast</i> on 10 March 2022; territorial jurisdiction restored 23 November 2022; the territorial jurisdiction of the Balakliiskyy District Court of Kharkiv <i>Oblast</i> transferred to this court on 20 April 2023	Under Ukrainian control	Damaged
Balakliiskyy District Court	Balakliia	5	Transferred to Novomoskovskyy City-District Court of Dnipropetrovsk <i>Oblast</i> on 10 March 2022; the territorial jurisdiction of this court transferred to the Kominternivskyy District Court of Kharkiv City on 20 April 2023	Under Ukrainian control	Damaged and ransacked
Blyzniukivskiy District Court	Blyzniuky	2	Transferred to Amur-Nizhnedniprovskiy District Court of Dnipropetrovsk <i>Oblast</i> on 6 April 2022; territorial jurisdiction restored 5 September 2022	Under Ukrainian control	None reported
Zhovtnevyi District Court of Kharkiv City	Kharkiv	13		Under Ukrainian control	Damaged

Iziumskiy City-District Court	Izyum	4	Transferred to Pavlohradskiy City-District Court of Dnipropetrovsk <i>Oblast</i> on 10 March 2022; the territorial jurisdiction transferred to the Dzerzhynskiy District Court of Kharkiv City on 20 April 2023	Occupied by Russian forces; liberated by Ukrainian forces in September 2022	Destroyed
Kehychivskiy District Court	Kehychivka	2		Under Ukrainian control	None reported
Kolomatskiy District Court	Rizenkovo	3		Under Ukrainian control	None reported
Kupianskiy City-District Court	Kupyansk	9	Transferred to Novomoskovskiy City-District Court of Dnipropetrovsk <i>Oblast</i> on 10 March 2022; the territorial jurisdiction of this court transferred to the Chervonozavodskiy District Court of Kharkiv City on 20 April 2023	Occupied by Russian forces; liberated by Ukrainian forces in September 2022	Damaged
Moskovskiy District Court of Kharkiv City	Kharkiv	18	Transferred to Oktiabrskiy District Court of Poltava City on 8 March 2022; territorial jurisdiction restored 23 November 2022	Under Ukrainian control	None reported
Kharkivskiy District Court	Pokotylyvka	9	Transferred to Poltavskiy District Court in Poltava <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored 23 November 2022	Under Ukrainian control	None reported
Borivskiy District Court	Borova	1	Transferred to Kotelevskiy District Court in Poltava <i>Oblast</i> on 16 March 2022; the territorial jurisdiction transferred to the Dzerzhynskiy District Court of Kharkiv City on 20 April 2023	Occupied by Russian forces; liberated by Ukrainian forces in October 2022	Damaged
Vovchanskiy District Court	Vovchansk	4	Transferred to Mashivskiy District Court in Poltava <i>Oblast</i> on 8 March 2022; the territorial jurisdiction of this court transferred to the Chuguivskiy Town Court on 20 April 2023	Occupied by Russian forces; liberated by Ukrainian forces in September 2022	None reported
Zachepylivskiy District Court	Zachepylivka	1		Under Ukrainian control	None reported
Chervonozavodskiy District Court of Kharkiv City	Kharkiv	9	Transferred to Leninskiy District Court of Poltava City of Poltava <i>Oblast</i> on 10 March 2022; territorial jurisdiction restored 23 November 2022; the territorial jurisdiction of the Kupianskiy City-District Court of Kharkiv <i>Oblast</i> transferred to this court on 20 April 2023	Under Ukrainian control	Damaged
Sakhnovshchynskiy District Court	Sakhnovshchyna	2	Transferred to Dykan District Court in Poltava <i>Oblast</i> on 14 March 2022; territorial jurisdiction restored 5 September 2022	Under Ukrainian control	None reported
Shevchenkivskiy District Court	Shevchenkove	2	Transferred to Dykan District Court in Poltava <i>Oblast</i> on 14 March 2022; the territorial jurisdiction of this court transferred to the Ordzhonikidzevskiy District Court of Kharkiv City on 20 April 2023	Under Ukrainian control	Damaged

Valkivskiy District Court	Valky	3		Under Ukrainian control	None reported
Pechenizkiy District Court	Pecheniyh	3	Transferred to Kozelshchynskiy District Court in Poltava <i>Oblast</i> on 8 March 2022; the territorial jurisdiction transferred to the Dzerzhynskiy District Court of Kharkiv City on 20 April 2023	Under Ukrainian control	None reported
Pervomaiskiy City-District Court	Pervomaisky	7		Under Ukrainian control	None reported
Bohodukhivskiy District Court	Bohodukhiv	4		Under Ukrainian control	None reported
Dergachivskiy District Court	Dergachi	7	Transferred to Kotelevskiy District Court in Poltava <i>Oblast</i> on 16 March 2022; territorial jurisdiction restored 23 November 2022; the territorial jurisdiction of the Zolochivskiy District Court of Kharkiv <i>Oblast</i> transferred to this court on 20 April 2023	Under Ukrainian control	Damaged
Total		356			

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- b From decrees and orders issued by the Supreme Court of Ukraine.
- c Reports as of 24 February 2023.
- d State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Kherson Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Kherson Oblast Court of Appeals	Kherson	25	Transferred to Dnipropetrovsk Oblast Court of Appeal on 6 March 2022; transferred to Odesa Court of Appeal on 26 September 2022	Returned to Ukrainian control 11 November 2022	Damaged
Kherson Circuit Administrative Court	Kherson	14	Transferred to Odesa Circuit Administrative Court on 18 March 2022	Returned to Ukrainian control 11 November 2022	Looted
Commercial Court of Kherson Oblast	Kherson	10	Transferred to Commercial Court of Odesa Oblast on 18 March 2022	Returned to Ukrainian control 11 November 2022	Looted
Beryslavskiy District Court	Beryslav	4	Transferred to Zhovtovidskiy City Court of Dnipropetrovsk Oblast on 6 March 2022	Returned to Ukrainian control 11 November 2022	None reported
Verkhnorohachytskiy District Court	Verkhni Rohachyk	1	Transferred to Apostolivskiy District Court of Dnipropetrovsk Oblast on 6 March 2022	Russian occupied	None reported
Vysokopilskiy District Court	Vysokopillia	2	Transferred to Shyrokiy District Court of Dnipropetrovsk Oblast on 6 March 2022	Returned to Ukrainian control September – October 2022	Destroyed
Holoprystanskiy District Court	Hola Prystan	5	Transferred to Ternivskiy Town Court of Dnipropetrovsk Oblast on 6 March 2022	Russian occupied	Damaged
Ivanivskiy District Court	Ivanivka	3	Transferred to Tsentralno-Miskiy District Court of Kryvyi Rih City of Dnipropetrovsk Oblast on 6 March 2022	Russian occupied	None reported
Kakhovskiy City-District Court	Kakhovka	7	Transferred to Kryvorizkiy District Court of Dnipropetrovsk Oblast on 6 March 2022	Russian occupied	Ransacked
Novovorontsovskiy District Court	Novovorontsova	2	Transferred to Kryvorizkiy District Court of Dnipropetrovsk Oblast on 6 March 2022	Under Ukrainian control	None reported
Novotroitskiy District Court	Novotroitsk	2	Transferred to Zhovtnevyi District Court of Kryvyi Rih City of Dnipropetrovsk Oblast on 6 March 2022	Russian occupied	None reported
Tsiurupynskiy District Court	Oleshki	5	Transferred to Saksahanskiy District Court of Kryvyi Rih City of Dnipropetrovsk Oblast on 6 March 2022	Russian occupied	Damaged
Velykooleksandrivskiy District Court	Velyka Oleksandrivka	3	Transferred to Apostolivskiy District Court of Dnipropetrovsk Oblast on 6 March 2022	Returned to Ukrainian control September – October 2022	Damaged
Dniprovskiy District Court of Kherson City	Kherson	-		Returned to Ukrainian control 11 November 2022	None reported
Komsomolskiy District Court of Kherson City	Kherson			Returned to Ukrainian control 11 November 2022	None reported
Nyzhnosirohozkiy District Court	Nyzhni Sirohozy	2	Transferred to Kryvorizkiy District Court of Dnipropetrovsk Oblast on 6 March 2022	Russian occupied	None reported

Skadovskyi District Court	Skadovsk	5	Transferred to Zhovtnevyi District Court of Kryvyi Rih City of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Russian occupied	Damaged
Bilozerskyi District Court	Bilozerka	7	Transferred to Zhovtovodskyi City Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Returned to Ukrainian control 11 November 2022	Damaged
Kalanchatskyi District Court	Kalanchak	3	Transferred to Tsentralno-Miskyi District Court of Kryvyi Rih City of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Russian occupied	None reported
Novokakhovskyyi Town Court	Nova Kakhovka	5	Transferred to Zhovtnevyi District Court of Kryvyi Rih City of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Russian occupied	None reported
Kherson City Court	Kherson	24	Transferred to Saksahanskyi District Court of Kryvyi Rih City of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Returned to Ukrainian control 11 November 2022	Looted
Hornostaivskyyi District Court	Hornostaivka	1	Transferred to Ternivskyyi Town Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Russian occupied	None reported
Suvorovskyyi District Court of Kherson City	Kherson	-		Returned to Ukrainian control 11 November 2022	None reported
Henicheskyyi District Court	Henichesk	5	Transferred to Shyrokyivskyyi District Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Russian occupied	None reported
Chaplynskyyi District Court	Chaplinka	3	Transferred to Saksahanskyi District Court of Kryvyi Rih City of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Russian occupied	Damaged
Velykolepetyskyi District Court	Velyka Lepetykha	3	Transferred to Zhovtovodskyi City Court of Dnipropetrovsk <i>Oblast</i> on 6 March 2022	Russian occupied	Damaged
Total		141			

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b From decrees and orders issued by the Supreme Court of Ukraine.

c Reports as of 1 April 2023.

d State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Khmelnyskyi Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction	Nature of Conflict	Damage to Court Buildings
Khmelnyskyi Oblast Court of Appeals	Khmelnyskyi	16		Under Ukrainian control	None reported
Khmelnyskyi Circuit Administrative Court	Khmelnyskyi	16		Under Ukrainian control	None reported
Commercial Court of Khmelnyskyi Oblast	Khmelnyskyi	16		Under Ukrainian control	None reported
Novoushytskyi District Court	Novaya Ushica	3		Under Ukrainian control	None reported
Bilohirskyi District Court	Belogorie	2		Under Ukrainian control	None reported
Dunaievtskyi District Court	Dunaivtsi	3		Under Ukrainian control	None reported
Netishynskyi Town Court	Neteshin	4		Under Ukrainian control	None reported
Slavutskyi City-District Court	Slavuta	3		Under Ukrainian control	None reported
Starokostiantynivskyi District Court	Starokonstantinov	7		Under Ukrainian control	None reported
Khmelnyskyi City-District Court	Khmelnitsky	32		Under Ukrainian control	None reported
Shepetivskyi City-District Court	Shepetivka	6		Under Ukrainian control	None reported
Vinkovetskyi District Court	Vinkivtsi	1		Under Ukrainian control	None reported
Volochyskyi District Court	Volochysk	3		Under Ukrainian control	None reported
Krasylivskyi District Court	Krasyliv	2		Under Ukrainian control	None reported
Teofipolskyi District Court	Teofipol'	2		Under Ukrainian control	None reported
Horodotskyi District Court	Horodok	2		Under Ukrainian control	None reported
Yarmolynetskyi District Court	Yarmolyntsi	5		Under Ukrainian control	None reported
Derazhnianskyi District Court	Derazhnya	2		Under Ukrainian control	None reported
Iziaslavskyi District Court	Izyaslav	6		Under Ukrainian control	None reported
Letychivskyi District Court	Letychiv	3		Under Ukrainian control	None reported
Polonskyi District Court	Polonne	3		Under Ukrainian control	None reported
Starosyniavskyi District Court	Stara Synyava	2		Under Ukrainian control	None reported
Chemerovetskyi District Court	Chemervitsi	3		Under Ukrainian control	None reported
Kamianets-Podilskyi City-District Court	Kamianets-Podilsky	14		Under Ukrainian control	None reported
Total		156			

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Cherkasy Oblast

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Cherkasy Oblast Court of Appeals	Cherkasy	15	Chernihiv Oblast Court of Appeals transferred to this court on 8 March 2022; territorial jurisdiction of that court restored on 4 May 2022		None reported
Cherkasy Circuit Administrative Court	Cherkasy	7			None reported
Commercial Court of Cherkasy Oblast	Cherkasy	12	Commercial Courts of Sumy and Chernihiv Oblasts transferred to this court on 22 March 2022; territorial jurisdictions of these courts restored on 22 April 2022		None reported
Zvenyhorodskiy District Court	Zvenigorodka	2		Under Ukrainian control	None reported
Zolotoniskiy City-District Court	Zolotonosha	4	Bakhmatskiy District Court, Borznianskiy District Court, and Nizhynskiy City-District Court, all in Chernihiv Oblast, transferred to this court on 8 March 2022; territorial jurisdictions of both courts restored on 4 May 2022.	Under Ukrainian control	None reported
Umanskiy City-District Court	Uman	7		Under Ukrainian control	None reported
Kamianskiy District Court	Kamenka	3		Under Ukrainian control	None reported
Drabivskiy District Court	Drabov	2	Ichnianskiy District Court, Talalaivskiy District Court, and Sribnianskiy District Court, all in Chernihiv Oblast, transferred to this court on 8 March 2022; territorial jurisdiction of those courts restored on 4 May 2022.	Under Ukrainian control	None reported
Katerynopilskiy District Court	Katerinopol	3		Under Ukrainian control	None reported
Mankivskiy District Court	Mankovka	3		Under Ukrainian control	None reported
Prydniprovskiy District Court of Cherkasy City	Cherkasy	9		Under Ukrainian control	None reported
Smilianskiy City-District Court	Smila	4		Under Ukrainian control	None reported
Cherkaskiy District Court	Cherkasy	5	Kozeletskiy District Court of Chernihiv Oblast transferred to this court on 8 March 2022; territorial jurisdiction of those courts restored on 4 May 2022.	Under Ukrainian control	None reported
Chyhyrinskiy District Court	Chigirin	1		Under Ukrainian control	None reported
Chornobaivskiy District Court	Chernobay	4		Under Ukrainian control	None reported
Shpolianskiy District Court	Shpola	3		Under Ukrainian control	None reported

Kanivskiy City-District Court	Kaniv	5	Bobrovytskyi District Court and Nosivskiy District Court, both in Chernihiv <i>Oblast</i> , transferred to this court on 8 March 2022; territorial jurisdiction of these courts restored on 4 May 2022	Under Ukrainian control	None reported
Horodyschchenskiy District Court	Horodishche	4		Under Ukrainian control	None reported
Korsun-Shevchenkivskiy District Court	Korsun-Shevchenkivsky	2	Prylutskiy City-District Court and Varvynskiy District Court, both in Chernihiv <i>Oblast</i> , transferred to this court on 8 March 2022; territorial jurisdiction for these courts restored on 4 May 2022	Under Ukrainian control	None reported
Khrystynivskiy District Court	Khristynivka	2		Under Ukrainian control	None reported
Vatutynskiy Town Court	Vatutino	3		Under Ukrainian control	None reported
Zhashkivskiy District Court	Zhashkiv	2		Under Ukrainian control	None reported
Lysianskiy District Court	Lysyanka	4		Under Ukrainian control	None reported
Monastyryshchenskiy District Court	Monastyryshche			Under Ukrainian control	None reported
Sosnivskiy District Court	Cherkasy	12		Under Ukrainian control	None reported
Talnivskiy District Court	Talne	2		Under Ukrainian control	None reported
Total		130			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b From decrees and orders issued by the Supreme Court of Ukraine.

c Reports as of 24 February 2023.

d State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Chernivtsi *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction	Nature of Conflict	Damage to Court Buildings
Chernivtsi <i>Oblast</i> Court of Appeals	Chernivtsi	16		Under Ukrainian control	None reported
Chernivtsi Circuit Administrative Court	Chernivtsi	8		Under Ukrainian control	None reported
Commercial Court of Chernivtsi <i>Oblast</i>	Chernivtsi	13		Under Ukrainian control	None reported
Vyzhnytskyi District Court	Vizhnitsa	4		Under Ukrainian control	None reported
Zastavnytskyi District Court	Zastavna	3		Under Ukrainian control	None reported
Kitsmanskyi District Court	Kitsman	4		Under Ukrainian control	None reported
Pershotravnevyi District Court of Chernivtsi City	Chernivtsi	9		Under Ukrainian control	None reported
Putylskyi District Court of Chernivtsi <i>Oblast</i>	Putil	2		Under Ukrainian control	None reported
Sadhirskyi District Court of Chernivtsi City	Chernivtsi	5		Under Ukrainian control	None reported
Shevchenkivskyi District Court of Chernivtsi City	Chernivtsi	8		Under Ukrainian control	None reported
Hlybotskyi District Court	Hlyboka	4		Under Ukrainian control	None reported
Novoselytskyi District Court	Novoselytsia	4		Under Ukrainian control	None reported
Sokyranskyi District Court	Sokiryany	2		Under Ukrainian control	None reported
Kelmenetskyi District Court	Kelmentsi	2		Under Ukrainian control	None reported
Khotynskyi District Court	Khotyn	3		Under Ukrainian control	None reported
Novodnistrovsk Town Court	Novodnistrovsk	2		Under Ukrainian control	None reported
Storozhynetskyi District Court	Storozhynets	5		Under Ukrainian control	None reported
Hertsaiivskyi District Court	Hertz	3		Under Ukrainian control	None reported
Total		97			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

Chernihiv *Oblast*

Court	Location	Judges ^a	Transfers of Jurisdiction ^b	Nature of Conflict ^c	Damage to Court Buildings ^d
Chernihiv <i>Oblast</i> Court of Appeals	Chernihiv	16	Transferred to Cherkasy <i>Oblast</i> Court of Appeals on 8 March 2022; territorial jurisdiction of that court restored on 4 May 2022	Heavy fighting, remained under Ukrainian control	Damaged
Chernihiv Circuit Administrative Court	Chernihiv	14		Heavy fighting, remained under Ukrainian control	None reported
Commercial Court of Chernihiv <i>Oblast</i>	Chernihiv	9	Transferred to the Commercial Court of Cherkasy <i>Oblast</i> on 22 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, remained under Ukrainian control	Damaged
Horodnianskyi District Court	Horodnia	2	Transferred to Zghurivskyi District Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Ichnianskyi District Court	Ichnia	4	Transferred to Drabivskyi District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Koriukivskyi District Court	Koriukivka	4	Transferred to Berezanskyi Town Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Menskyi District Court	Mena	4	Transferred to Berezanskyi Town Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Prylutskyi City-District Court	Priluki	6	Transferred to Korsun-Shevchenkivskyi District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Under Ukrainian control	None reported
Ripkynskyi District Court	Ripky	2	Transferred to Zghurivskyi District Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Sosnytskyi District Court	Sosnytsia	3	Transferred to Berezanskyi Town Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Chernihivskyi District Court	Chernihiv	5	Transferred to Zghurivskyi District Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, remained under Ukrainian control	Damaged
Bobrovtskyi District Court	Bobrovysia	4	Transferred to Kanivskyi City-District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Under Ukrainian control	None reported

Koropskyi District Court	Korop	2	Transferred to Berezanskyi Town Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Novozavodskyi District Court of Chernihiv City	Chernihiv	5	Transferred to Yahotynskyi District Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, remained under Ukrainian control	Damaged
Sribnianskyi District Court	Sribne	2	Transferred to Yahotynskyi District Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Bakhmatskyi District Court	Bakhmach	4	Transferred to Zolotoniskyi City-District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Borznianskyi District Court	Borzna	3	Transferred to Zolotoniskyi City-District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Under Ukrainian control	None reported
Desnianskyi District Court of Chernihiv City	Chernihiv	16	Transferred to Yahotynskyi District Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, remained under Ukrainian control	Damaged
Kozeletskyi District Court	Kozelets	5	Transferred to Cherkaskyi District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Under Ukrainian control	None reported
Kulykivskyi District Court	Kulykivka	3	Transferred to Cherkaskyi District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Under Ukrainian control	None reported
Nizhynskyi City-District Court	Nizhyn	7	Transferred to Zolotoniskyi City-District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Under Ukrainian control	None reported
Nosivskyi District Court	Nosivka	3	Transferred to Kanivskyi City-District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Under Ukrainian control	None reported
Semenivskyi District Court	Semenivka	2	Transferred to Yahotynskyi District Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Talalayvskyi District Court	Talalayevka	2	Transferred to Drabivskyi District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported

Varvynskiy District Court	Varva	1	Transferred to Korsun-Shevchenkivskiy District Court in Cherkasy <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Novhorod-Siverskiy District	Novgorod-Siverskiy	4	Transferred to Yahotynskiy District Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	Damaged
Shchorskiy District Court	Snovsk	3	Transferred to Zghurivskiy District Court in Kyiv <i>Oblast</i> on 8 March 2022; territorial jurisdiction restored on 4 May 2022	Heavy fighting, now under Ukrainian control	None reported
Total		135			

- a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.
- b From decrees and orders issued by the Supreme Court of Ukraine.
- c Reports as of 24 February 2023.
- d State Judicial Administration of Ukraine, "Destroyed/damaged premises of judicial institutions as a result of armed aggression of the Russian Federation," found at https://dsa.court.gov.ua/dsa/inshe/courts_buildings.

Kyiv City

Court	Location	Judges ^a	Transfers of Jurisdiction	Nature of Conflict	Damage to Court Buildings
Kyiv City Court of Appeals	Kyiv	97		Under Ukrainian control	None reported
Sixth Administrative Court of Appeals	Kyiv	34		Under Ukrainian control	None reported
Northern Commercial Court of Appeals	Kyiv	50		Under Ukrainian control	None reported
Kyiv Regional Administrative Court	Kyiv	48		Under Ukrainian control	None reported
Commercial Court of Kyiv City	Kyiv	74		Under Ukrainian control	None reported
Holosiivskiy District Court of Kyiv City	Kyiv	20		Under Ukrainian control	None reported
Obolonskiy District Court of Kyiv City	Kyiv	20		Under Ukrainian control	None reported
Pecherskiy District Court of Kyiv City	Kyiv	29		Under Ukrainian control	None reported
Sviatoshynskiy District Court of Kyiv City	Kyiv	27		Under Ukrainian control	None reported
Desnianskiy District Court of Kyiv City	Kyiv	23		Under Ukrainian control	None reported
Solomianskiy District Court of Kyiv City	Kyiv	26		Under Ukrainian control	None reported
Shevchenkivskiy District Court of Kyiv City	Kyiv	35		Under Ukrainian control	None reported
Dniprovskiy District Court of Kyiv City	Kyiv	24		Under Ukrainian control	Damaged
Darnytskiy District Court of Kyiv City	Kyiv	23		Under Ukrainian control	Damaged
Podilskiy District Court of Kyiv City	Kyiv	11		Under Ukrainian control	None reported
Total		541			

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

ANNEX 3

Impact of War on Judicial Staffing of First and Second Instance Courts

Ukraine

Court	Number of Judges with Powers as of 21-2-2022 ^a	Number of Judges with Powers as of 31-12-2022 ^b	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022 ^c	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards ^d	Excess or (Shortage) as of 31-12-2022
Vinnitsia Oblast	206	205	-1	279	-74	334	-129
Volyn Oblast	115	119	4	157	-38	158	-39
Dnipropetrovsk Oblast	425	440	15	598	-158	767	-327
Donetsk Oblast	219	138	-81	360 ^e	-222	120	-64
Zhytomyr Oblast	165	149	-16	227	-78	359	-210
Zakarpattia (Trans-Carpathian) Oblast	116	117	1	147	-30	203	-86
Zaporizhzhia Oblast	207	139	-68	211	-72	193	-54
Ivano-Frankivsk Oblast	118	133	15	172	-39	151	-18
Kyiv Oblast	192	205	13	263	-58	277	-72
Kirovohrad Oblast	132	123	-9	193	-70	149	-5
Luhansk Oblast	122	31	-91	44	-13	15	16
Lviv Oblast	294	298	4	395	-97	539	-241
Mykolayiv Oblast	109	90	-19	144	-54	90	0
Odesa Oblast	332	354	22	456	-102	544	-190
Poltava Oblast	187	203	16	258	-55	387	-184
Rivne Oblast	148	129	-19	183	-54	419	-290
Sumy Oblast	122	110	-12	178	-68	190	-80
Ternopil Oblast	112	109	-3	148	-39	117	-8
Kharkiv Oblast	356	273	-83	476	-203	317	-44
Kherson Oblast	92	0	-92	0	0	0	0
Khmelnyskiy Oblast	156	153	-3	205	-52	228	-75
Cherkasy Oblast	120	128	8	203	-75	172	-44
Chernivtsi Oblast	97	102	5	124	-22	141	-39
Chernihiv Oblast	135	125	-10	198	-73	188	-63
Kyiv (city)	541	518	-23	725	-207	868	-350
Total	4818	4391	-407	5984	-1953	6926	-2596

a Number of judges "administering justice" from High Qualification Commission of Judges of Ukraine, "List of Judges as of 21.02.2022," found at https://www.vkksu.gov.ua/sites/default/files/field/pdf/spysok_suddiv_na_21.02.2022.pdf.

b "Interactive map of the courts of Ukraine 2022," Council of Judges, found at <https://rsu.gov.ua/mzs-2022-maps>, <https://rsu.gov.ua/oas-2022-maps>, <https://rsu.gov.ua/gs-2022-maps>, <https://rsu.gov.ua/as-2022-maps>, <https://rsu.gov.ua/aas-2022-maps>, and <https://rsu.gov.ua/gas-2022-maps>.

c *Ibid.* This number represents the number of judicial positions authorized for each court as of December 31, 2022 (but see note e below).

d *Ibid.* This number is a calculation of the number of judges needed to handle the number of cases considered by the courts during 2022.

e Includes judicial positions authorized for courts as of February 24, 2022, but later eliminated.

Vinnysia Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Vinnysia Oblast Court of Appeals	25	25	0	40	-15	29	-4
Seventh Administrative Court of Appeals	19	19	0	28	-9	78	-59
Vinnysia Circuit Administrative Court	23	22	-1	23	-1	67	-45
Commercial Court of Vinnysia Oblast	9	9	0	12	-3	12	-3
Barskyi District Court	4	4	0	5	-1	4	0
Bershadshadskyi District Court	4	4	0	6	-2	5	-1
Vinnyskyi District Court	6	7	1	8	-1	6	1
Haisynskyi District Court	5	5	0	6	-1	6	-1
Zhmerynskyi City-District Court	5	5	0	8	-3	6	-1
Illinetskyi District Court	3	2	-1	4	-2	3	-1
Kalynivskyi District Court	4	4	0	6	-2	6	-2
Koziantynskyi City - District Court	2	2	0	8	-6	6	-4
Kryzhopilskyi District Court	4	3	-1	4	-1	3	0
Lypovetskyi District Court	3	3	0	4	-1	3	0
Litynskyi District Court	3	3	0	4	-1	3	0
Mohyliv-Podilskyi City – District Court	5	6	1	6	0	6	0
Murovanokuryloveskyi District Court	2	2	0	3	-1	1	1
Nemyrivskyi District Court	4	4	0	6	-2	4	0
Orativskyi District Court	2	1	-1	3	-2	1	0
Pishchanskyi District Court	3	3	0	3	0	1	2
Pohrebyshchenskyi District Court	2	2	0	4	-2	2	0
Teplytskyi District Court	3	3	0	4	-1	2	1
Tyvrivskyi District Court	1	3	2	4	-1	4	-1
Tomashpilskyi District Court	2	2	0	4	-2	3	-1
Trostianetskyi District Court	3	3	0	4	-1	3	0
Tulchynskyi District Court	3	4	1	5	-1	4	0
Khmilnytskyi City-District Court	6	6	0	7	-1	6	0
Chernivetskyi District Court	3	3	0	3	0	1	2
Chechelnytskyi District Court	2	2	0	3	-1	1	1
Sharhorodskyi District Court	4	3	-1	4	-1	2	1
Yampilskyi District Court	4	4	0	4	0	3	1
Ladyzhyn District Court	2	3	1	3	0	2	1
Vinnysia City Court	36	34	-2	43	-9	51	-17
Total	206	205	-1	279	-74	334	-129

Volyn Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Volyn Oblast Court of Appeals	14	14	0	25	-11	18	-4
Volyn Circuit Administrative Court	15	15	0	18	-3	50	-35
Commercial Court of Volyn Oblast	8	8	0	12	-4	8	0
Volodymyr-Volynskyi City Court	3	5	2	7	-2	8	-3
Ivanychivskyi District Court	2	4	2	3	1	2	2
Kamin-Kashyrskyi District Court	2	3	1	4	-1	3	0
Lokachynskyi District Court	3	3	0	3	0	1	2
Lutskyi City-District Court	23	22	-1	27	-5	30	-8
Liubomlskyi District Court	4	3	-1	5	-2	3	0
Novovolynskyi City Court	3	3	0	6	-3	6	-3
Starovyzhivskyi District Court	3	3	0	3	0	1	2
Shatskyi District Court	3	3	0	3	0	1	2
Kovelskyi City-District Court	5	8	3	13	-5	10	-2
Manevytskyi District Court	3	3	0	3	0	3	0
Horokhivskyi District Court	4	3	-1	4	-1	3	0
Kivertsivskyi District Court	5	5	0	5	0	5	0
Ratnivskyi District Court	4	3	-1	4	-1	2	1
Liubeshivskyi District Court	4	4	0	4	0	1	3
Ratnivskyi District Court	4	4	0	4	0	2	2
Turiiskyi District Court	3	3	0	4	-1	1	2
Total	115	119	4	157	-38	158	-39

Dnipropetrovsk Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Dnipropetrovsk Oblast Court of Appeals	29	54	25	60	-6	86	-32
Central Commercial Court of Appeals	16	15	-1	30	-15	26	-11
Third Administrative Court of Appeals	28	27	-1	33	-6	100	-73
Dnipropetrovsk Circuit Administrative Court	44	43	-1	55	-12	125	-82
Commercial Court of Dnipropetrovsk Oblast	33	32	-1	46	-14	44	-12
Apostolivskyy District Court	4	2	-2	5	-3	5	-3
Vasylkivskyy District Court	2	1	-1	3	-2	3	-2
Dovhintsevskyy District Court in Kryvyi Rih	5	4	-1	10	-6	12	-8
Zhovtnevyi District Court of Dnipropetrovsk City	14	14	0	16	-2	17	-3
Zhovtovodskyy City Court	5	3	-2	6	-3	5	-2
Kirovskyy District Court of Dnipropetrovsk City	9	10	1	11	-1	11	-1
Kryvorizkyi District Court	4	5	1	5	0	3	2
Mahdalynivskyy District Court	2	3	1	3	0	3	0
Mezhivskyy District Court	3	2	-1	3	-1	2	0
Novomoskovskyy City-District Court	14	13	-1	14	-1	23	-10
Petropavlivskyy District Court	4	4	0	5	-1	4	0
Piatykhatskyi District Court	2	2	0	4	-2	3	-1
Saksahanskyi District Court of Kryvyi Rih City	10	7	-3	13	-6	16	-9
Solonianskyi District Court	4	4	0	4	0	3	1
Ternivskyy Town Court	3	1	-2	4	-3	2	-1
Tomakivskyy District Court	3	4	1	4	0	4	0
Shyrokivskyy District Court	2	2	0	3	-1	2	0
Vilnohirskyy District Court	3	2	-1	3	-1	1	1
Amur-Nyzhniodni-provskyy District Court	13	13	0	13	0	19	-6
Bahliyskyi District Court	5	5	0	9	-4	10	-5
Dzerzhynskyy District Court of Kryvyi Rih City	8	5	-3	10	-5	11	-6

Dnipropetrovskiy District Court	6	10	4	8	2	9	1
Leninskyi District Court of Dnipropetrovsk City	9	15	6	15	0	15	0
Marhanets Town and District Court	5	4	-1	5	-1	3	1
Petrykivskiy District Court	4	4	0	4	0	3	1
Pokrovskiy District Court	4	3	-1	4	-1	4	-1
Samarskyi District Court	7	10	3	10	0	7	3
Ternivskiy District Court of Kryvyi Rih City	8	5	-3	10	-5	12	-7
Tsentralno-Miskiy District Court of Kryvyi Rih City	4	7	3	11	-4	14	-7
Yurivskiy District Court	2	3	1	4	-1	1	2
Nikopolskyi City-District Court	8	8	0	16	-8	11	-3
Verkhniodniprovskiy District Court	3	2	-1	5	-3	3	-1
Babushkynskiy District Court	8	9	1	16	-7	17	-8
Dniprovskiy District Court of Dniprodzerzhynsk Town	6	4	-2	9	-5	8	-4
Zavodskiy District Court of Dniprodzerzhynsk Town	7	5	-2	11	-6	15	-10
Inhuletskyi District Court of Kryvyi Rih City	5	2	-3	7	-5	6	-4
Krynchanskyi District Court	3	3	0	3	0	4	-1
Ordzhonikidze Town Court	5	2	-3	5	-3	4	-2
Pershotravensk Town Court	3	3	0	4	-1	2	1
Synelnykivskiy City-District Court	7	6	-1	9	-3	7	-1
Sofiivskiy District Court	3	3	0	3	0	2	1
Tsarychanskyi District Court	1	3	2	4	-1	2	1
Krasnohvardiiskiy District Court of Dnipropetrovsk City	11	13	2	13	0	19	-6
Pavlohradskiy City-District Court	17	15	-2	22	-7	22	-7
Zhovtnevyi District Court of Kryvyi Rih City	10	10	0	14	-4	15	-5
Industrialnyi District Court of Dnipropetrovsk City	10	14	4	14	0	22	-8
Total	425	440	15	598	-158	767	-327

Donetsk Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022 ^a	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Donetsk Oblast Court of Appeal	34	0	-34	0	0	0	0
Donetsk Administrative Court of Appeals	8	8	0	21	-13	35	-27
Donetsk Circuit Administrative Court	50	43	-7	51	-8	34	9
Commercial Court of Donetsk Oblast	27	25	-2	42	-17	9	-34
Amvrosiivskiy District Court	0	0	0	0	0	0	0
Artemivskiy City-District Court	13	0	-13	21	-21	0	0
Avdiivskiy Town Court	1	1	0	4	-3	0	1
Budonnivskiy District Court of Donetsk City	0	0	0	0	0	0	0
Chervonohvardiiskiy District Court of Makiyivka Town	0	0	0	0	0	0	0
Debaltsevskiy Town Court	0	0	0	0	0	0	0
Dobropilskiy City-District Court	6	6	0	14	-8	3	3
Dokuchaievskiy Town Court of Donetsk Oblast	0	0	0	0	0	0	0
Druzhkivskiy Town Court of Donetsk Oblast	5	20	15	9	11	7	13
Dymyrov Town Court in Donetsk Oblast	6	6	0	6	0	3	3
Dzerzhynskiy Town Court of Donetsk Oblast	3	3	0	14	-11	3	0
Hirnytskiy District Court of Makiyivka Town	0	0	0	0	0	0	0
Illichivskiy District Court of Mariupol City	6	0	-6	11	-11	0	0
Kalininskiy District Court of Donetsk City	0	0	0	0	0	0	0
Kalininskiy District Court of Horlivka Town	0	0	0	0	0	0	0
Khartsyzkiy Town Court	0	0	0	0	0	0	0
Kirovskiy District Court of Donetsk City	0	0	0	0	0	0	0
Kirovskiy District Court of Makiyivka Town	0	0	0	0	0	0	0
Kirovskiy Town Court	0	0	0	0	0	0	0
Kostiantynivskiy City-District Court	10	10	0	15	-5	6	4
Kramatorsk Town Court	7	0	-7	22	-22	0	0
Krasnoarmiiskiy City-District Court	10	0	-10	15	-15	0	0
Krasnolymanskiy Town Court of Donetsk Oblast	2	0	-2	8	-8	0	0

Kuibyshevskiy District Court of Donetsk City	0	0	0	0	0	0	0
Kyivskiy District Court of Donetsk City	0	0	0	0	0	0	0
Leninskiy District Court of Donetsk City	0	0	0	0	0	0	0
Marinskiy District Court	2	2	0	7	-5	6	-4
Mykytivskiy District Court of Horlivka Town	0	0	0	0	0	0	0
Novoazovskiy District Court	0	0	0	0	0	0	0
Novohrodovskiy Town Court of Donetsk Oblast	1	0	-1	3	-3	0	0
Oleksandrivskiy District Court	1	1	0	3	-2	1	0
Ordzhonikidzevskiy District Court of Mariupol City	4	0	-4	11	-11	0	0
Pershotravneviy District Court	1	0	-1	3	-3	0	0
Petrovskiy District Court of Donetsk City	0	0	0	0	0	0	0
Proletarskiy District Court of Donetsk City	0	0	0	0	0	0	0
Prymorskiy District Court of Mariupol City	0	0	0	8	-8	0	0
Selydivskiy Town Court of Donetsk Oblast	3	3	0	11	-8	4	-1
Shakhtarskiy City-District Court	0	0	0	0	0	0	0
Slovianskiy City-District Court	9	8	-1	23	-15	8	0
Snizhnianskiy Town Court	0	0	0	0	0	0	0
Sovietskiy District Court of Makiyivka Town	0	0	0	0	0	0	0
Starobeshivskiy District Court	0	0	0	0	0	0	0
Telmanivskiy District Court	0	0	0	0	0	0	0
Torezkiy Town Court	0	0	0	0	0	0	0
Tsentralno-Miskiy District Court of Horlivka Town	0	0	0	0	0	0	0
Tsentralno-Miskiy District Court of Makiyivka Town	0	0	0	0	0	0	0
Velykonovosilkivskiy District Court	2	2	0	4	-2	1	1
Volnovaskiy District Court	4	0	-4	8	-8	0	0
Volodarskiy District Court	1	0	-1	4	-4	0	0
Voroshylivskiy District Court of Donetsk City	0	0	0	0	0	0	0
Vuhledarskiy Town Court	0	0	0	3	-3	0	0
Yasynuvatskiy City-District Court	0	0	0	0	0	0	0
Yenakiivskiy Town Court of Donetsk Oblast	0	0	0	0	0	0	0
Zhdanivskiy Town Court	0	0	0	0	0	0	0
Zhovtneviy District Court of Mariupol City	3	0	-3	19	-19	0	0
Total	219	138	-81	360	-222	120	-64

a Includes judicial positions authorized for courts as of February 24, 2022, but later eliminated.

Zhytomyr Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Zhytomyr Oblast Court of Appeals	17	19	2	27	-8	25	-6
Zhytomyr Circuit Administrative Court	19	18	-1	25	-7	188	-170
Commercial Court of Zhytomyr Oblast	16	14	-2	18	-4	11	3
Brusylivskiy District Court	3	3	0	3	0	2	1
Volodarsko-Volynskiy District Court	2	2	0	3	-1	2	0
Zhytomyrskiy District Court	5	5	0	8	-3	9	-4
Korostyshivskiy District Court	5	5	0	5	0	5	0
Malynskiy District Court	4	4	0	6	-2	5	-1
Novohrad-Volynskiy City-District Court	10	8	-2	11	-3	10	-2
Popilnianskiy District Court	2	2	0	5	-3	3	-1
Romanivskiy District Court	2	2	0	3	-1	2	0
Chervonoarmiiskiy District Court	3	3	0	3	0	2	1
Liubarskiy District Court	3	1	-2	3	-2	2	-1
Andrushivskiy District Court	3	2	-1	4	-2	2	0
Yemilchynskiy District Court	2	2	0	4	-2	2	0
Korolovskiy District Court of Zhytomyr City	14	15	1	16	-1	17	-2
Luhynskiy District Court	4	0	-4	5	-5	0	0
Olevskiy District Court	1	2	1	4	-2	3	-1
Radomyshl'skiy District Court	3	2	-1	4	-2	4	-2
Chudnivskiy District Court	2	1	-1	3	-2	3	-2
Baranivskiy District Court	3	1	-2	4	-3	3	-2
Bohunskiy District Court of Zhytomyr City	15	15	0	20	-5	23	-8
Korostenskiy City-District Court	6	4	-2	12	-8	11	-7
Narodytskiy District Court	3	3	0	3	0	2	1
Ovrutskiy District Court	5	4	-1	8	-4	6	-2
Berdychivskiy City-District Court	8	7	-1	12	-5	12	-5
Ruzhynskiy District Court	1	1	0	4	-3	2	-1
Cherniakhivskiy District Court	4	4	0	4	0	3	1
Total	165	149	-16	227	-78	359	-210

Zakarpattia Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Zakarpattia Oblast Court of Appeals	12	11	-1	25	-14	22	-11
Zakarpattia Circuit Administrative Court	12	12	0	13	-1	32	-20
Commercial Court of Zakarpattia Oblast	5	6	1	10	-4	9	-3
Mizhhirskiy District Court	2	3	1	3	0	3	0
Rakhivskiy District Court	3	4	1	4	0	4	0
Svaliavskiy District Court	6	4	-2	6	-2	6	-2
Tiachivskiy District Court	8	8	0	8	0	12	-4
Khustskiy District Court	9	8	-1	9	-1	13	-5
Volovetskiy District Court	2	3	1	3	0	3	0
Vynohradivskiy District Court	6	6	0	7	-1	17	-11
Irshavskiy District Court	6	5	-1	6	-1	9	-4
Perechynskiy District Court	3	3	0	4	-1	4	-1
Uzhhorodskiy City-District Court	20	19	-1	23	-4	37	-18
Velykobereznianskiy District Court	3	3	0	3	0	3	0
Berehivskiy District Court	5	5	0	5	0	9	-4
Mukachivskiy City-District Court	14	17	3	18	-1	20	-3
Total	116	117	1	147	-30	203	-86

Zaporizhzhia Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Zaporizhzhia Oblast Court of Appeals	12	15	3	40	-25	25	-10
Zaporizhzhia Circuit Administrative Court	21	20	-1	28	-8	44	-24
Commercial Court of Zaporizhzhia Oblast	21	19	-2	30	-11	27	-8
Lenynskiy District Court of Zaporizhzhia City	10	12	2	14	-2	13	-1
Orkhyivskiy District Court	5	0	-5	0	0	0	0
Prymorskiy District Court	1	0	-1	0	0	0	0
Tokmatskiy District Court	6	0	-6	0	0	0	0
Veselyivskiy District Court	1	0	-1	0	0	0	0
Huliyapilskiy District Court	3	0	-3	0	0	0	0
Enerhodarskiy Town Court	3	0	-3	0	0	0	0
Zhovtneviy District Court of Zaporizhzhia City	8	10	2	13	-3	10	0
Kamiansko-Dniprovskiy District Court	1	0	-1	0	0	0	0
Novomykolayivskiy District Court	2	2	0	3	-1	2	0
Ordzhonikidzevskiy District Court of Zaporizhzhia City	13	14	1	17	-3	16	-2
Polohivskiy District Court	2	0	-2	0	0	0	0
Rozivskiy District Court	3	0	-3	0	0	0	0
Chernihivskiy District Court	4	0	-4	0	0	0	0
Komunarskiy District Court of Zaporizhzhia City	10	10	0	14	-4	14	-4
Zavodskiy District Court of Zaporizhzhia City	6	5	-1	9	-4	7	-2
Melitopolskiy City-District Court	12	0	-12	0	0	0	0
Mykhailivskiy District Court	4	0	-4	0	0	0	0
Yakymivskiy District Court	4	0	-4	0	0	0	0
Berdianskiy City-District Court	13	0	-13	0	0	0	0
Vilnianskiy District Court	5	5	0	9	-4	6	-1
Kuibyshevskiy District Court	5	0	-5	0	0	0	0
Khortytskiy District Court of Zaporizhzhia City	8	9	1	12	-3	8	1
Velykobilozerskiy District Court	1	0	-1	0	0	0	0
Shevchenkivskiy District Court of Zaporizhzhia City	11	11	0	14	-3	15	-4
Zaporizkiy District Court	6	7	1	8	-1	6	1
Pryazovskiy District Court	3	0	-3	0	0	0	0
Vasylivskiy District Court	3	0	-3	0	0	0	0
Total	207	139	-68	211	-72	193	-54

Ivano-Frankivsk Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Ivano-Frankivsk Oblast Court of Appeals	13	15	2	27	-12	17	-2
Ivano-Frankivsk Circuit Administrative Court	16	17	1	19	-2	33	-16
Commercial Court of Ivano-Frankivsk Oblast	14	14	0	22	-8	11	3
Bolekhivskiyi Town Court	2	3	1	3	0	1	2
Horodenkivskiyi District Court	3	4	1	4	0	3	1
Ivano-Frankivsk City Court	19	19	0	22	-3	26	-7
Rozhniativskiyi District Court	3	3	0	4	-1	3	0
Tlumatskiy District Court	3	3	0	3	0	2	1
Bohorodchanskiy District Court	3	3	0	4	-1	3	0
Verkhovynskiy District Court	3	2	-1	3	-1	1	1
Halytskyi District Court	2	5	3	5	0	4	1
Kaluskiy City-District Court	7	8	1	11	-3	8	0
Kolomyiskiy City-District Court	7	9	2	11	-2	10	-1
Nadvirnianskiy District Court	3	6	3	7	-1	5	1
Sniatynskiy District Court	3	4	1	4	0	4	0
Tysmenytskiy District Court	3	3	0	4	-1	5	-2
Yaremchanskiy Town Court	2	3	1	3	0	3	0
Kosivskiy District Court	4	4	0	6	-2	5	-1
Rohatynskiy District Court	3	3	0	4	-1	3	0
Dolynskiy District Court	5	5	0	6	-1	4	1
Total	118	133	15	172	-39	151	-18

Kyiv Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Kyiv Circuit Administrative Court	23	23	0	25	-2	67	-44
Commercial Court of Kyiv Oblast	28	28	0	30	-2	30	-2
Zghurivskiy District Court	2	2	0	3	-1	1	1
Irpın Town Court	8	10	2	12	-2	13	-3
Kyiv-Sviatoshyn District Court, Kyiv	14	12	-2	16	-4	25	-13
Makarivskiy District Court	4	4	0	5	-1	5	-1
Myronivskiy District Court	3	4	1	5	-1	3	1
Rzhyshevskiy Town Court	2	3	1	3	0	1	2
Slavutytskiy Town Court	3	3	0	3	0	1	2
Stavyshevskiy District Court	3	3	0	3	0	1	2
Tarashchanskiy District Court	2	4	2	4	0	3	1
Fastivskiy City-District Court	8	6	-2	12	-6	8	-2
Baryshivskiy District Court	2	4	2	4	0	3	1
Vyshhorodskiy District Court	7	10	3	10	0	8	2
Berezanskiy Town Court	4	4	0	4	0	1	3
Bilotserkivskiy City-District Court	16	16	0	26	-10	23	-7
Brovarskiy City-District Court	6	9	3	18	-9	15	-6
Vasylkivskiy City-District Court	7	8	1	12	-4	9	-1
Rokytnianskiy District Court	0	2	2	3	-1	2	0
Pereiaslav-Khmelnytskiy City-District Court	7	7	0	7	0	4	3
Yahotynskiy District Court	3	3	0	4	-1	3	0
Boryspilskiy City-District Court	11	10	-1	15	-5	17	-7
Borodianskiy District Court	4	4	0	5	-1	6	-2
Obukhivskiy District Court	8	7	-1	10	-3	9	-2
Volodarskiy District Court	3	3	0	3	0	2	1
Kaharlytskiy District Court	4	4	0	4	0	3	1
Tetiivskiy District Court	2	2	0	3	-1	2	0
Bohuslavskiy District Court	2	4	2	4	0	3	1
Skvyrskiy District Court	2	3	1	5	-2	5	-2
Ivankivskiy District Court	4	3	-1	5	-2	4	-1
Total	192	205	13	263	-58	277	-72

Kirovohrad Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Kirovohrad Oblast Court of Appeals	19	18	-1	30	-12	15	3
Kirovohrad Circuit Administrative Court	14	13	-1	17	-4	38	-25
Commercial Court of Kirovohrad Oblast	6	7	1	11	-4	6	1
Holovanivskiy District Court	4	4	0	4	0	3	1
Dolynskiy District Court	3	3	0	4	-1	4	-1
Kirovskiy District Court of Kirovohrad City	14	13	-1	19	-6	18	-5
Novoarkhanhelskiy District Court	3	3	0	3	0	2	1
Novomyrhorodskiy District Court	3	2	-1	4	-2	2	0
Onufriivskiy District Court	3	2	-1	3	-1	1	1
Svitlovodskiy City-District Court	6	6	0	9	-3	6	0
Ulianovskiy District Court	1	3	2	3	0	1	2
Dobrovelychkivskiy District Court	2	3	1	4	-1	3	0
Kirovohradskiy District Court	4	3	-1	6	-3	4	-1
Leninskiy District Court of Kirovohrad City	9	7	-2	14	-7	12	-5
Novhorodkivskiy District Court	2	2	0	3	-1	1	1
Petrivskiy District Court	3	2	-1	4	-2	2	0
Ustynivskiy District Court	1	0	-1	3	-3	0	0
Znamianskiy City-District Court	7	5	-2	9	-4	6	-1
Haivoronskiy District Court	4	3	-1	4	-1	2	1
Kompaniivskiy District Court	3	3	0	3	0	1	2
Oleksandrivskiy District Court	2	3	1	4	-1	2	1
Malovyskiivskiy District Court	4	4	0	5	-1	3	1
Bobrynetskiy District Court	3	3	0	4	-1	3	0
Vilshanskiy District Court	2	2	0	3	-1	1	1
Novoukrainskiy District Court	3	3	0	6	-3	3	0
Oleksandriiskiy City-District Court	7	6	-1	14	-8	10	-4
Total	132	123	-9	193	-70	149	-5

Luhansk Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Luhansk Oblast Court of Appeals	12	0	-12	0	0	0	0
Luhansk Oblast Administrative Court	16	15	-1	21	-6	13	2
Commercial Court of Luhansk Oblast	18	16	-2	23	-7	2	14
Anratsyivskyi City-District Court	0	0	0	0	0	0	0
Artemivskyi District Court of Luhansk City	0	0	0	0	0	0	0
Zhovtnevyi District Court of Luhansk City	0	0	0	0	0	0	0
Kamianobridskyi District Court of Luhansk City	0	0	0	0	0	0	0
Krasnodonskyi City-District Court	1	0	-1	0	0	0	0
Leninskyi District Court of Luhansk City	0	0	0	0	0	0	0
Lutuhynskyi District Court	0	0	0	0	0	0	0
Milovskyi District Court	3	0	-3	0	0	0	0
Pervomaiskyi Town Court	0	0	0	0	0	0	0
Rovenkivskyi Town Court	0	0	0	0	0	0	0
Sievierodonetskyi Town Court	12	0	-12	0	0	0	0
Slovianoserbskyi District Court	0	0	0	0	0	0	0
Stakhanovskyi Town Court	0	0	0	0	0	0	0
Alchevskyi Town Court	0	0	0	0	0	0	0
Bilovodskyi District Court	4	0	-4	0	0	0	0
Briankivskyi Town Court	1	0	-1	0	0	0	0
Kirovskyi Town Court	0	0	0	0	0	0	0
Krasnolutskyi Town Court	0	0	0	0	0	0	0
Lysychanskyi Town Court	8	0	-8	0	0	0	0
Markivskyi District Court	5	0	-5	0	0	0	0
Novopskovskyi District Court	3	0	-3	0	0	0	0
Rubizhanskyi Town Court	8	0	-8	0	0	0	0
Troitskyi District Court	3	0	-3	0	0	0	0
Kreminskyi District Court	5	0	-5	0	0	0	0
Novoaidarskyi District Court	3	0	-3	0	0	0	0
Stanychno-Luhanskyi District Court	0	0	-0	0	0	0	0

Starobilskiy District Court	7	0	-7	0	0	0	0
Perevalskiy District Court	0	0	0	0	0	0	0
Bilokurakynskiy District Court	3	0	-3	0	0	0	0
Popasnianskiy District Court	0	0	0	0	0	0	0
Svativskiy District Court	10	0	-10	0	0	0	0
Sverdlovskiy Town Court	0	0	0	0	0	0	0
Total	122	31	-91	44	-13	15	16

Lviv Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Lviv Oblast Court of Appeals	23	23	0	50	-27	42	-19
Western Commercial Court of Appeal	16	15	-1	28	-13	17	-2
Eighth Administrative Court of Appeal	35	34	-1	51	-17	110	-76
Lviv Circuit Administrative Court	29	31	2	35	-4	113	-82
Commercial Court of Lviv Oblast	33	33	0	36	-3	29	4
Brodivskiy District Court	2	4	2	4	0	3	1
Buskiy District Court	3	3	0	4	-1	3	0
Zhydachivskiy District Court	3	3	0	4	-1	3	0
Zaliznychnyi District Court of Lviv City	13	12	-1	13	-1	18	-6
Kamianka-Buzky District Court	4	3	-1	4	-1	4	-1
Lychakivskiy District Court of Lviv City	8	10	2	10	0	19	-9
Mykolayivskiy District Court	4	4	0	6	-2	6	-2
Peremyshlianskiy District Court	3	3	0	3	0	2	1
Pustomytskiy District Court	6	5	-1	6	-1	9	-4
Radekhivskiy District Court	3	3	0	4	-1	2	1
Sykhivskiy District Court of Lviv City	10	11	1	12	-1	15	-4
Skolivskiy District Court	4	3	-1	4	-1	3	0
Starosambirskiy District Court	2	4	2	4	0	3	1
Sokalskiy District Court	4	4	0	5	-1	8	-4
Truskavetskiy Town Court	3	3	0	3	0	2	1

Frankivskiy District Court of Lviv City	8	8	0	12	-4	21	-13
Shevchenkivskiy District Court of Lviv City	13	13	0	13	0	20	-7
Boryslavskiy Town Court	1	4	3	3	1	2	2
Drohobyt'skiy City-District Court	11	11	0	13	-2	12	-1
Horodotskiy District Court	5	5	0	5	0	4	1
Zolochivskiy District Court	4	2	-2	4	-2	4	-2
Mostyskiy District Court	3	3	0	5	-2	3	0
Sambirskiy City-District Court	4	7	3	8	-1	7	0
Stryiskiy City-District Court	6	7	1	11	-4	9	-2
Yavorivskiy District Court	7	5	-2	7	-2	11	-6
Turkivskiy District Court	2	2	0	3	-1	2	0
Chervonohradskiy Town Court	7	6	-1	8	-2	8	-2
Halytskiy District Court of Lviv City	10	9	-1	12	-3	19	-10
Zhovkivskiy District Court	5	5	0	5	0	6	-1
Total	294	298	4	395	-97	539	-241

Mykolayiv Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Mykolayiv Oblast Court of Appeals	22	20	-2	38	-18	13	7
Mykolayiv Circuit Administrative Court	15	13	-2	17	-4	36	-23
Commercial Court of Mykolayiv Oblast	11	10	-1	15	-5	10	0
Bashtanskyi District Court	2	2	0	4	-2	3	-1
Berezhnevatskyi District Court	3	2	-1	4	-2	2	0
Vradiivskyi District Court	2	2	0	3	-1	2	0
Domanivskyi District Court	2	2	0	4	-2	2	0
Yelanetskyi District Court	1	1	0	3	-2	1	0
Kazankivskyi District Court	3	2	-1	3	-1	2	0
Korabelnyi District Court of Mykolayiv City	7	7	0	10	-3	4	3
Kryvoozerskyi District Court	1	1	0	3	-2	2	-1
Mykolayivskyi District Court	2	2	0	5	-3	3	-1
Novoodeskyi District Court	3	2	-1	4	-2	3	-1
Snihurivskyi District Court	4	0	-4	0	0	0	0
Tsentralnyi District Court	13	11	-2	17	-6	14	-3
Voznesenskyi City-District Court	8	7	-1	12	-5	8	-1
Novobuzkyi District Court	4	4	0	4	0	3	1
Veselynivskyi District Court	4	4	0	4	0	1	3
Leninskyi District Court of Mykolayiv City	9	9	0	14	-5	8	1
Ochakivskyi City-District Court	3	2	-1	6	-4	2	0
Yuzhnoukrainskyi Town Court	3	3	0	5	-2	3	0
Zavodskyi District Court of Mykolayiv City	13	13	0	15	-2	11	2
Arbuzynskyi District Court	4	2	-2	4	-2	2	0
Berezanskyi District Court	2	0	-2	0	0	0	0
Zhovtnevyi District Court	5	4	-1	5	-1	3	1
Bratskyi District Court	1	1	0	3	-2	2	-1
Pervomaivskyi City-District Court	10	7	-3	12	-5	9	-2
Total	109	90	-19	144	-54	90	0

Odesa Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Odesa Oblast Court of Appeals	20	46	26	45	1	48	-2
Southwest Commercial Court of Appeals	17	13	-4	25	-12	11	2
Fifth Administrative Court of Appeals	27	27	0	37	-10	50	-23
Odesa Circuit Administrative Court	34	35	1	35	0	125	-90
Commercial Court of Odesa Oblast	27	31	4	35	-4	33	-2
Mykolayivskyi District Court	2	3	1	3	0	2	1
Prymorskyi District Court of Odesa City	28	30	2	37	-7	40	-10
Reniyskyi District Court	4	3	-1	4	-1	4	-1
Rozdilnianskyi District Court	6	6	0	6	0	5	1
Tatarbunarskyi District Court	1	2	1	4	-2	3	-1
Tarutynskyi District Court	2	2	0	4	-2	2	0
Frunzivskyi District Court	3	3	0	3	0	1	2
Yuzhnyi Town Court	3	3	0	3	0	2	1
Artsyzyi District Court	4	1	-3	5	-4	2	-1
Berezivskyi District Court	3	3	0	4	-1	3	0
Biliaivskyi District Court	7	7	0	11	-4	12	-5
Ivanivskyi District Court	3	3	0	3	0	2	1
Illichivskyi Town Court	5	6	1	8	-2	8	-2
Kotovskiy City-District Court	5	4	-1	9	-5	7	-3
Liubashivskyi District Court	2	2	0	4	-2	3	-1
Izmailskyi City-District Court	10	10	0	14	-4	15	-5
Ovidiopolskyi District Court	8	7	-1	8	-1	10	-3
Savranskyi District Court	3	2	-1	3	-1	1	1
Saratskyi District Court	2	3	1	4	-1	3	0
Shyriaivskyi District Court	2	2	0	3	-1	2	0
Bolhradskyi District Court	4	4	0	6	-2	5	-1
Kominternivskyi District Court	8	6	-2	8	-2	8	-2
Baltskyi District Court	3	3	0	5	-2	3	0
Bilhorod-Dnistrovskyi City-District Court	11	7	-4	15	-8	15	-8
Velykomykhailivskyi District Court	2	2	0	3	-1	2	0

Kyivskiy District Court of Odesa City	22	22	0	26	-4	51	-29
Kodymskiy District Court	3	2	-1	4	-2	2	0
Ananivskiy District Court	2	0	-2	3	-3	0	0
Kiliiskiy District Court	2	3	1	5	-2	3	0
Krasnooknianskiy District Court	2	2	0	3	-1	1	1
Malynovskiy District Court of Odesa City	26	27	1	32	-5	32	-5
Suvorovskiy District Court of Odesa City	18	19	1	26	-7	27	-8
Teplodarskiy Town Court	1	3	2	3	0	1	2
Total	332	354	22	456	-102	544	-190

Poltava Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Poltava Oblast Court of Appeals	27	26	-1	40	-14	64	-38
Poltava Circuit Administrative Court	19	17	-2	21	-4	65	-48
Commercial Court of Poltava Oblast	16	15	-1	20	-5	15	0
Velykobahachanskiy District Court	2	2	0	3	-1	2	0
Hrebinkivskiy District Court	3	4	1	5	-1	7	-3
Zinkivskiy District Court	2	1	-1	4	-3	2	-1
Kobeliatskiy District Court	5	5	0	5	0	4	1
Komsomolskiy Town Court	4	3	-1	5	-2	4	-1
Lokhvitskiy District Court	3	3	0	4	-1	4	-1
Lubenskiy City-District Court	2	7	5	8	-1	9	-2
Oktiabrskiy District Court of Poltava City	15	19	4	17	2	50	-31
Poltavskiy District Court	7	7	0	8	-1	16	-9
Khorolskiy District Court	3	3	0	4	-1	5	-2
Chutivskiy District Court	1	1	0	3	-2	2	-1
Avtozavodskiy District Court of Kremenchuk Town	13	11	-2	17	-6	17	-6
Hlobynskiy District Court	4	2	-2	3	-1	3	-1
Dykanskiy District Court	2	3	1	3	0	5	-2
Kyivskiy District Court of Poltava City	10	13	3	13	0	27	-14

Kremenchutskyi District Court	3	4	1	6	-2	3	1
Leninskyi District Court of Poltava City	7	10	3	9	1	23	-13
Mashivskyi District Court	2	3	1	3	0	4	-1
Novosanzharskyi District Court	3	3	0	4	-1	3	0
Pyriatynskyi District Court	3	3	0	4	-1	4	-1
Semenivskyi District Court	2	2	0	3	-1	1	1
Chornukhynskyi District Court	2	2	0	3	-1	1	1
Hadiatskyi District Court	4	3	-1	6	-3	6	-3
Karlivskyi District Court	2	3	1	3	0	5	-2
Kriukivskyi District Court of Kremenchuk Town	6	6	0	10	-4	9	-3
Myrhorodskyi City-District Court	2	7	5	7	0	8	-1
Reshetylivskyi District Court	2	3	1	3	0	2	1
Shyshatskyi District Court	3	3	0	4	-1	5	-2
Kozelshchynskyi District Court	3	3	0	3	0	2	1
Kotelevskyi District Court	2	3	1	4	-1	9	-6
Orzhitskyi District Court	3	3	0	3	0	1	2
Total	187	203	16	258	-55	387	-184

Rivne Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Rivne Oblast Court of Appeals	8	10	2	23	-13	14	-4
Northwest Commercial Court of Appeals	21	19	-2	22	-3	16	3
Rivne Circuit Administrative Court	16	13	-3	17	-4	274	-261
Commercial Court of Rivne Oblast	16	12	-4	15	-3	12	0
Bereznivskiy District Court	3	2	-1	5	-3	4	-2
Dubrovyskiy District Court	2	2	0	3	-1	3	-1
Dolbunivskiy District Court	6	5	-1	7	-2	6	-1
Koretskiy District Court	4	3	-1	4	-1	3	0
Ostrozkiy District Court	3	3	0	3	0	3	0
Radyvylivskiy District Court	2	3	1	3	0	2	1
Rivnenskiy District Court	9	8	-1	9	-1	11	-3
Volodymyretskiy District Court	3	2	-1	4	-2	5	-3
Kostopilskiy District Court	4	2	-2	5	-3	5	-3
Rivnenskiy Town Court	21	20	-1	25	-5	34	-14
Sarnenskiy District Court	5	2	-3	7	-5	7	-5
Hoshchanskiy District Court	3	3	0	3	0	3	0
Lubny Town-District Court	2	3	1	7	-4	6	-3
Zarichnenskiy District Court	4	3	-1	4	-1	2	1
Kuznetsovskiy Town Court	6	5	-1	7	-2	3	2
Rokytnivskiy District Court	3	2	-1	3	-1	3	-1
Demydivskiy District Court	3	3	0	3	0	1	2
Mlynivskiy District Court	4	4	0	4	0	2	2
Total	148	129	-19	183	-54	419	-290

Sumy Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Sumy Oblast Court of Appeals	7	7	0	25	-18	16	-9
Sumy Circuit Administrative Court	16	16	0	17	-1	51	-35
Commercial Court of Sumy Oblast	9	8	-1	14	-6	11	-3
Konotopskyi City-District Court	9	8	-1	12	-4	10	-2
Krasnopilskyi District Court	3	3	0	3	0	2	1
Krolevetskyi District Court	3	3	0	3	0	4	-1
Lypovodolynskyi District Court	3	3	0	3	0	1	2
Nedryhailivskyi District Court	3	2	-1	3	-1	2	0
Putyvlskyi District Court	2	2	0	3	-1	3	-1
Sumskyi District Court	3	3	0	5	-2	4	-1
Trostanetskyi District Court	2	2	0	5	-3	3	-1
Yampil'skyi District Court	3	2	-1	3	-1	2	0
Burynskyi District Court	1	1	0	3	-2	2	-1
Velykopysarivskyi District Court	3	3	0	3	0	1	2
Zarichnyi District Court of Sumy City	12	11	-1	15	-4	18	-7
Hlukhivskyi City-District Court	4	2	-2	7	-5	5	-3
Bilopil'skyi District Court	3	4	1	5	-1	4	0
Kovpakivskyi District Court of Sumy City	13	12	-1	15	-3	18	-6
Lebedynskyi District Court	4	4	0	5	-1	5	-1
Romenskyi City-District Court	5	4	-1	10	-6	7	-3
Shostkynskyi City-District Court	6	4	-2	10	-6	12	-8
Okhtyrskyi City-District Court	6	6	0	9	-3	9	-3
Seredyna-Buda District Court	2	0	-2	0	0	0	0
Total	122	110	-12	178	-68	190	-80

Ternopil Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Ternopil Oblast Court of Appeals	15	15	0	27	-12	14	1
Ternopil Circuit Administrative Court	10	8	-2	16	-8	27	-19
Commercial Court of Ternopil Oblast	13	13	0	14	-1	6	7
Berezhanskyi District Court	5	5	0	5	0	2	3
Borshchivskyi District Court	3	3	0	4	-1	2	1
Zbarazkyi District Court	4	4	0	4	0	3	1
Kremenetskyi District Court	5	5	0	5	0	5	0
Pidvolochyskyi District Court	0	3	3	3	0	2	1
Ternopilskyi City-District Court	25	21	-4	28	-7	30	-9
Husiatynskyi District Court	3	3	0	5	-2	3	0
Zborivskyi District Court	3	3	0	4	-1	4	-1
Pidhaietskyi District Court	3	1	-2	3	-2	1	0
Chortkivskyi District Court	5	5	0	6	-1	4	1
Buchatskyi District Court	4	4	0	4	0	3	1
Lanovetskyi District Court	2	2	0	3	-1	2	0
Monastyrskyi District Court	2	2	0	3	-1	1	1
Terebovlianskyi District Court	4	4	0	5	-1	3	1
Kozivskyi District Court	1	3	2	3	0	1	2
Zalishchytskyi District Court	2	2	0	3	-1	2	0
Shumskyi District Court	3	3	0	3	0	2	1
Total	112	109	-3	148	-39	117	-8

Kharkiv *Oblast*

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Kharkiv <i>Oblast</i> Court of Appeals	13	13	0	60	-47	15	-2
Eastern Commercial Court of Appeals	31	31	0	38	-7	14	17
Second Administrative Court of Appeals	22	22	0	36	-14	52	-30
Kharkiv Circuit Administrative Court	34	30	-4	40	-10	75	-45
Commercial Court of Kharkiv <i>Oblast</i>	39	34	-5	45	-11	25	9
Barvinkivskiy District Court	1	0	-1	0	0	0	0
Velykoburlutskiy District Court	3	0	-3	0	0	0	0
Dvorychansky District Court	2	0	-2	0	0	0	0
Dzerzhynskiy District Court of Kharkiv City	17	15	-2	22	-7	14	1
Zmiivskiy District Court	5	5	0	7	-2	6	-1
Zolochivskiy District Court	2	0	-2	0	0	0	0
Kyivskiy District Court of Kharkiv City	11	13	2	20	-7	16	-3
Krasnohradskiy District Court	4	3	-1	6	-3	5	-2
Krasnokutskiy District Court	3	3	0	3	0	2	1
Leninskiy District Court of Kharkiv City	11	4	-7	15	-11	4	0
Lozivskiy City-District Court	6	3	-3	12	-9	10	-7
Liubotynskiy Town Court	2	2	0	3	-1	1	1
Novovodolazky District Court	3	3	0	3	0	3	0
Ordzhonikidzevskiy District Court of Kharkiv City	12	10	-2	16	-6	3	7
Frunzensky District Court of Kharkiv City	11	6	-5	14	-8	9	-3
Chuguivskiy Town Court	5	3	-2	10	-7	9	-6
Kominternivskiy District Court of Kharkiv City	11	10	-1	16	-6	4	6
Balakliiskiy District Court	5	0	-5	0	0	0	0
Blyzniukivskiy District Court	2	2	0	3	-1	1	1

Zhovtnevyi District Court of Kharkiv City	13	12	-1	15	-3	9	3
Iziumskyi City-District Court	4	0	-4	0	0	0	0
Kehychivskyi District Court	2	2	0	3	-1	2	0
Kolomatskyi District Court	3	2	-1	3	-1	1	1
Kupianskyi City-District Court	9	0	-9	0	0	0	0
Moskovskyi District Court of Kharkiv City	18	14	-4	25	-11	5	9
Kharkivskyi District Court	9	7	-2	15	-8	12	-5
Borivskyi District Court	1	0	-1	0	0	0	0
Vovchanskyi District Court	4	0	-4	0	0	0	0
Zachepylivskyi District Court	1	1	0	3	-2	1	0
Chervonozavodskyi District Court of Kharkiv City	9	4	-5	15	-11	8	-4
Sakhnovshchynskyi District Court	2	2	0	3	-1	1	1
Shevchenkivskyi District Court	2	0	-2	0	0	0	0
Valkivskyi District Court	3	1	-2	3	-2	3	-2
Pechenizkyi District Court	3	0	-3	0	0	0	0
Pervomaiskyi City-District Court	7	6	-1	7	-1	3	3
Bohodukhivskyi District Court	4	4	0	5	-1	3	1
Dergachivskyi District Court	7	6	-1	10	-4	1	5
Total	356	273	-83	476	-203	317	-44

Kherson Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Kherson Oblast Court of Appeals	25	0	-25	0	0	0	0
Kherson Circuit Administrative Court	14	0	-14	0	0	0	0
Commercial Court of Kherson Oblast	10	0	-10	0	0	0	0
Beryslavskiy District Court	4	0	4	0	0	0	0
Verkhnorohachytskyi District Court	1	0	1	0	0	0	0
Vysokopilskiy District Court	2	0	2	0	0	0	0
Holoprystanskyy District Court	5	0	5	0	0	0	0
Ivanivskiy District Court	3	0	3	0	0	0	0
Kakhovskiy City-District Court	7	0	7	0	0	0	0
Novovorontsovskiy District Court	2	0	2	0	0	0	0
Novotroitskyy District Court	2	0	2	0	0	0	0
Tsiurupynskyy District Court	5	0	5	0	0	0	0
Velykooleksandrivskyy District Court	3	0	3	0	0	0	0
Dniprovskyy District Court of Kherson City	0	0	0	0	0	0	0
Komsomolskyy District Court of Kherson City	0	0	0	0	0	0	0
Nyzhnosirohozkyi District Court	2	0	2	0	0	0	0
Skadovskyy District Court	5	0	5	0	0	0	0
Bilozerskyy District Court	7	0	7	0	0	0	0
Kalanchatskyy District Court	3	0	3	0	0	0	0
Novokakhovskyy Town Court	5	0	5	0	0	0	0
Kherson City Court	24	0	24	0	0	0	0
Hornostaivskyy District Court	1	0	1	0	0	0	0
Suvorovskyy District Court of Kherson City	0	0	0	0	0	0	0
Henicheskyy District Court	5	0	5	0	0	0	0
Chaplynskyy District Court	3	0	3	0	0	0	0
Velykolepetyskyy District Court	3	0	3	0	0	0	0
Total	92	0	92	0	0	0	0

Khmelnyskyi Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Khmelnyskyi Oblast Court of Appeals	16	19	3	27	-8	23	-4
Khmelnyskyi Circuit Administrative Court	16	13	-3	21	-8	79	-66
Commercial Court of Khmelnyskyi Oblast	16	16	0	20	-4	9	7
Novoushytskyi District Court	3	2	-1	3	-1	1	1
Bilohirskyi District Court	2	2	0	3	-1	2	0
Dunaievetskyi District Court	3	4	1	4	0	4	0
Netishynskyi Town Court	4	4	0	5	-1	2	2
Slavutskyi City-District Court	3	4	1	7	-3	5	-1
Starokostiantynivskyi District Court	7	7	0	8	-1	8	-1
Khmelnyskyi City-District Court	32	30	-2	36	-6	45	-15
Shepetivskyi City-District Court	6	6	0	9	-3	7	-1
Vinkovetskyi District Court	1	2	1	3	-1	1	1
Volochyskyi District Court	3	5	2	5	0	4	1
Krasylivskyi District Court	2	3	1	4	-1	3	0
Teofipolskyi District Court	2	2	0	3	-1	2	0
Horodotskyi District Court	2	3	1	3	0	2	1
Yarmolynetskyi District Court	5	5	0	5	0	5	0
Derazhnianskyi District Court	2	2	0	3	-1	2	0
Iziaslavskyi District Court	6	4	-2	6	-2	3	1
Letchivskyi District Court	3	3	0	3	0	3	0
Polonskyi District Court	3	2	-1	4	-2	2	0
Starosyniavskyi District Court	2	3	1	3	0	1	2
Chemerovetskyi District Court	3	1	-2	4	-3	2	-1
Kamianets-Podilskyi City-District Court	14	11	-3	16	-5	13	-2
Total	156	153	-3	205	-52	228	-75

Cherkasy Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Cherkasy Oblast Court of Appeals	15	15	0	33	-18	20	-5
Cherkasy Circuit Administrative Court	7	11	4	17	-6	38	-27
Commercial Court of Cherkasy Oblast	12	12	0	14	-2	14	-2
Zvenyhorodskyi District Court	2	3	1	4	-1	4	-1
Zolotoniskyi City-District Court	4	5	1	8	-3	7	-2
Umanskyi City-District Court	7	5	-2	14	-9	10	-5
Kamianskyi District Court	3	3	0	3	0	2	1
Drabivskyi District Court	2	2	0	3	-1	2	0
Katerynopilskyi District Court	3	2	-1	3	-1	2	0
Mankivskyi District Court	3	3	0	3	0	2	1
Prydniprovskyi District Court of Cherkasy City	9	12	3	16	-4	12	0
Smilianskyi City-District Court	4	4	0	12	-8	9	-5
Cherkaskyi District Court	5	6	1	7	-1	5	1
Chyhyrskyi District Court	1	3	2	3	0	2	1
Chornobaivskyi District Court	4	3	-1	6	-3	2	1
Shpolianskyi District Court	3	3	0	3	0	3	0
Kanivskyi City-District Court	5	4	-1	6	-2	3	1
Horodyschenskyi District Court	4	4	0	4	0	3	1
Korsun-Shevchenkivskyi District Court	2	3	1	3	0	3	0
Khrystynivskyi District Court	2	3	1	3	0	2	1
Vatutinskyi Town Court	3	2	-1	3	-1	1	1
Zhashkivskyi District Court	2	2	0	4	-2	2	0
Lysianskyi District Court	4	2	-2	4	-2	2	0
Monastyryshchenskyi District Court	0	2	2	4	-2	1	1
Sosnivskyi District Court	12	13	1	19	-6	19	-6
Talnivskyi District Court	2	1	-1	4	-3	2	-1
Total	120	128	8	203	-75	172	-44

Chernivtsi Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Chernivtsi Oblast Court of Appeals	16	16	0	22	-6	16	0
Chernivtsi Circuit Administrative Court	8	7	-1	9	-2	26	-19
Commercial Court of Chernivtsi Oblast	13	14	1	15	-1	12	2
Vyzhnytskyi District Court	4	4	0	4	0	4	0
Zastavniivskyi District Court	3	4	1	4	0	3	1
Kitsmanskyi District Court	4	3	-1	5	-2	5	-2
Pershotravnevyi District Court of Chernivtsi City	9	8	-1	9	-1	14	-6
Putylskyi District Court of Chernivtsi Oblast	2	3	1	3	0	2	1
Sadhirskyi District Court of Chernivtsi City	5	4	-1	5	-1	4	0
Shevchenkivskyi District Court of Chernivtsi City	8	12	4	13	-1	23	-11
Hlybotskyi District Court	4	4	0	4	0	6	-2
Novoselytskyi District Court	4	4	0	5	-1	5	-1
Sokyrianskyi District Court	2	3	1	4	-1	3	0
Kelmenetskyi District Court	2	2	0	4	-2	3	-1
Khotynskyi District Court	3	5	2	5	0	4	1
Novodnistrovsk Town Court	2	2	0	3	-1	1	1
Storozhynetskyi District Court	5	4	-1	6	-2	7	-3
Hertsaiivskyi District Court	3	3	0	4	-1	3	0
Total	97	102	5	124	-22	141	-39

Chernihiv Oblast

Court	Number of Judges with Powers as of 21-2-2022	Number of Judges with Powers as of 31-12-2022	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges as of 31-12-2022	Excess or (Shortage) as of 31-12-2022	Number of Judges Required in 2022 per Standards	Excess or (Shortage) as of 31-12-2022
Chernihiv Oblast Court of Appeals	16	14	-2	34	-20	19	-5
Chernihiv Circuit Administrative Court	14	13	-1	16	-3	54	-41
Commercial Court of Chernihiv Oblast	9	8	-1	17	-9	13	-5
Horodnianskyi District Court	2	2	0	4	-2	3	-1
Ichnianskyi District Court	4	3	-1	4	-1	2	1
Koriukivskyi District Court	4	3	-1	4	-1	4	-1
Menskyi District Court	4	3	-1	5	-2	3	0
Prylutskyi City-District Court	6	6	0	11	-5	9	-3
Ripkynskyi District Court	2	1	-1	4	-3	2	-1
Sosnytskyi District Court	3	3	0	3	0	1	2
Chernihivskyi District Court	5	5	0	6	-1	6	-1
Bobrovytskyi District Court	4	4	0	4	0	3	1
Koropskyi District Court	2	2	0	3	-1	1	1
Novozavodskyi District Court of Chernihiv City	5	7	2	12	-5	13	-6
Sribnianskyi District Court	2	2	0	3	-1	1	1
Bakhmatskyi District Court	4	4	0	6	-2	4	0
Borznianskyi District Court	3	2	-1	4	-2	2	0
Desnianskyi District Court of Chernihiv City	16	16	0	19	-3	20	-4
Kozeletskyi District Court	5	4	-1	6	-2	6	-2
Kulykivskyi District Court	3	3	0	3	0	1	2
Nizhynskyi City-District Court	7	6	-1	10	-4	10	-4
Nosivskyi District Court	3	2	-1	4	-2	2	0
Semenivskyi District Court	2	2	0	3	-1	2	0
Talalaivskyi District Court	2	2	0	3	-1	1	1
Varvynskyi District Court	1	1	0	3	-2	1	0
Novhorod-Siverskyi District	4	4	0	4	0	3	1
Shchorskyi District Court	3	3	0	3	0	2	1
Total	135	125	-10	198	-73	188	-63

Kyiv City

Court	Number of Judges as of 21-2-2022 ^a	Number of Judges with Powers as of 31-12-2022 ^a	Increase or (Decrease) 21-2-2022 to 31-12-2022	Number of Authorized Judges	Excess or (Shortage) as of 31-12-2022	Number of Judges According to Standards	Excess or (Shortage) as of 31-12-2022
Kyiv City Court of Appeals	97	92	-5	145	-53	144	-52
Sixth Administrative Court of Appeals	34	36	2	51	-15	137	-101
Northern Commercial Court of Appeals	50	49	-1	75	-26	59	-10
Kyiv Regional Administrative Court	48	43	-5	60	-17	116	-73
Commercial Court of Kyiv City	74	67	-7	77	-10	97	-30
Holosiivskiy District Court of Kyiv City	20	17	-3	26	-9	31	-14
Obolonskiy District Court of Kyiv City	20	18	-2	29	-11	21	-3
Pecherskiy District Court of Kyiv City	29	21	-8	36	-15	51	-30
Sviatoshynskiy District Court of Kyiv City	27	26	-1	34	-8	31	-5
Desnianskiy District Court of Kyiv City	23	22	-1	31	-9	22	0
Solomianskiy District Court of Kyiv City	26	24	-2	33	-9	34	-10
Shevchenkivskiy District Court of Kyiv City	35	33	-2	42	-9	48	-15
Dniprovskiy District Court of Kyiv City	24	27	3	35	-8	27	0
Darnytskiy District Court of Kyiv City	23	26	3	30	-4	29	-3
Podilskiy District Court of Kyiv City	11	17	6	21	-4	21	-4
Total	541	518	-23	725	-207	868	-350

ANNEX 4

District and Departmental Prosecutor's Offices

<i>Oblast</i>	Number of Prosecutors as of May 1, 2020 ^a	District Offices ^b	Departmental Offices ^c	Damaged
Autonomous Region of Crimea and Sevastopol	45	0 ^e	0 ^e	No damage reported.
Vinnitsia <i>Oblast</i>	283	7	12	No damage reported.
Volyn <i>Oblast</i>	179	4	6	No damage reported.
Dnipropetrovsk <i>Oblast</i>	761	16	10	No damage reported.
Donetsk <i>Oblast</i>	598	8	10	Sixteen buildings have been damaged. Three suffered minimal damage, eight suffered moderate damage, and five were destroyed. Two are in temporarily uncontrolled territory and cannot be assessed.
Zhytomyr <i>Oblast</i>	261	6	-	No damage reported.
Zakarpattia (Trans-Carpathian) <i>Oblast</i>	211	5	4	No damage reported.
Zaporizhzhia <i>Oblast</i>	413	8	12	Four buildings have been damaged. Two suffered minimal damage and two suffered moderate damage. Another 19 buildings are in temporarily uncontrolled territory and cannot be assessed.
Ivano-Frankivsk <i>Oblast</i>	183	6	10	No damage reported.
Kyiv <i>Oblast</i>	388	8	-	One building was minimally damaged.
Kirovohrad <i>Oblast</i>	233	5	14	No damage reported.
Luhansk <i>Oblast</i>	308	5	10	All 35 buildings are in temporarily uncontrolled territory and cannot be assessed.
Lviv <i>Oblast</i>	414	10	-	No damage reported.
Mykolayiv <i>Oblast</i>	313	5	13	No damage reported.
Odesa <i>Oblast</i>	575	14	-	No damage reported.
Poltava <i>Oblast</i>	318	7	-	No damage reported.
Rivne <i>Oblast</i>	197	5	11	No damage reported.
Sumy <i>Oblast</i>	268	6	13	No damage reported.
Ternopil <i>Oblast</i>	180	6	-	No damage reported.
Kharkiv <i>Oblast</i>	566	14	17	A total of 11 buildings have been damaged. Six suffered minimal damage, three suffered moderate damage, and two were completely destroyed. Five additional buildings are in temporarily uncontrolled territory, and cannot be assessed. Also, there was no access to five buildings in de-occupied territory, and they were not assessed.
Kherson <i>Oblast</i>	292	6	10	A total of 14 buildings have been damaged, including 13 that suffered moderate damage, and one that was destroyed. Another 20 buildings are in temporarily uncontrolled territory and cannot be assessed.
Khmelnitskyi <i>Oblast</i>	234	5	-	No damage reported.
Cherkasy <i>Oblast</i>	259	5	16	No damage reported.
Chernivtsi <i>Oblast</i>	157	3	6	No damage reported.
Chernihiv <i>Oblast</i>	236	6	-	A total of 8 buildings were minimally damaged.
Kyiv (city)	696	10	-	No damage reported.
Total	8568	180	174	

a Data provided by Office of the Prosecutor General of Ukraine

b Annex 5

c Annex 5. However, no information has been located from ten *Oblasts* regarding the existence or locations of any departmental offices.

d Information provided by Office of the Prosecutor General of Ukraine as of December 5, 2022.

e After occupation in 2014, the prosecutors' offices in these regions were relocated to Kyiv and Kherson.

ANNEX 5

Regional, District, and Departmental Prosecutor's Offices

Vynnytsia Oblast¹

Vynnytsia Regional Prosecutor's Office (Vynnytsia)

Vynnytsia District Prosecutor's Office (Vynnytsia)

- Tyvriv Department (Tyvriv)

Nemyriv District Prosecutor's Office (Nemyriv)

- Lypovets Department (Lypovets)

Haisyn District Prosecutor's Office (Haisyn)

- Bershada Department (Bershada)
- Teplyk Department (Teplyk)
- Trostyanets Department (Trostyanets)

Zhmerynka District Prosecutor's Office (Zhmerynka)

- Bar Department (Bar)
- Sharhorod Department (Sharhorod)

Mohyliv-Podilsky District Prosecutor's Office (Mohyliv-Podilsky)

- Yampil Department (Yampil)

Tulchyn District Prosecutor's Office (Tulchyn)

- Kryzhopil Department (Kryzhopil)
- Tomashpil Department (Tomashpil)

Khmilnytsky District Prosecutor's Office (Khmilnyk)

- Kozyatyn Department (Kozyatyn)
- Kalynivka Department (Kalynivka)

Volyn Oblast²

Volyn Regional Prosecutor's Office (Lutsk)

Volodymyr-Volyn District Prosecutor's Office (Volodymyr-Volynskyi)

- Novovolynsk Department (Novovolynsk)

Kamin-Kashira District Prosecutor's Office (Kamin-Kashirskyi)

- Manevychi Department (Manevychi)

Kovel District Prosecutor's Office (Kovel)

- Liuboml Department (Liuboml)
- Ratniv Department (Ratne)

Lutsk District Prosecutor's Office (Lutsk)

- Gorokhiv Department (Gorokhiv)
- Kivertsia Department (Kivertsia)

Dnipropetrovsk Oblast³

Dnipropetrovsk Regional Prosecutor's Office (Dnipro)

Zhovtovodsk District Prosecutor's Office (Zhovti Vody)

- Vilnohirsk Department (Vilnohirsk)
- Krynytsky Department (Krynytsky)
- Piatykhatky Department (Piatykhatky)

Western District Prosecutor's Office of the City of Dnipro (Dnipro)

Kamianske District Prosecutor's Office (Kamianske)

Kryvyi Rih Southern District Prosecutor's Office (Kryvyi Rih)

- Shirokiv Department (Shirokiv)

Kryvyi Rih Northern District Prosecutor's Office (Kryvyi Rih)

Kryvyi Rih Eastern District Prosecutor's Office (Kryvyi Rih)

- Sofia Department (Sofia)

Kryvyi Rih Central District Prosecutor's Office (Kryvyi Rih)

Left Bank District Prosecutor's Office of the Dnieper City (Dnipro)

Nikopol District Prosecutor's Office (Nikopol)

- Pokrovsky Department (Pokrovsky)
- Tomakovsky Department (Tomakivka)

Novomoskovsk District Prosecutor's Office (Novomoskovsk)

Pavlograd District Prosecutor's Office (Pavlograd)

Pershotravensk District Prosecutor's Office (Pershotravensk)

- Mezhyiv Department (Mezhova)

Right-bank District Prosecutor's Office of the City of Dnipro (Dnipro)

Synelnykiv District Prosecutor's Office (Pershotravensk)

- Pokrovsky Department (Pokrovsky)

Slobozhansk District Prosecutor's Office (Slobozhanske)

- Tsarychansky Department (Tsarychanka)

Central District Prosecutor's Office of the City of Dnipro (Dnipro)

Donetsk Oblast⁴

Donetsk Regional Prosecutor's Office (Dnipro)

Bakhmut District Prosecutor's Office (Bakhmut)

- Toretsky Department (Toretsky)

Volnovakha District Prosecutor's Office (Volnovakha)

- Velykonovosilkivsky Department (Velyka Novosilka)

Konstantinovka District Prosecutor's Office (Kostiantynivka)

- Avdiivka Department (Avdiivka)

Kramatorsk District Prosecutor's Office (Kramatorsk)

- Druzhkivsky Department (Druzhkivka)
- Oleksandrivka Department (Oleksandrivka)

Left Bank District Prosecutor's Office (Mariupol)

Mariupol District Prosecutor's Office (Mariupol)

Pokrovsky District Prosecutor's Office (Pokrovsk)

- Myrnograd Department (Myrnograd)
- Selidovo Department (Selidovo)
- Dobropol Department (Dobropillya)
- Kurakhiv Department (Kurakhove)

Slavic District Prosecutor's Office (Slavyansk)

- Lyman Department (Lyman)

Zhytomyr Oblast⁵

Zhytomyr Regional Prosecutor's Office (Zhytomyr)

Berdychiv District Prosecutor's Office (Berdychiv)

Zhytomyr District Prosecutor's Office (Zhytomyr)

Korosten District Prosecutor's Office (Korosten)

Korostyshiv District Prosecutor's Office (Korostyshiv)

Novograd-Volyn District Prosecutor's Office (Novograd-Volynsky)

Chudniv District Prosecutor's Office (Chudniv)

Zakarpattia Oblast⁶

Zakarpattia Regional Prosecutor's Office (Uzhgorod)

Berehiv District Prosecutor's Office (Berehovo)

- Vynohradiv Department (Vynohrad)

Mukachiv District Prosecutor's Office (Mukachevo)

1 Vynnytsia Regional Prosecutor's Office, "The structure of the Vynnytsia Regional Prosecutor's Office," found at <https://vin.gp.gov.ua/ua/structure.html>.

2 Volyn Regional Prosecutor's Office, "Structure - Volyn Regional Prosecutor's Office," found at <https://vol.gp.gov.ua/ua/structure.html>.

3 Dnipropetrovsk Regional Prosecutor's Office, "Structure - Dnipropetrovsk Regional Prosecutor's Office," found at <https://dnipr.gp.gov.ua/ua/structure.html>.

4 Donetsk Region Prosecutor's Office, "or the knowledge of the residents of the region," found at https://don.gp.gov.ua/ua/subordinate_offices_.html. Some of these offices such as those in Mariupol and Bakhmut unquestionably have closed, and likely have been destroyed. Other towns in western Donetsk Oblast remain under Ukrainian control, but are the subject of intense fighting and/or shelling that likely have caused prosecutors' offices in those areas to close. No information has been located concerning the current status of those offices.

5 Zhytomyr Region Prosecutor's Office, "List of district Prosecutor's offices," found at https://zhit.gp.gov.ua/ua/subordinate_offices_.html. No information is available regarding the existence or locations of any departmental offices in Zhytomyr Oblast.

6 Zakarpattia Region Prosecutor's Office, "The structure of the regional Prosecutor's office," found at <https://zak.gp.gov.ua/ua/structure.html>.

- Volovets Department (Volovets)
 - Svaliava Department (Svaliava)
- Tyachiv District Prosecutor's Office (Tyachiv)**
- Rakhiv Department (Rakhiv)
- Uzhgorod District Prosecutor's Office (Uzhgorod)**
- Velykoberezhniansky Department (Velykoberezhniansky)
 - Perechyn Department (Perechyn)
- Khust District Prosecutor's Office (Khust)**
- Irshava Department (Irshava)
 - Mizhhiria Department (Mizhhiria)
- Zaporizhzhia Oblast⁷**
- Zaporizhzhia Regional Prosecutor's Office (Zaporizhzhia)**
- Vozneseniv District Prosecutor's Office of Zaporizhzhia (Zaporizhzhia)**
- Dnipro District Prosecutor's Office of Zaporizhzhia (Zaporizhzhia)**
- Shevchenkivsky District Prosecutors Office of Zaporizhzhia (Zaporizhzhia)**
- Berdiansk District Prosecutor's Office (Berdiansk)⁸**
- Primorsky department (Primorsk)
 - Chernihiv department (Chernihivka)
- Vasylivka District Prosecutor's Office (Vasylivka)⁸**
- Kamian-Dnieper department (Km'iane)
 - Mykhailo department (Mykhailo-Lukasheve)
- Zaporizhzhia District Prosecutor's Office (Zaporizhzhia)**
- Novomykolaiv Department (Novomykolaivka)
- Melitopol District Prosecutor's Office (Melitopol)⁸**
- Veselov department (Vesele)
 - Azov department (Azov)
 - Yakimov department (Yakimov)
- Pology District Prosecutor's Office (Pology)⁸**
- Bilmatsky department (Bilmak)
 - Gulyaipil department (Gulyaipil)
 - Orikhiv branch (Orikhiv)
 - Tokmak department (Tokmak)
- Ivano-Frankivsk Oblast⁹**
- Ivano-Frankivsk Regional Prosecutor's Office (Ivano-Frankivsk)**
- Ivano-Frankivsk District Prosecutor's Office (Ivano-Frankivsk)**
- Bohorodchany Department (Bohorodchany)
 - Halych Department (Halych)
 - Rohatyn Department (Rohatyn)
 - Tlumach Department (Tlumach)
- Kalush District Prosecutor's Office (Kalush)**
- Dolyna Department (Dolyna)
 - Rozhniativ Department (Rozhniativ)
- Kolomyia District Prosecutor's Office (Kolomyia)**
- Horodenka Department (Horodenka)
 - Sniatyn Department (Sniatyn)
- Kosiv District Prosecutor's Office (Kosiv)**
- Verkhovyna Department (Verkhovyna)
- Nadvirna District Prosecutor's Office (Nadvirna)**
- Yaremche Department (Yaremche)
- District Prosecutor's Office of Ivano-Frankivsk (Ivano-Frankivsk)**

Kyiv Oblast¹⁰

- Kyiv Regional Prosecutor's Office (Kyiv)**
- Vyshhorod District Prosecutor's Office (Vyshhorod)**
- Bucha District Prosecutor's Office (Bucha)**
- Bila Tserkva District Prosecutor's Office (Bila Tserkva)**
- Boryspil District Prosecutor's Office (Boryspil)**
- Brovary District Prosecutor's Office (Brovary)**
- Obukhiv District Prosecutor's Office (Obukhiv)**
- Kyiv-Sviatoshynsky District Prosecutor's Office (Sofiivska Borschahivka)**
- Fastiv District Prosecutor's Office (Fastiv)**

Kirovohrad Oblast¹¹

- Kirovohrad Regional Prosecutor's Office (Kropyvnytskyi)**
- Golovanivka District Prosecutor's Office (Golovanivsk)**
- Blahovishchenske Department (Blahovishchenske)
 - Vilshansky Department (Vilshanka)
 - Haivoron Department (Haivoron)
 - Novoarkhanhelsk Department (Novoarkhanhelsk)
- Znamyansk District Prosecutor's Office (Znamyanka)**
- Bobrynets Department (Bobrynets)
 - Dolynska Department (Dolynska)
 - Novgorod Department (Novgorod)
 - Oleksandrivka Department (Oleksandrivka)
- Kropyvnytskyi District Prosecutor's Office (Kropyvnytskyi)**
- Novoukrainska District Prosecutor's Office (Novoukrainka)**
- Dobrovelychkivsky Department (Dobrovelychkivka)
 - Malovysk Department (Mala Vyska)
 - Novomyrhorod Department (Novomyrhorod)
- Oleksandrivka District Prosecutor's Office (Oleksandrivka)**
- Onufriivsky Department (Onufriivka)
 - Petrovsky Department (Petrove)
 - Svitlovodsk Department (Svitlovodsk)

Luhansk Oblast¹²

- Luhansk Regional Prosecutor's Office (Severodonetsk)**
- Lysychansk District Prosecutor's Office (Lysychansk)**
- Popasnyansky Department (Popasna)
- Svativka District Prosecutor's Office (Svatove)**
- Belokurakinsky Department (Bilokurakynye)
 - Troitske Department (Troitske)
- Severodonetsk District Prosecutor's Office (Severodonetsk)**
- Kreminna Department (Kreminna)
 - Rubizhne Department (Rubizhne)
- Starobilsk District Prosecutor's Office (Starobilsk)**
- Belovodsk Department (Belovodsk)
 - Markiv Department (Markiv)
 - Milovsky Department (Milove)
 - Novopskovsky Department (Novopskov)
- Shchastyn District Prosecutor's Office (Novoaydar)**
- Stanychno-Luhansk Department (Stanytsia)

Lviv Oblast¹³

- Lviv Regional Prosecutor's Office (Lviv)**
- Halych District Prosecutor's Office of Lviv (Lviv)**
- Frankivsk District Prosecutor's Office of Lviv (Lviv)**
- Drohobych District Prosecutor's Office (Drohobych)**

7 Annex to Order of the Prosecutor General of Ukraine No. 39 "On certain issues of ensuring the start of work of district Prosecutor's offices," dated 17 February 2021; Zaporizhzhia Region Prosecutor's Office, "Structure," found at <https://zap.gp.gov.ua/ua/structure.html>.

8 Under Russian occupation.

9 Ivano-Frankivsk Region Prosecutor's Office, "The structure of the Ivano-Frankivsk Regional Prosecutor's Office," found at <https://ifr.gp.gov.ua/ua/structure.html>.

10 Kyiv Region Prosecutor's Office, "Subordinate to the Prosecutor's office," found at <https://kobl.gp.gov.ua/ua/pidprko.html>. No information is available regarding the existence or locations of any departmental offices in the Kyiv Oblast.

11 Kirovohrad Region Prosecutor's Office, "The structure of the Kirovohrad Regional Prosecutor's Office," found at <https://kir.gp.gov.ua/ua/structure.html>.

12 All prosecutor's offices in Luhansk Oblast are in temporarily occupied territory and are closed. Information provided by Office of the Prosecutor General of Ukraine as of December 5, 2022.

13 Lviv Region Prosecutor's Office, "Hotline telephones and e-mail addresses for citizens' appeals," found at https://lviv.gp.gov.ua/ua/subordinate_offices_.html. No information is available regarding the existence or locations of any departmental offices in the Lviv Oblast.

Zolochiv District Prosecutor's Office (Zolochiv)
 Zhovkva District Prosecutor's Office (Zhovkva)
 Pustomyty District Prosecutor's Office (Pustomyty)
 Stryi District Prosecutor's Office (Stryi)
 Sambir District Prosecutor's Office (Sambir)
 Chervonohrad District Prosecutor's Office (Chervonohrad)
 Yavoriv District Prosecutor's Office (Yavoriv)

Mykolayiv Oblast¹⁴

Mykolayiv Region Prosecutor's Office (Mykolayiv)
 District Prosecutor's Office of the City of Mykolayiv (Mykolayiv)
 Bashtan District Prosecutor's Office (Bashtanka)

- Berezhneuvatsky Department (Berezhneuvate)
- Kazankivsky Department (Kazanka)
- Novobuzhsky Department (Novy Buh)
- Snihuriv Department (Snihurivka)

 Voznesensk District Prosecutor's Office (Voznesensk)

- Veselinovsky Department (Veselinove)
- Domanivsky Department (Domanivka)
- Yelanets Department (Yelanets)
- Bratske Department (Bratske)
- Yuzhnoukrainsky Department (Yuzhnoukrainsk)

 Mykolayiv District Prosecutor's Office, Mykolayiv

- Berezansky Department (Berezanka)
- Ochakiv Department (Ochakiv)

 Pervomaisk District Prosecutor's Office (Pervomaisk)

- Vradiyivskyi Department (Vradiyivka)
- Kryvoozersky Department (Krive Ozero)

Odesa Oblast¹⁵

Odesa Regional Prosecutor's Office (Odesa)
 Kyiv District Prosecutor's Office of Odesa (Odesa)
 Malinovsky District Prosecutor's Office of Odesa (Odesa)
 Primorsky District Prosecutor's Office of Odesa (Odesa)
 Suvorov District Prosecutor's Office of Odesa (Odesa)
 Berezivska District Prosecutor's Office (Berezivka)
 Belgorod-Dniester District Prosecutor's Office (Bilhorod-Dnistrovskyi)
 Bilyayivska District Prosecutor's Office (Biliaivka)
 Bolhrad District Prosecutor's Office (Bolhrad)
 Dobroslav District Prosecutor's Office (Dobroslav)
 Izmail District Prosecutor's Office (Izmail)
 Lyubashiv District Prosecutor's Office (Liubashivka)
 Podolsk District Prosecutor's Office (Podolsk)
 Rozdilna District Prosecutor's Office (Rozdilna)
 Black Sea District Prosecutor's Office (Odesa)

Poltava Oblast¹⁶

Poltava Regional Prosecutor's Office (Poltava)
 Globinsk District Prosecutor's Office (Globinsk)
 Dykansky District Prosecutor's Office (Dykansky)
 Kremenchuk District Prosecutor's Office (Kremenchuk)
 Lubny District Prosecutor's Office (Lubny)
 Myrhorod District Prosecutor's Office (Myrhorod)
 Poltava District Prosecutor's Office (Poltava)
 Reshetyliv District Prosecutor's Office (Reshetylivka)

Rivne Oblast¹⁷

Rivne Regional Prosecutor's Office (Rivne)
 Rivne District Prosecutor's Office (Rivne)
 Dubno District Prosecutor's Office (Dubno)

- Mlyniv Department (Mlyniv)
- Radyvyliv Department (Radyvyliv)

 Varaska District Prosecutor's Office (Varash)

- Volodymyrets Department (Volodymyrets)
- Zarichne Department (Zarichne)

 Sarny District Prosecutor's Office (Sarny)

- Dubrovytsia Department (Dubrovytsia)
- Rokytne Department (Rokytne)

 Zdolbuniv District Prosecutor's Office (Zdolbuniv)

- Kostopil Department (Kostopil)
- Ostroh Department (Ostroh)
- Hoschansky Department (Hoshcha)
- Koretsky Department (Korets)
- Berezne Department (Berezne)

Sumy Oblast¹⁸

Sumy Regional Prosecutor's Office (Sumy)
 Konotop District Prosecutor's Office (Konotop)

- Buryh Department (Buryh)
- Krolevets Department (Krolevets)
- Putivl Department (Putivl)

 Sumy District Prosecutor's Office (Sumy)
 Okhtyrka District Prosecutor's Office (Okhtyrka)

- Velykopysarivsky Department (Velyka Pisarivka)
- Trostyanets Department (Trostyanets)

 Romny District Prosecutor's Office (Romny)

- Lipovodolinsky Department (Lypova Dolyna)
- Nedrigailiv Department (Nedrigailiv)

 Sumy District Prosecutor's Office (Sumy)

- Bilopillya Department (Bilopillya)
- Krasnopil Department (Krasnopillya)
- Lebedyn Department (Lebedyn)

 Shostka District Prosecutor's Office (Shostka)

- Hlukhiv Department (Hlukhiv)
- Seredino-Buda Department (Seredino-Buda)
- Yampil Department (Yampil)

Ternopil Oblast¹⁹

Ternopil Regional Prosecutor's Office (Ternopil)
 Ternopil District Prosecutor's Office (Ternopil)
 Kremenets District Prosecutor's Office (Kremenets)
 Berezhan District Prosecutor's Office (Berezhan)
 Buchach District Prosecutor's Office (Buchach)
 Terebovlya District Prosecutor's Office (Terebovlya)
 Chortkiv District Prosecutor's Office (Chortkiv)

Kharkiv Oblast²⁰

Kharkiv Regional Prosecutor's Office (Kharkiv)
 Kyiv District Prosecutor's Office of Kharkiv (Kharkiv)
 Nemyshlyany District Prosecutor's Office of Kharkiv (Kharkiv)
 Novobavarsky District Prosecutor's Office of Kharkiv (Kharkiv)
 Saltiv District Prosecutor's Office of Kharkiv (Kharkiv)

14 Mykolayiv Region Prosecutor's Office, "The structure of the Prosecutor's office," found at <https://myk.gov.ua/ua/structure.html>.

15 Annex to Order of the Prosecutor General of Ukraine No. 39 "On certain issues of ensuring the start of work of district Prosecutor's offices," dated 17 February 2021. No information has been located regarding the existence or locations of any departmental offices in the Odesa Oblast.

16 Poltava Region Prosecutor's Office, "The structure of the Poltava Regional Prosecutor's Office," found at <https://pol.gov.ua/ua/structure.html>. No information has been located regarding the existence or locations of any departmental offices in the Poltava Oblast.

17 Rivne Region Prosecutor's Office, "Information on the organizational structure of the Rivne Regional Prosecutor's Office, information on the heads of the Rivne Regional Prosecutor's Office, its structural subdivisions, heads of district Prosecutor's offices," found at <https://pro.gov.ua/struktura>.

18 Sumy Region Prosecutor's Office, "Structural subdivisions of the Sumy Regional Prosecutor's Office," found at <https://sumy.gov.ua/ua/structure.html>.

19 Ternopil Region Prosecutor's Office, "Structure of the Ternopil Regional Prosecutor's Office," found at <https://tern.gov.ua/ua/structure.html>. No information has been located regarding the existence or locations of any departmental offices in the Ternopil Oblast.

20 Kharkiv Region Prosecutor's Office, "Structure" found at <https://khar.gov.ua/ua/structure.html>. A number of courts in eastern Kharkiv Oblast remain closed, suggesting that the prosecutors' offices in those areas also may be closed.

Sloboda District Prosecutor's Office of Kharkiv (Kharkiv)
 Shevchenkivsky District Prosecutor's Office of Kharkiv (Kharkiv)
 Bohodukhiv District Prosecutor's Office (Bohodukhiv)

- Valkiv Department (Valky)
- Zolochiv Department (Zolochiv)
- Krasnokutsk Department (Krasnokutsk)

Krasnograd District Prosecutor's Office (Krasnograd)

- Kegychiv Department (Kegychiv)
- Zachepyliv Department (Zachepylivka)
- Sakhnovshchina Department (Sakhnovshchina)

Izium District Prosecutor's Office (Izium)

- Balaklia Department (Balaklia)
- Barvinkove Department (Barvinkove)

Lozova District Prosecutor's Office, Lozova

- Blyzniuky Department (Blyzniuky)
- Pershotravneve Department (Pershotravneve)
- Bor Department (Biliaivka)

Kupiansk District Prosecutor's Office (Kupiansk)

- Velykoburlutsky Department (Velykoburlutska)
- Dvorychansky Department (Dvorychansky)
- Shevchenko Department (Shevchenko)

Chuguiv District Prosecutor's Office (Chuguiv)

- Vovchansky Department (Vovchansk)
- Zmiiv Department (Zmiiv)

Kharkiv District Prosecutor's Office (Kharkiv)

- Novovodolazky Department (Nova Vodolaha)

Dergachiv District Prosecutor's Office (Dergachi)

Kherson Oblast²¹

Kherson Regional Prosecutor's Office (Kherson)

Beryslav District Prosecutor's Office (Beryslav)

- Velykooleksandrivka Department (Velyka Oleksandrivka)
- Vysokopol Department (Vysokopolya)

Henichesk District Prosecutor's Office (Henichesk)²²

- Novotroitske Department (Novotroitske)
- Nizhny Syrog Department (Nyzhni Syrozy)

Kakhovka District Prosecutor's Office (Kakhovka)²²

- Velikolepetysk Department (Velyka Lepetykha)
- Kakhovsky Department (Kakhovka)
- Chaplinsky Department (Chaplinsk)

Oleshkiv District Prosecutor's Office (Oleshky)²²

- Belozersky Department (Belozersky)

Skadovsk District Prosecutor's Office (Skadovsk)²²

- Holoprystan Department (Holo Prystan)
- Kalanchak Department (Kalanchak)

Kherson District Prosecutor's Office (Kherson)

Khmelnysky Oblast²³

Khmelnysky Regional Prosecutor's Office (Khmelnysky)

Volochis District Prosecutor's Office (Volochysk)

Kamyansky District Prosecutor's Office (Kamyansky)

Letychiv District Prosecutor's Office (Letychiv)

Khmelnysky District Prosecutor's Office (Khmelnysky)

Sheptiv District Prosecutor's Office (Shepetivka)

Cherkasy Oblast²⁴

Cherkasy Regional Prosecutor's Office (Cherkasy)

Zvenigorod District Prosecutor's Office (Zvenigorodka)

- Katerynopil Department (Katerynopil)
- Lysyansky Department (Lisyanka)
- Talnivsky Department (Talne)
- Shpola Department (Shpola)

Zolotonosha District Prosecutor's Office (Zolotonosha)

- Drabiv Department (Drabiv)
- Chornobayiv Department (Chornobay)

Smilyan District Prosecutor's Office (Smila)

- Horodyshe Department (Horodyshe)
- Kaniv Department (Kaniv)
- Kamyanka Department (Kamyanka)
- Korsun-Shevchenkivsky Department (Korsun-Shevchenkivsky)

Uman District Prosecutor's Office (Uman)

- Zhashkiv Department (Zhashkiv)
- Mankiv Department (Mankivka)
- Monastyryshche Department (Monastyryshe)
- Khrystyniv Department (Khrystynivka)

Cherkasy District Prosecutor's Office (Cherkasy)

- Cherkasy Department (Cherkasy)
- Chyhyryn Department (Chyhyryn)

Chernivtsi Oblast²⁵

Chernivtsi Regional Prosecutor's Office (Chernivtsi)

Chernivtsi District Prosecutor's Office (Chernivtsi)

- Hertsai Department (Hertz)
- Hlybokaje Department (Hlyboka)
- Zastavinsky Department (Zastavna)
- Kitsman Department (Kitsman)
- Novoselytsia Department (Novoselytsia)
- Storozhynets Department (Storozhynets)

Dniester District Prosecutor's Office (Kelmetsi, Putila, and Khotyn)

Vyzhnytsia District Prosecutor's Office (Vyzhnytsia)

Chernihiv Oblast²⁶

Chernihiv Regional Prosecutor's Office (Chernihiv)

Kozelets District Prosecutor's Office (Kozelets)

Koryukiv District Prosecutor's Office (Koryukivka)

Nizhyn District Prosecutor's Office (Nizhyn)

Novgorod-Siversky District Prosecutor's Office (Novgorod-Siversky)

Pryluky District Prosecutor's Office (Pryluky)

Chernihiv District Prosecutor's Office (Chernihiv)

Kyiv City²⁷

Holosiivskyi District Prosecutor's Office of Kyiv

Darnytsia District Prosecutor's Office of Kyiv

Desniansky District Prosecutor's Office of Kyiv

Dnipro District Prosecutor's Office of Kyiv

Obolon District Prosecutor's Office of Kyiv

Pechersk District Prosecutor's Office of Kyiv

Podolsk District Prosecutor's Office of Kyiv

Sviatoshynsky District Prosecutor's Office of Kyiv

Solomiansky District Prosecutor's Office of Kyiv

Shevchenkivska District Prosecutor's Office of Kyiv

21 Kherson Region Prosecutor's Office, "Information about the district Prosecutor's offices of the Kherson region," found at <https://kherson.gov.ua/ua/contacts.html>.

22 Under Russian occupation.

23 Khmelnytsky Region Prosecutor's Office, "Structure of the Khmelnytsky Regional Prosecutor's Office," found at <https://khmel.gov.ua/ua/structure.html>. No information has been located regarding the existence or locations of any departmental offices in the Khmelnytsky Oblast.

24 Cherkasy Region Prosecutor's Office, "Cherkasy Regional Prosecutor's Office," found at <https://chk.gov.ua/ua/structure.html>.

25 Chernivtsi Region Prosecutor's Office, "Chernivtsi Regional Prosecutor's Office," found at <https://chrn.gov.ua/ua/structure.html>.

26 Chernihiv Region Prosecutor's Office, "Information about subordinate Prosecutor's offices," found at https://chrg.gov.ua/ua/pid_prok.html. No information has been located regarding the existence or locations of any departmental offices in the Chernihiv Oblast.

27 Kyiv City Prosecutor's Office, "The structure of the Kyiv City Prosecutor's Office," found at <https://kyiv.gov.ua/ua/structure.html>.

ANNEX 6

Advokats by Oblast

<i>Oblast</i>	<i>Advokats Registered as of 12/14/20^a</i>	<i>Male Advokats as of 12/14/20^a</i>	<i>Female Advokats as of 12/14/20^a</i>	<i>Oblast Population – 2020^c</i>	<i>Advokats per 100,000 population - 2020</i>
Vinnysia <i>Oblast</i>	1,213	64%	36%	1,529,123	79.3
Volyn <i>Oblast</i>	1,101	68%	32%	1,027,397	107.2
Dnipropetrovsk <i>Oblast</i>	4,144	58%	42%	3,142,035	131.9
Donetsk <i>Oblast</i>	4,208	60%	40%	4,100,280	102.6
Zhytomyr <i>Oblast</i>	937	65%	35%	1,195,495	78.4
Zakarpattia (Trans-Carpathian) <i>Oblast</i>	1,813	70%	30%	1,250,129	145.0
Zaporizhzhia <i>Oblast</i>	2,599	57%	43%	1,666,515	156.0
Ivano-Frankivsk <i>Oblast</i>	1,474	64%	36%	1,361,109	108.3
Kyiv <i>Oblast</i>	8,899	68%	32%	1,788,530	497.6
Kirovohrad <i>Oblast</i>	874	63%	37%	920,128	95.0
Luhansk <i>Oblast</i>	847	62%	38%	2,121,322	39.9
Lviv <i>Oblast</i>	3,769	62%	38%	2,497,750	150.9
Mykolayiv <i>Oblast</i>	1,527	57%	43%	1,108,394	137.8
Odesa <i>Oblast</i>	3,902	57%	43%	2,368,107	164.8
Poltava <i>Oblast</i>	3,276	59%	41%	1,371,529	238.9
Rivne <i>Oblast</i>	1,445	63%	37%	1,148,456	125.8
Sumy <i>Oblast</i>	659	63%	37%	1,053,452	62.6
Ternopil <i>Oblast</i>	900	68%	32%	1,030,562	87.3
Kharkiv <i>Oblast</i>	2,791	59%	41%	2,633,834	106.0
Kherson <i>Oblast</i>	700	59%	41%	1,016,707	68.8
Khmelnyskyi <i>Oblast</i>	985	66%	34%	1,243,787	79.2
Cherkasy <i>Oblast</i>	1,183	66%	34%	1,178,266	100.4
Chernivtsi <i>Oblast</i>	1,063	64%	36%	896,566	118.6
Chernihiv <i>Oblast</i>	992	62%	38%	976,701	101.6
Kyiv (city)	6,015	64%	36%	2,962,180	203.1
Total	58,999^b	62%	38%	41,588,354^d	141.9

a Ukrainian National Bar Association, *Annual Report for 2020* (Kyiv, 2021).

b Includes *advokats* registered with the UNBA Bar Councils of the Autonomous Republic of Crimea and the City of Sevastopol.

c Estimates from Ukrainian Statistical Office, found at <http://www.citypopulation.de/en/ukraine/cities/>.

d Does not include estimated populations of the Autonomous Republic of Crimea and the City of Sevastopol.

ANNEX 7

Notaries

Oblast	Notaries as of 31 December 2021 ^a			Notaries Permitted to Access Registries as of 3 May 2022 ^b			Notaries Permitted to Access Registries as of 22 March 2023 ^c		
	Total	Public Notaries	Private Notaries	Total	Public Notaries	Private Notaries	Total	Public Notaries	Private Notaries
Vinnysia Oblast	198	42	156	173	37	136	201	40	161
Volyn Oblast	141	20	121	116	19	97	138	20	118
Dnipropetrovsk Oblast	488	59	429	156	31	125	463	59	404
Donetsk Oblast	192	54	138	-	-	-	44	10	34
Zhytomyr Oblast	130	24	106	108	16	92	129	24	105
Zakarpattia (Trans-Carpathian) Oblast	180	24	156	156	19	137	175	24	151
Zaporizhzhia Oblast	210	26	184	65	9	56	121	12	109
Ivano-Frankivsk Oblast	178	19	159	154	16	138	174	17	157
Kyiv Oblast	362	51	311	113	12	101	350	54	296
Kirovohrad Oblast	157	29	128	130	24	106	154	28	126
Luhansk Oblast	81	18	63	-	-	-	-	-	-
Lviv Oblast	446	51	395	345	39	306	434	49	385
Mykolayiv Oblast	168	27	141	10	-	10	141	20	121
Odesa Oblast	434	48	386	211	2	209	402	48	354
Poltava Oblast	192	24	168	19	19	0	192	26	166
Rivne Oblast	145	11	134	124	11	113	145	12	133
Sumy Oblast	140	17	123	100	11	89	134	15	119
Ternopil Oblast	133	21	112	117	17	100	136	22	114
Kharkiv Oblast	512	73	439	33	6	27	324	43	181
Kherson Oblast	145	22	123	-	-	-	9	2	7
Khmelnyskyi Oblast	168	22	146	147	17	130	163	19	144
Cherkasy Oblast	107	21	86	80	15	65	111	24	87
Chernivtsi Oblast	108	12	96	99	11	88	109	11	98
Chernihiv Oblast	142	21	121	27	5	22	128	19	109
Kyiv (city)	1410	101	1309	349	7	342	1227	90	1137
Total	6385	839	5516	2832	343	2489	5604	688	4916

a Ministry of Justice, "Report on the work of public and private notaries for 2021," found at <https://minjust.gov.ua/m/zvit-pro-robotu-derjavnih-ta-privatnih-notariusiv-za-2021-rik-po-Oblastyam>.

b Ministry of Justice, "List of Notaries from 05/03/2022, Which Perform Notarial Actions Regarding Valuable Property Under Martial Law," dated 3 May 2022, found at <https://minjust.gov.ua/m/perelik-notariusiv-vid-03052022-yakimi-v-umovah-voennogo-stanu-vchinyayutsya-notarialni-dii-schodo-tsinnogo-mayna>.

c Ministry of Justice, "List of Notaries from 03/22/2023, Which Perform Notarial Actions Regarding Valuable Property Under Martial Law," dated 22 March 2023, found at <https://minjust.gov.ua/m/perelik-notariusiv-vid-22032023-yakimi-v-umovah-voennogo-stanu-vchinyayutsya-notarialni-dii-schodo-tsinnogo-mayna>.

ANNEX 8

Legal Education - Bachelor's^a

Oblast	Bachelor's Programs	Authorized Annual Number of Bachelor's Students	Bachelor's Students			
			Total	Day	Correspondence	Remote
Vinnycia Oblast	8	793	1,524	1,089	435	-
Volyn Oblast	5	345	951	616	327	8
Dnipropetrovsk Oblast	11	1,945	2,914	1,874	1,040	-
Donetsk Oblast	3	760	420	201	219	-
Zhytomyr Oblast	4	230	694	502	192	-
Zakarpattia (Trans-Carpathian) Oblast	2	450	1,134	759	375	-
Zaporizhzhia Oblast	9	1,090	1,400	830	570	-
Ivano-Frankivsk Oblast	4	900	1,170	815	355	-
Kyiv Oblast	3	960	1,730	1,193	537	-
Kirovohrad Oblast	6	270	471	316	155	-
Luhansk Oblast	2	910	473	176	297	-
Lviv Oblast	9	2,760	5,712	4,228	1,484	-
Mykolayiv Oblast	4	370	780	462	318	-
Odesa Oblast	10	5,800	6,394	4,749	1,645	-
Poltava Oblast	6	720	1,340	765	575	-
Rivne Oblast	5	485	1,200	847	353	-
Sumy Oblast	4	765	1,010	594	384	32
Ternopil Oblast	2	420	1,061	744	317	-
Kharkiv Oblast	8	6,100	8,786	6,209	2,577	-
Kherson Oblast	5	565	430	239	191	-
Khmelnyskyi Oblast	7	740	1,372	959	413	-
Cherkasy Oblast	5	240	654	367	232	55
Chernivtsi Oblast	2	600	1,116	747	310	59
Chernihiv Oblast	5	885	937	636	301	-
Kyiv (city)	39	13,325	17,092	10,255	6,744	93
Total	168	42,428	60,765	40,172	20,346	247

^a Ministry of Education and Culture, "Register of Subjects of Educational Activity," viewed 28 March 2023, found at <https://registry.edbo.gov.ua/search/>. Includes Bachelor's programs in both Law and International Law.

ANNEX 9

Legal Education – Master's^a

Oblast	Master's Programs	Authorized Annual Number of Master's Students	Master's Students			
			Total	Day	Correspondence	Remote
Vinnitsia Oblast	4	305	268	129	139	-
Volyn Oblast	4	348	244	203	41	-
Dnipropetrovsk Oblast	8	885	826	242	584	-
Donetsk Oblast	2	420	175	5	170	-
Zhytomyr Oblast	3	200	277	45	232	-
Zakarpattia (Trans-Carpathian) Oblast	2	420	216	139	77	-
Zaporizhzhia Oblast	5	615	199	96	103	-
Ivano-Frankivsk Oblast	2	250	196	90	106	-
Kyiv Oblast	2	580	401	127	274	-
Kirovohrad Oblast	2	225	185	19	166	-
Luhansk Oblast	2	155	192	14	178	-
Lviv Oblast	8	1,465	1,120	509	611	-
Mykolayiv Oblast	3	115	104	38	66	-
Odesa Oblast	7	4,140	1,662	697	965	-
Poltava Oblast	5	290	241	93	148	-
Rivne Oblast	3	230	228	146	82	-
Sumy Oblast	3	360	286	94	192	-
Ternopil Oblast	1	280	203	109	94	-
Kharkiv Oblast	7	4,580	1,678	793	885	-
Kherson Oblast	3	300	200	15	185	-
Khmelnyskyi Oblast	4	415	307	107	200	-
Cherkasy Oblast	4	175	107	58	49	-
Chernivtsi Oblast	2	135	266	140	113	13
Chernihiv Oblast	4	385	204	55	149	-
Kyiv (city)	33	7,285	5,536	1,715	3,819	2
Total	123	24,558	15,321	5,678	9,628	15

^a Ministry of Education and Culture, "Register of Subjects of Educational Activity," viewed 28 March 2023, found at <https://registry.edbo.gov.ua/search/>. Includes Master's programs in both Law and International Law.

Vinnitsia Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Vinnitsia State Pedagogical University named after Mykhailo Kotsyubynsky	75	42	32	10	-
Vinnitsia National Agrarian University	50	48	17	31	-
Vinnitsia Institute of Trade and Economics of the State University of Trade and Economics	60	59	29	30	-
Donetsk National University named after Vasyl Stus	120	119	51	68	-
Total	305	268	129	139	-

Volyn Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Open International University of Human Development "Ukraine" Lutsk Institute of Human Development	20	16	12	4	-
Volyn Institute named after Vyacheslav Lipinsky MAUP	188	97	97	-	-
Lesya Ukrainka Volyn National University	100	99	74	25	-
Lutsk National Technical University	40	32	20	12	-
Total	348	244	203	41	-

Dnipropetrovsk Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Alfred Nobel University	50	21	21	-	-
Dnipro University for the Humanities	50	51	19	32	-
Oles Honchar Dnipro National University	200	76	37	39	-
Dnipropetrovsk State University of Internal Affairs	300	436	61	375	-
Dnipro University of Technology	125	86	35	51	-
University of Customs and Finance	100	77	46	31	-
State University of Economics and Technology	-	20	10	10	-
Kryvyi Rih Educational and Scientific Institute of Donetsk State University of Internal Affairs	60	59	13	46	-
Total	885	826	242	584	-

Donetsk Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Donetsk University of Economics and Law	20	3	1	2	-
Donetsk State University of Internal Affairs	400	172	4	168	-
Total	420	175	5	170	-

Zhytomyr Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Zhytomyr Polytechnic State University	50	49	25	24	-
Zhytomyr Institute of the Interregional Academy of Personnel Management	100	179	1	178	-
Polissia National University	50	49	19	30	-
Total	200	277	45	232	-

Zakarpattia Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Uzhhorod National University	400	212	136	76	-
Augustine Voloshin Carpathian University	20	4	3	1	-
Total	420	216	139	77	-

Zaporizhzhia Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Zaporizhzhia National University	200	108	67	41	-
Energodar Institute of State and Municipal Government of R.G. Khenokh "Classical Private University"	250	28	5	23	-
Zaporizhzhia Polytechnic National University	100	45	19	26	-
Berdiansk State Pedagogical University	50	18	5	13	-
Berdiansk University of Management and Business	15	-	-	-	-
Total	615	199	96	103	-

Ivano-Frankivsk Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
King Danylo University	50	50	26	24	-
Vasyl Stefanyk Precarpathian National University	200	146	64	82	-
Total	250	196	90	106	-

Kyiv Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Bila Tserkva National Agrarian University	40	40	18	22	-
State Tax University	540	361	109	252	-
Total	580	401	127	274	-

Kirovohrad Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Volodymyr Vynnychenko Central Ukrainian State University	35	37	15	22	-
Open International University of Human Development "Ukraine" Central Ukrainian Institute of Human Development	190	148	4	144	-
Total	225	185	19	166	-

Luhansk Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Luhansk State University of Internal Affairs named after E.O. Didorenko	120	161	-	161	-
Volodymyr Dahl East Ukrainian National University	35	31	14	17	-
Total	155	192	14	178	-

Lviv Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Ukrainian Catholic University	50	11	11	-	-
Lviv University of Business and Law	50	23	23	-	-
Lviv State University of Internal Affairs	300	246	48	198	-
Interregional Academy of Personnel Management	50	58	13	45	-
Lviv National University of Veterinary Medicine and Biotechnology named after S.Z. Grzycki	25	24	15	9	-
Ivan Franko National University of Lviv	580	355	211	144	-
Lviv University of Trade and Economics	50	50	25	25	-
Lviv Polytechnic National University	360	353	163	190	-
Total	1465	1120	509	611	-

Mykolayiv Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Admiral Makarov National University of Shipbuilding	40	42	20	22	-
Pylyp Orlyk International Classical University	25	25	2	23	-
Petro Mohyla Black Sea National University	50	37	16	21	-
Total	115	104	38	66	-

Odesa Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
International Humanitarian University	160	114	47	67	-
Odesa Maritime Academy	30	27	9	18	-
Odesa Law Academy	2980	797	525	272	-
Odesa State University of Internal Affairs	500	511	35	476	-
Odesa Institute of Interregional Academy of Personnel Management	170	106	5	101	-
Odesa National Maritime University	100	34	34	-	-
Odesa I. I. Mechnikov National University	200	73	42	31	-
Total	4140	1662	697	965	-

Poltava Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Poltava University of Economics and Trade	70	38	13	25	-
Open International University of Human Development "Ukraine" - Poltava Institute of Economics and Law	50	32	9	23	-
Poltava State Agrarian University	40	40	23	17	-
Poltava Law Institute of Yaroslav the Wise National Law University	100	101	36	65	-
Kremenchug National University named after Mikhail Ostrogradsky	30	30	12	18	-
Total	290	241	93	148	-

Rivne Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
National University of Water and Environmental Engineering	100	98	51	47	-
International University of Economics and Humanities named after Academician Stepan Demianchuk	50	50	20	30	-
Ostroh Academy	80	80	75	5	-
Total	230	228	146	82	-

Sumy Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Sumy branch of Kharkiv National University of Internal Affairs	50	37	13	24	-
Sumy State University	260	101	45	56	-
Sumy National Agrarian University	50	148	36	112	-
Total	360	286	94	192	-

Ternopil Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Western Ukrainian National University	280	203	109	94	-
Total	280	203	109	94	-

Kharkiv Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
National Aerospace University. M. E. Zhukovsky "Kharkiv Aviation Institute"	50	20	13	7	-
Yaroslav the Wise National Law University	2150	1366	668	698	-
Kharkiv University	60	7	3	4	-
Simon Kuznets Kharkiv National University of Economics	25	12	12	-	-
Kharkiv National Pedagogical University named after G.S. Skovoroda	70	31	11	20	-
Kharkiv National University of Internal Affairs	2000	138	31	107	-
V.N. Karazin Kharkiv National University	225	104	55	49	-
Total	4580	1678	793	885	-

Kherson Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
International University of Business and Law	25	5	5	-	-
Kherson Institute of the Interregional Academy of Personnel Management	190	187	7	180	-
Kherson State University	85	8	3	5	-
Total	300	200	15	185	-

Khmelnytskyi Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
National Academy of the State Border Guard Service of Ukraine. Bohdan Khmelnytsky	25	11	11	-	-
Khmelnytsky Institute named after His Beatitude Volodymyr, Metropolitan of Kyiv of the Interregional Academy of Personnel Management	185	122	10	112	-
Khmelnytsky University of Management and Law named after Leonid Yuzkov	175	167	86	81	-
Kamyanets-Podilsky Tax Institute	30	7	-	7	-
Total	415	307	107	200	-

Cherkasy Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Rauf Ablyazov East European University	60	14	7	7	-
Cherkasy State Technological University	35	9	6	3	-
Cherkasy Institute of Fire Safety named after the Heroes of Chernobyl of the National University of Civil Protection of Ukraine	30	23	-	23	-
Cherkasy Bohdan Khmelnytsky National University	50	61	45	16	-
Total	175	107	58	49	-

Chernivtsi Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Bukovinian University	60	34	-	21	13
Yuriy Fedkovych Chernivtsi National University	75	232	140	92	-
Total	135	266	140	113	13

Chernihiv Oblast

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Academy of the State Penitentiary Service	175	62	9	53	-
Chernihiv Polytechnic National University	150	106	41	65	-
North Ukrainian Institute named after Heroes of Kruty of the Interregional Academy of Personnel Management	40v	21	-	21	-
Nizhyn State University named after Nikolai Gogol	20	15	5	10	-
Total	385	204	55	149	-

Kyiv City

School	Authorized Annual Number of Master's Students	Master's Students			
		Total	Day	Correspondence	Remote
Academy of Labor, Social Relations and Tourism	100	87	16	71	-
Kyiv University of Market Relations	20	4	2	2	-
University of Economics and Law "KROK"	100	45	23	21	1
State University of Trade and Economics	240	197	63	134	-
State University of Infrastructure and Technology	120	63	28	35	-
Open International University of Human Development "Ukraine"	225	57	28	29	-
Academician Yuriy Bugay International Scientific and Technical University	60	76	17	59	-
Kyiv Cooperative Institute of Business and Law	30	25	16	9	-
Kyiv National Economic University Named After Vadym Hedman	150	219	79	140	-
Kyiv National Linguistic University	35	-	-	-	-
Kyiv National University of Construction and Architecture	15	8	4	4	-
Taras Shevchenko National University of Kyiv	850	889	612	277	-
Kyiv National University of Technologies and Design	30	12	5	6	1
Borys Grinchenko Kyiv University	25	24	12	12	-
Kyiv University of Intellectual Property and Law of the Odessa Law Academy	450	132	60	72	-
Kyiv University of Law of the National Academy of Sciences of Ukraine	140	123	44	79	-
Kyiv University of Tourism, Economics and Law	20	20	20	0	-
Mariupol State University	155	17	12	5	-
National Academy of Internal Affairs	2,700	2,137	191	1,946	-
National Academy of the Security Service of Ukraine	75	45	45	0	-
National Academy of Statistics, Accounting and Auditing	70	-	-	-	-
National Aviation University	150	103	69	34	-
Igor Sikorsky Kyiv Polytechnic Institute	100	77	43	34	-
National Transport University	80	50	24	26	-
National University of Life and Environmental Sciences of Ukraine	150	149	49	100	-
National University of Kyiv-Mohyla Academy	90	127	127	-	-
Interregional Academy of Personnel Management	500	657	31	626	-
National Academy of Management	100	-	-	-	-
European University	60	45	16	29	-
University of Modern Knowledge	130	10	6	4	-
Kyiv International University	45	35	25	10	-
Tavria National University named after V.I. Vernadsky	90	16	7	9	-
Academy of Advocacy of Ukraine	180	87	41	46	-
Total	7,285	5,536	1,715	3,819	2

About the Author

William D. Meyer is a lawyer based in Boulder, Colorado. A magna cum laude graduate of the University of Michigan Law School, he recently retired after 45 years as a trial attorney in private practice. For the past 30 years, Bill has worked with a variety of non-governmental and multinational organizations fostering the rule of law in more than 20 countries in Europe, the Middle East, Asia, and Africa. He began working in Ukraine in 1993, assisting on various projects through the years. Bill is a co-founder and former chair of the Board of Directors of ILAC, and led teams that developed several of ILAC's previous assessments.

ILAC is a global rule of law consortium providing technical assistance to justice sector actors in fragile and conflict-affected countries.

ILAC's mission is to rapidly respond to and assess the needs of the justice sector in conflict-affected and fragile countries, and help strengthen the independence and resilience of justice sector institutions and the legal profession.

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