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IMPROVING THE REFORM OF UKRAINE'S COURT SYSTEM BASED ON THE EUROPEAN EXPERIENCE

УДОСКОНАЛЕННЯ РЕФОРМУВАННЯ СУДОВОЇ СИСТЕМИ УКРАЇНИ НА ОСНОВІ ЄВРОПЕЙСЬКОГО ДОСВІДУ

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Граціотова Г.О., Вечтомова Г.В., Підмазко Ю.І. Удосконалення реформування судової системи України на основі Європейського досвіду. Оглядова стаття.

В даній статті досліджено судову систему України, розглянуто сучасний стан судової системи в Україні, надано класифікацію призначення судів за групами, доведено необхідність реформування судової системи України, розглянуто можливість впровадження штучного інтелекту в діяльності судової системи України, проаналізовано основні принципи використання штучного інтелекту в судових системах, розглянуто процес впровадження європейських стандартів цифрового правосуддя в Україні, визначено рівень довіри громадян України до судових інститутів, розглянуто реформування судової системи України на основі Європейського досвіду, наведено шляхи удосконалення реформування судової системи України на основі Європейського досвіду.

Ключові слова: судова система України, призначення судів, реформування судової системи України, штучний інтелект в діяльності судової системи, цифрове правосуддя, європейські стандарти цифрового правосуддя, довіра громадян до судових інститутів, Європейський досвід

Hratsiotova H.O., Vechtomova H.V., Pidmazko Yu.I. Improving the Reform of Ukraine's Court System Based on the European experience. Review article.

This article examines the court system of Ukraine, considers the current state of the court system in Ukraine, provides the classification of courts appointment by groups, proves the need for reforming Ukraine's court system, considers the possibility of introducing artificial intelligence in Ukraine's court system activity, analyzes the main principles of using artificial intelligence in court systems, the process of implementing European standards of digital justice in Ukraine has been considered, the level of trust of Ukrainian citizens in judicial institutions has been determined, the reform of Ukraine's court system based on the European experience has been considered, the ways for improving the reform of Ukraine's court system of based on the European experience have been given.

Keywords: Ukraine's court system, courts appointment, reforming the judicial system of Ukraine, artificial intelligence in the activity of the judicial system, digital justice, European standards of digital justice, citizens' trust in judicial institutions, European experience

Studies on the reform of the court system as a component of the modernization development of Ukraine is extremely relevant. Despite all the difficulties, our country is confidently moving towards comprehensive reform and European integration. Society expects confidence, professionalism, accountability and dynamic changes and improvements in all areas of their lives from the authorities. A person's right to judicial protection is a fundamental constitutional right. According to the Convention on the Protection of Human Rights and Fundamental Freedoms, the state is responsible for guaranteeing citizens' effective means of legal protection and the right to a fair trial. The Ukrainian community needs an efficient, accessible, open and modern judicial system. These requirements undoubtedly prompted the reform and development of the judicial system, its reformation.

Analysis of recent researches and publications

Many works of domestic and foreign scientists are dedicated to the issue of reforming the judicial system of Ukraine. In particular, the theoretical foundations development of certain issues and the characteristics of the

reform of the Ukrainian court system were studied by scientists: R. Krusian, M. Bulkat, M. Pohoretskyi, F. Viapiana, N. Lushchak, O. Skrypniuk, S. Koziakov, S. Vlasenko, N. Kriuchko, M. Popova, V. Valanchus, N. Malyshkina, A. Rachynskyi, O. Kaplina I. Filiniuk, N. Filipenko et al. A. Bashtannyk, D. Vitiuk, A. Haponov, I. Kaminska, P. Solomon, V. Koliukh, M. Kravchuk, V. Krykun, V. Oliinyk, L. Olefirenko. The court system activity was investigated by R. Shapoval, O. Ianovska and other domestic scientists.

Unsolved aspects of the problem

Despite the large number of research authors in this field, this direction remains insufficiently regulated. The important issues of the further development of the reform of court system as a structural component of Ukraine's modernization development and the prospects for reforming the domestic judicial system are remained outside the researchers' attention and are currently relevant.

The aim of the article is a more scientific and theoretical justification of the ways of reforming the judicial system as a structural component of the modernization development of Ukraine, developing practical recommendations for improving the authorities' activities in this area and improving the reforming of the judicial system of Ukraine based on the European experience.

The main part

The Ukrainian court system is in condition of permanent reform almost since the beginning of establishing the state of Ukraine. At the same time, the national legislation analysis shows that the scope and content of its powers are gradually changing. The corresponding changes are caused by various factors, mainly political conditions (the countries' obligations after joining the Council of Europe), as well as social, economic and legal factors, the judicial system formation.

Analyzing the regulations of the constitutional legislation of European countries, it can be concluded that the Constitutional Court judges are elected in the following way:

- direct appointment by the executive power;
- appointment for elections to the legislative power;
- joint appointments, which are divided into two groups: appointments of legislative, executive and judicial authorities and appointments of legislative and executive authorities.

The most obvious difference in electoral appointments is the variety of powers to nominate candidates to the Constitutional Court. Proposals can come from the president of the country and end with proposals from political parties (Liechtenstein), in Lithuania, candidates for the judge's position are submitted by the president, the parliament and the Supreme Court.

Mixed legislative, executive and judicial bodies are also found in Bulgaria, Spain, and Italy. Andorra, Romania, and France share legislative and executive appointments. Another issue worth knowing about is the Constitutional Court composition. In the countries of Central and Western Europe, the number of the Constitutional Court judges is different: France – 9, Greece – 12, Belgium – 12, Spain – 12, Portugal – 13, Italy – 15, Slovenia – 9, Hungary – 15 [1].

Judges' Appointments can be divided into three categories depending on the term of office:

1. Appointment to the position is in these cantons, judges perform their duties until the age established for the performance of these duties, that is, until the retirement age (Austria, Belgium). In Estonia, judges can remain in office for up to 5 years after reaching retirement age.

2. The term of office cannot be extended or renewed. In Bulgaria, Italy, and Lithuania, the non-renewable term is 9 years; 12 years term is in Germany and Spain, the term of office of the Constitutional members Court is 9 years, and renewal by 1/3 every three years is also provided for according to the constitution of Lithuania.

3. Designations whose term of office can be extended or renewed, for example: Belarus, Estonia (Table 1).

Table 1. The Classification of Ukraine's Courts Appointments

| Group | Classification |
|-------|---|
| 1 | Appointment for the term of office – in these countries, a judge performs his function until the age established for the exercise of this function, that is, until the retirement age (Austria, Belgium). In Estonia, judges can remain in office for up to 5 years after reaching retirement age |
| 2 | Appointment for a term of office that cannot be extended or renewed. The non-renewable term is 9 years in Bulgaria, Italy, Lithuania; for 12 years – in Germany. In Spain the Constitutional Court members are appointed for 9 years, every three years 1/3 is renewed, and the same is provided by the Constitution of Lithuania |
| 3 | Appointment for a term of office that can be extended or renewed, for example: Belarus, Estonia |

Source: compiled by the authors on materials [1]

The Secretariat of the Constitutional Court provides informational, organizational, scientific, and other assistance, organizes citizens' hearings, preliminary verification of individual reports, and assists in the cases preparation of Regulations on the Secretariat, its organization, the list of positions are approved by the Constitutional Court.

The secretariat has the manager who is responsible for all administrative work. Hiring and dismissing Secretariat employees and organizing the budget resources of the Court is the responsibility of the Chairman of

the Constitutional Court. In addition to the Constitutional Court, there is a Scientific Advisory Council, which includes scientists and experts in the field of law. The Regulation on the Scientific Advisory Council is approved by the Constitutional Court decision.

The Constitutional Court has its own budget and is an integral part of the state budget. The court budget is approved by the parliament at the same time as the state budget.

It is necessary to analyze the criteria for the appointment of the Constitutional Court judges, as a rule, putting forward the following socio-professional requirements: citizenship, age, legal capacity, professional competence, education, moral qualities, knowledge of the state language, permanent residence in the relevant country, prior agreement. Citizenship requirements are reflected in the legislation of Spain and Ukraine

Solicitors' general predominance of can be observed in several states (Austria, Germany). However, some states also admit illegal immigrants to the courts (France), but in practice, lawyers work in these courts.

In general, the maximum age for constitutional court judges ranges from 65 years old (Turkey) to 68 years old (Germany), 70 years old (Austria, Belgium) or even without restrictions (Bulgaria, Lithuania). Some state laws also set a minimum, for example, 45 years old in Hungary [2].

The transition from the post-industrial era to the information society is marked by the key role played by information and communication technologies in all areas of social life. In this era the pace of life is fast and the judicial process, which is the cornerstone of democracy, should also be fast. Court systems have become more efficient and user-oriented thanks to fully automated court processes and electronic means of communication, the so-called e-justice solution.

In Ukraine, the 2015-2020 Strategy for Reforming the Judiciary and Related Institutions of Legislation, approved by Presidential Decree, defines introducing information technologies and their activities automation in court work. Adopted in 2016, the new Law of Ukraine "On the Status of the Judiciary and Judges" led to the emergence of a new category in the judicial system - the Unified Judicial Information (Automated) System, which should be called the Unified Judicial Information and Telecommunications System (JITTS) according to the principle of operation. At the end of 2017, changes to the procedural legislation entered into force, which introduced the concept of "electronic court", regulated by the EUIITS development, which is innovative [3].

JITTS is designed to become a tool for improving the activities efficiency, which will ensure work in real time and make it as simple and convenient for citizens to apply to court as possible. According to the procedural legislation, EUIITS should become operational after 90 days from the date of publication of the TRR in the newspaper "Holos Ukrainy" (The Voice of Ukraine) and on the portal of the justice authorities of the corresponding announcement. In connection with such publications from 1 December 2018, it is expected that the system will be put into trial operation from 1 March 2019.

On 1 March 2019 the newspaper "Holos Ukrainy" published information about the decision cancellation of the CAP of Ukraine dated 1 December 2018 in the newspaper "Voice of Ukraine" regarding the creation and unification of the functioning of judicial information and telecommunications facilities, systems. Thus, EUIITS did not start working according to the procedures provided by law.

Nevertheless, the commissioning of various EUIITS subsystems and modules is ongoing on some ships. This situation is due to the introduction of the pilot use of EUIITS components by a separate order of the National Security and Defense Council of Ukraine in preparation for the launch of EUIITS. For example, in accordance with the order of the CAP of Ukraine 22 dated December 2018 No. 628, testing of the "electronic court" subsystem has begun in all local and appeal courts [4].

That is why EUIITS aims to become a technical pillar of the Ukrainian court system, uniting all courts and judicial authorities – State Architectural and Construction Inspection (SACI), the High Qualification Commission of Judges, and the High Council of Justice - and ensuring cooperation with external partners. Its mission is to make their joint work more effective by introducing modern technologies into everyday activities [5].

The Ukraine-EU summit was held on 6 October 2020, where political relations and economic integration of our country with the EU were discussed. Among the priority areas, digital transformation is considered key to sustainable development and sustainable economic growth. In this context, discussing the Annex XVII-3 of the Association Agreement plays an important role in the section of the Regulations applicable to telecommunication services. Their implementation will lead to the implementation of the most modern European standards in the field of electronic communications at the national level and further integration of our country into the single EU digital market.

The exceptional circumstances of the pandemic and global isolation have shown that digital technologies can expand human capabilities, and their development and expanded application are the priorities in almost every country in the world.

Global digitization and using information and communication technologies have covered all areas of public and national life, including the judicial system. The strategy for reforming the judiciary, judicial and related legal institutions for 2015-2020 provides for the use of information systems to provide more "electronic judicial" services.

As for the basic principles of digital justice (cyber-justice), they are enshrined in the conclusions of the European Council of Judges, the resolutions of Parliamentary Assembly of the Council of Europe, the Council of Ministers of the Council of Europe, the European Commission document of the Council of Europe on the justice

effectiveness and others that have created for it in this area, and the Act laying the foundations for the of European policy development.

In December 2016, the European Commission on Judicial Efficiency adopted the Recommendations for network justice, based on an analysis of the European countries' practice in the field of introducing information and communication systems in the judicial sector. In essence, these are basic principles for national legislators to ensure the effective use of ICT capabilities in the context of improving the functioning of the national justice system

In particular, the document emphasizes that the judicial system modernization should begin with a clear goal (increasing the quality of justice) and consider technology as a means, and not as a goal. Furthermore, the implementation of cyber-justice and its tools should be done by the courts, and not by technologies. Technology developers must work to better understand justice and work with judges and court staff. IT technologies should contribute to the promotion of the judicial values (impartiality, independence, legal certainty, accessibility), and not violate guarantees and procedural rights, such as the right to a fair trial [5].

In June 2019 European Commission for the efficiency of justice approved a toolkit for implementing the principles of cyber justice (digital, electronic justice). The main recommendations and principles of digital justice implementation are aimed at the courts and the Ministry of Justice and provide methodological assistance for improving national justice systems and optimizing the effectiveness of their activities. Certain documents include, among other things, tools designed to support the basic design process of cyber-justice organizations, tools for evaluating IT projects according to a given scope, tools for exploring the steps and actions required and used in the development and implementation of such justice system projects, etc.

The purpose of writing the documents included in the special toolkit is to support the judicial authorities of the member states of the Council of Europe in the effective management of the digital transformation process in the field of justice. Its main purpose is to facilitate the understanding of the main principles and stages of the implementation of e-justice in the judicial system, which are described in more detail in the Manual on e-Justice, as well as to clearly define the measures necessary for the implementation of various such IT projects and help government bodies in solving issues related to the e-justice implementation.

A key measure in the field of establishing and consolidating the principles of digital justice is the European Ethical Charter on the use of artificial intelligence in the justice system, adopted in 2018 (Table 2).

Thus, the main ethical principles of using artificial intelligence in the judicial system are:

1. Principles of observing fundamental human rights – establishing the compatibility of AI tools with fundamental rights;
2. The principle of non-discrimination is aimed at preventing increased discrimination between individuals;
3. The principles of quality and security provide that the processing of court decisions and data should take place in a secure technical environment using certified sources;
4. The principles of transparency, impartiality and fairness are designed to ensure the possibility of external audit;
5. The principle "under the user's control" which provides the exclusion of administrative methods and legitimizes the key role of the user, who must be "in the know" and control his choice [6].

Being the first international document regulating at the European level of ethical principles implementation for the use of artificial intelligence in the judicial system, this Charter is of historical significance and points to global transformations in all areas of social life and a person's final transition to the informational and digital age of transition.

With regard to the implementing European standards of digital justice in national judicial systems, it is important to note that Ukraine is one of the first EU partner countries to implement the provisions and principles of the European Code of Electronic Communications. This is a progressive step, as the current legislative framework in this area is outdated and does not meet modern realities and market requirements. We are talking about the "Law on Electronic Communications", which brings Ukraine closer to the adoption of European standards in the field of electronic communications.

It is worth noting the pilot project "Ministry of Digital Transformation" (Mintsyfra), which provides modern judicial testing based on digital documents and is implemented on the basis of Odesa Fifth Appeal Administrative Court. With the DIIA app create a temporary QR code that verifies the documents validity for entering the courthouse and use it at various stages, such as filing documents, reviewing case files, attending court hearings, etc.

When using ICT in the justice system, there are many problems with ensuring the integrity and security of databases that arise as a result of digital justice implementation. Aware of the risks and dangers of cyber attacks, the Ukrainian government has adopted two resolutions on strengthening cyber security and cyber defense at the national level. The objects of critical information infrastructure are subject to special cyber protection at the national level. According to Mykhailo Fedorov, the Minister of Digital Transformation, these resolutions introduce mechanisms and criteria for assigning objects to a group, provide the creation of a national register of such critical infrastructure objects, and ensure their proper functioning by the State Service of Special Communications and Information Protection of Ukraine [7].

Table 2. Basic Principles of Using Artificial Intelligence in Judicial Systems

| Title | Characteristic |
|--|---|
| The principle of adherence to fundamental rights | establishes the compatibility of artificial intelligence tools with fundamental rights |
| The principle of non-discrimination | is designed to prevent the manifestation of any increase in discrimination between individuals |
| The principle of quality and safety | establishes that the processing of court decisions and data must be carried out in a secure technological environment using certified sources |
| The principle of transparency, impartiality and fairness | aimed at ensuring the possibility of conducting an external audit |
| "Under the user's control" principle | provides the administrative approach exclusion and legalizes the user's key role, who must be an "informed actor" and control his choices |

Source: compiled by the authors on materials [6]

Therefore, Ukraine has actively begun to implement the European standards of digital justice, which are the guarantee of combating abuses in the judicial field and increasing the accessibility, openness, and fairness of court procedures, since the level of efficiency and quality indicators of justice directly reflect state needs, commitment to person Degree of protection of rights and freedoms.

The Ukrainian judicial system is in the condition of reformation, not least because of its legitimacy crisis. Given the fact that the judicial system is a crucial element of the legal protection mechanism of the state, the effectiveness indicator of its functioning through the prism of the Constitution of Ukraine is the level of its legitimacy, and according to its content – human rights establishment and provision. Rights and freedoms are the main duty of the state, which determines the content and direction of its activities, in particular ensuring everyone's right to a fair trial.

In particular, the effectiveness of fulfilling this duty can be assessed based on the results of certain sociological studies and observations, both international and domestic.

Thus, in 2020, Ukraine ranked 72nd out of 128 countries in the world in the 2020 Rule of Law ranking. In such sections of the rating as the efficiency of the judiciary in civil proceedings – 61st, and the efficiency of the criminal justice system - it ranked 90th among 128 countries of the world, that conduct such research [7].

At the same time, the evaluation of citizens' activity and trust in the authorities was conducted from 3 July to 9 July 2020 by the sociological service of the Razumkov Centre and "Democratic Initiative" Ilko Kucheriv Foundation. The results have shown mistrust of social institutions, including the general justice system (77.5%) and the prosecutor's office (73%) [8].

In fact, the level of distrust in the Ukrainian court system and the prosecutor's office is unpleasant (according to the results of a study conducted by Razumkov Centre's Sociological Service from 6 September to 11 September 2019, 72% of distrust is most often expressed in the general judicial system, 61% distrust in the prosecutor's office) is one of the decisive reasons for their next reform, indicated by the provisions of the Law of Ukraine "On Amendments to the Law of Ukraine on the Judiciary" and "Status of Judges" and some laws of Ukraine on the activities of judicial authorities" and the Law of Ukraine "On Amendments to Certain Legislative Acts" of the Law of Ukraine "On Priority Measures to Reform the Prosecutor's Office" [8].

Thus, according to the national survey results, the citizens of Ukraine most often trust the volunteer organizations (67% of respondents trust them), the Armed Forces of Ukraine (62%), the State Emergency Service (61%), the church (61%), and the volunteer battalions (57%). The State Border Service (52% trust, 36% do not trust), the National Guard of Ukraine (50% and 38%, respectively), the Ukrainian mass media (49% and 43%, respectively) and the public organizations (45% and 41%, respectively). The survey results of trust in social institutions are shown in Figure 1.

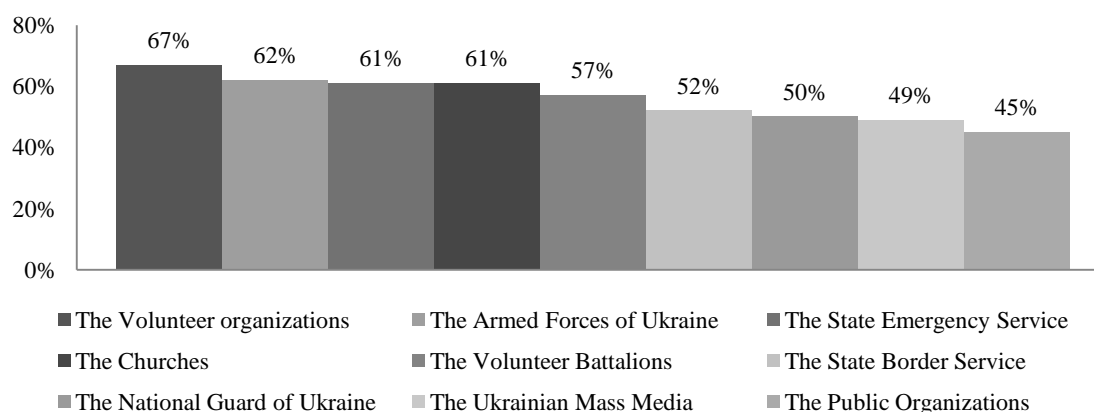


Figure 1. The Level of Trust of Ukrainian Citizens in Public Institutions

Source: compiled by the authors on materials [8]

Therefore, despite the measures aimed at reforming these institutions in order to increase their legitimacy, it is still possible to state the growth of distrust in the judicial system and the prosecutor's office, which is one of the decisive challenges for the reform of the judicial system in Ukraine at the current stage.

On the other hand, the professional world warns that it is the judges who are now deprived of state protection, because in Ukraine, as in the whole world, they like to complain about the judicial system. In contrast to this statement, the standard Eurobarometer data are interesting, according to which a sociological survey of the public opinions of the EU member states and candidate countries is conducted, especially regarding trust in institutions representing justice. As a result, as of November 2019, the Kingdom of Denmark has the highest level of trust in the judicial system and the entire national legal system – 86% of respondents tend to trust a certain institution. Finland, the Kingdom of Sweden, the Kingdom of the Netherlands, and the Grand Duchy of Luxembourg have somewhat lower figures at 84%, 77%, 76%, and 70%, respectively. Surveys in the Federal Republic of Germany and the Republic of Austria show that 69% of respondents in these countries tend to trust a certain institution [8].

Therefore, it seems quite appropriate to position the level of Ukrainian court system effectiveness as a direct dependence on the corresponding level of trust in civil society.

The approaches to achieving a high level of public trust in the Ukrainian court system are various: from a complete overload to a position formation according to which the distrust of civil society in the Ukrainian courts is not a sufficient reason for the crisis to overload the court system in its current place. It should also be noted that the crisis was partly caused by reforms aimed at improving the judicial governance institutions performance. The provisions of this reform have been given a legal assessment in the decision of the Constitutional Court.

Of particular concern is the fact that changes in the composition of the Supreme Council of Judges of Ukraine and the subject of appointments did not introduce an appropriate transition period, which was considered the main obstacle to functioning. The judiciary is effective, and in some cases, everyone's right to access to justice cannot be realized, which is a requirement of the principle of law supremacy [9].

Let's note that the Venice Commission conclusions previously expressed a similar position regarding changes to legislative acts of Ukraine regulating the status of the Supreme Court and judicial authorities, which also paid special attention to the fact that trust in the judiciary can only develop within a stable institutional framework, due to the ongoing institutional instability, when reform follows changes in political power, it also undermines public trust in the judicial system as an independent and impartial institution [9].

Therefore, the next challenge at this stage of reforming the Ukrainian court system is the ongoing institutional instability of its components, which indirectly affects the level of public distrust.

The expediency of involving international experts with a decisive voice in the creating judicial governance institutions in Ukraine also seems debatable. Therefore, the candidates for the new Commission on Qualifications of Higher Judges of Ukraine will be evaluated by the competitive commission, which should consist of six people, including three international experts, proposed by international and foreign organizations with which Ukraine cooperates in the field of prevention. In accordance with the International Treaty of Ukraine on Combating Corruption, members of the Public Committee of International Experts has been created. At the same time, none of the international organizations submitted their candidacies for representation in the competition commission.

Taking into account this position of the Venice Commission and taking into account the requirements that the Competition Commission members must meet in order to participate in the competition to become members of the High Qualification Commission of Judges of Ukraine, in particular a state authority, it seems logical that the entity that provides it should also use the public authority powers. Therefore the draft Law of Ukraine "On the Provisions of the Draft Law of Ukraine on the Revision of the "Judicial System and the Judges' Status" and Some Laws of Ukraine on the Activities of the Supreme Court and the Judiciary of Management bodies" No. 3711 dated 22 June 2020, according to which the competition is held. A separate commission did not propose candidacies to the Competition Commission within the set period or the number of proposed persons is insufficient to form the authorized representatives. The composition of the Competition Commission, which is specially proposed by the Commissioner for Human Rights of the Verkhovna Rada of Ukraine [10].

In this context, it has been noted that the results of a recent sociological study on citizens' evaluation of government activities and the level of trust in social institutions have shown that 40.5%, almost 30% of respondents have expressed distrust to the ombudsman. The authors have found it difficult to answer this question.

At the same time, it turns out that higher education institutions and scientific research institutions representatives can be involved in the process, since the members of the Competition Commission must be lawyers of a recognized level of competence.

In conclusion, it is important to note that the explanatory note to Article 10 of the Bordeaux Declaration "Judges and Prosecutors in a Democratic Society" states that the highest professional competence of persons in such positions is the public perception of judges and prosecutors, prerequisites of trust, its legitimacy and the basis of power [10].

Therefore, reforming the Ukrainian court system at this stage should be mediated by personnel overloading of its institutions, but with the gradual application of the principle of individual responsibility, respecting the right to the private life of each person. Systematic changes in the specialized professional training of individuals

applying for the positions of judges and prosecutors, as well as improving the qualifications of acting judges and prosecutors to achieve a high level of their professional competence, as prerequisites for raising the level, is also an important content of the reform. Trust of civil society and institutional stability of judicial power institutions while preserving constitutional sovereignty.

Conclusions

Summarizing the above information, the following conclusions can be drawn. Firstly, over the past decade, Ukraine has made many attempts to reform the court system. Not all of these attempts were successful, not all of them had results, but each of the reforms and innovations has left an imprint of experience. Currently, Ukraine, as a state that has set itself the goal of integrating into European society, does not stop trying to improve its court system as a factor that has a significant impact on European integration processes.

In particular, in recent years, Ukraine has created many judicial power bodies, bodies designed to overcome corruption among officials, and other instances that should bring the state closer to the set goal realization. The direction examples of Ukraine's actions in this direction are creating of the High Council of Justice, the Council of Ethics, their reformation, and introducing new legal acts. It is also worth mentioning the changes to the Constitution regarding various issues in the judiciary.

Secondly, on its way to the goal, Ukraine is trying to implement as many development programmes and projects as possible, provided by the European Union. In particular, we are talking about the project "Supporting Reforms in the Field of Justice", aimed at supporting states during the processes of reforming the judicial branch of government and implementing European recommendations provided by the Council of Europe and the European Commission.

And thirdly, small reforms are being carried out in Ukraine regarding the judges' appointment, restrictions on the maximum age of their working capacity, etc. Collectively, these reforms create a regulatory framework for an efficient and fair court system.

Thus, at present, Ukraine is at the beginning of the path, which involves of European judicial standards implementation. Before their full implementation, Ukraine still needs to create the foundations for this process, in particular, to reduce the level of corruption, systematize and structure the legal framework, and carry out a conditional "purge" of dishonest personnel in the judicial sphere. Only the totality of these actions will enable Ukraine to introduce means for effective judicial proceedings, based on the experience of developed European countries.

Abstract

The times of Ukraine's independence are a period characterized by attempts to reform the court system in order to create a foundation for its honest and effective functioning. With the help of the conducted research, it has been determined that not all means used by the state had a positive impact on the activity of the court system, but each of them shaped Ukraine's own experience in this area.

Through the analysis of regulatory and legal acts in recent years, many newly created authorities have been identified, designed to overcome corruption among officials of the judicial branch of government and other authorities, which should bring Ukraine closer to European integration. Examples such as the creation of the High Council of Justice, Ethics Council, the reform of these bodies, and the introduction of changes to the Constitution regarding various issues in the judicial sphere are given as confirmation of the orientation of Ukraine's actions in this direction.

As one of the factors involving the European experience in reforming the judicial system, the processes of implementing various development projects initiated by the European Union are singled out. Among such projects, attention was drawn to the project called "Supporting Reforms in the Field of Justice", the direction of which is to support states during the processes of reforming the judicial system.

According to the results of the conducted research, it was also found that the path to an effective and honest judicial system consists of a certain number of small changes and reforms, which should be aimed at improving various components of the general judicial process. The totality of these changes will make it possible to talk about the existence of grounds for carrying out large-scale reforms that would bring Ukraine's court system closer to European norms and standards.

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