



World Justice
Project



Funded by
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European Union Subnational Qualified Respondents' Questionnaire: Civil and Commercial Law (B)

WELCOME!

The World Justice Project (WJP) is honored to count on your expertise for this questionnaire, which will be answered by highly qualified individuals and experts in the field throughout the European Union (EU).

The questionnaire consists of 18 questions and will take approximately 30 minutes to complete. Your responses will be aggregated with those of other experts in your region and supplemented by the results of a representative household survey.

Thank you in advance for your time and attention. With your participation, this endeavor will contribute to strengthening the rule of law throughout the EU and worldwide.

The WJP is an independent, non-profit organization working to advance the rule of law worldwide. For more information about the WJP and our current strategic partners, please visit:

www.worldjusticeproject.org.

CONFIDENTIALITY

The World Justice Project (WJP) constructs the *European Union Subnational Justice, Governance, and Rule of Law Indicators* with strict guidelines in regard to the confidentiality of the data gathered and the privacy of the respondents. At the end of the questionnaire, you will be given the choice either to be **Publicly Acknowledged** (meaning your name and organization will be published in the "Contributing Experts" section of our report and data portal), **OR** you can select to be an **Anonymous** contributor (meaning your name will not be published in our report, website, or any other WJP materials, and your name and particulars will not be made known in any way).

In all cases, your individual responses will remain strictly confidential. The survey is not indexed by search engines. Responses are aggregated preceding any statistical analysis or reporting of results to ensure that individual responses cannot be ascertained.

If you have any questions, please do not hesitate to contact a member of our team at: eu-ruleoflaw@worldjusticeproject.org.

INSTRUCTIONS

Please answer the following questions according to your perception of and experiences with the rule of law in your area. Note that some questions will ask about matters affecting your city, town, or village, while others will pertain to your country as a whole.

Given the diversity of institutional designs across EU Member States, our questions mainly focus on **outcomes** experienced by individuals with respect to different justice, governance, and rule of law issues, with the understanding that these outcomes are generated by their interaction with a complex network of institutions from different levels (local, national, supranational). In this sense, we minimize mentions of government institutions, and focus on the experience of people in their daily lives.

Please indicate in the box below which country and city you are responding to in this survey:

COUNTRY:

CITY:

SECTION I. EQUALITY AND IMPARTIALITY

1. Thinking about the principle of equality before the law, to what extent do you agree that in your city or town, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) The law is enforced equally for all persons, including public authorities, irrespective of their personal circumstances, social status, wealth, political connections, or origin.						
(b) All people enjoy the same legal and political rights.						
(c) All people have equal access to dispute resolution mechanisms and legal aid services.						
(d) All people have equal access to the protections and opportunities that the law provides.						
(e) All people have equal access to basic public services, such as order and security, primary education, clean water, and healthcare.						
(f) People in marginalized groups enjoy equal rights and legal protection.						

2. To what extent do you agree that in your city or town, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) The law is enforced equally for men and women.						
(b) Men and women enjoy the same legal and political rights.						
(c) Men and women have equal access to dispute resolution mechanisms and legal aid services.						

(d) Men and women have equal access to the protections and opportunities that the law provides.						
(e) Men and women have equal access to basic public services, such as order and security, primary education, clean water, and healthcare.						

3. Now, thinking about the way the judiciary operates in **[YOUR COUNTRY]**, to what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) The judiciary decides matters impartially, on the basis of facts, without any improper influence, pressure, threats, or political interference.						
(b) The Supreme Court is free of political influence in its application of power.						
(c) The national courts are free of political influence in their application of power.						
(d) The local courts are free of political influence in their application of power.						
(e) The electoral appeals court is free of political influence in its application of power.						
(f) Judges are selected through a merit-based system, without any improper influence or political interference.						
(g) Judges are promoted through a merit-based system, without any improper influence or political interference.						
(h) Judges have guaranteed tenure until mandatory retirement or the expiry of their term of office.						
(i) Judges have adequate remuneration and working conditions.						
(j) Judges are disciplined, suspended, transferred, or removed only for just cause, according to established procedures, and without any improper influence or political interference.						
(k) Judges enjoy professional secrecy and personal immunity from liability resulting from their judicial actions.						
(l) Prosecutors and judges have access to the investigations of agencies responsible for fighting money laundering and corruption, including international cooperation arrangements.						
(m) The judiciary receives sufficient and non-arbitrary budgetary funding and resources to properly perform its functions.						

(n) Judges routinely provide formal reasoning for their decisions, which are public and reference relevant laws or jurisprudence.						
(o) Public sector employees comply with judicial decisions.						
(p) Elected leaders or high-ranking government officials (head of state, head of government, ministers) comply with judicial decisions, even when they disagree with these decisions.						

SECTION II. LEGAL CAPABILITY

4. The following questions aim to determine the degree of clarity and publicity of the legal framework in **[YOUR COUNTRY]**. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) National laws are publicly available in all official languages.						
(b) National laws are publicly available in languages spoken by significant segments of the population, even if they are not "official" languages.						
(c) Drafts of legislation (bills) to be discussed in the legislative body are made available to the public on a timely basis.						
(d) Legislative proceedings are broadcast to the public by radio or TV.						
(e) Judicial decisions of the highest court are published on a timely basis.						
(f) National regulations are published on a timely basis.						
(g) Administrative regulations can be obtained at little cost, such as by mail, or online.						
(h) Labor regulations can be obtained at little cost, such as by mail, or online.						

5. The following questions aim to determine the degree of clarity and publicity of the legal framework in your city or town, when applicable. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Local regulations are published on a timely basis.						
(b) The local government provides easy-to-understand information on people's legal rights.						

(c) The local government makes information easy to find online.						
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6. The following questions aim to identify people's legal capability in your city or town. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) People are aware of their legal rights and responsibilities.						
(b) People are aware of their rights when they face a legal problem.						
(c) People are aware of the formal justice mechanisms through which grievances can be addressed.						
(d) People are aware of the alternative justice mechanisms through which grievances can be addressed.						
(e) People are aware of their legal rights in the event of an arrest or interrogation.						
(f) People know where to get information and advice when they face a legal problem.						
(g) People know where to get information and advice in the event of an arrest or interrogation.						
(h) People have access to clear and easy-to-understand information (through the internet, apps, printed materials, etc.) that allows them to better understand or resolve a legal problem.						
(i) Justice institutions help prevent legal problems from occurring in the first place.						

7. To what extent do you agree that, in your city or town, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Owner-managers of small firms are aware of their rights when they face a legal problem.						
(b) Owner-managers of small firms are aware of the formal justice mechanisms through which grievances can be addressed.						
(c) Owner-managers of small firms are aware of the alternative justice mechanisms through which grievances can be addressed.						
(d) Owner-managers of small firms know where to get information and advice when they face a legal problem.						

SECTION III. CIVIL JUSTICE SYSTEM

8. The following questions aim to assess the accessibility of the civil justice system for people in your city or town. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Civil justice is appropriate and responsive to the people and the issues they face.						
(b) Civil justice is effectively delivered through a continuum of legal and justice services across the justice chain (ranging from the accessibility of information and legal assistance to the dispute resolution mechanisms).						
(c) People trust state dispute resolution mechanisms (courts, small claims courts, administrative agencies, etc.).						
(d) State dispute resolution mechanisms (courts, small claims courts, administrative agencies, etc.) are close to the people.						
(e) The procedures for accessing state dispute resolution mechanisms are simple.						
(f) People can easily afford turning to a state dispute resolution mechanism when they face a legal problem.						
(g) Owner-managers of small firms can easily afford turning to a state dispute resolution mechanism when they face a legal problem.						
(h) Civil justice is inclusive and targeted to specific access needs of groups at risk of discrimination.						
(i) State dispute resolution mechanisms are accessible to marginalized people.						
(j) State dispute resolution mechanisms are accessible to people with disabilities.						
(k) State dispute resolution mechanisms are accessible to residents who don't speak the official language.						
(l) State dispute resolution mechanisms use technology and data to enhance justice delivery.						
(m) Digital tools used in civil courts facilitate people's access to justice.						
(n) Digital tools used in civil courts are easy to use for most people.						
(o) Digital tools used in civil courts are trustworthy and secure.						
(p) Digital tools used in civil courts expedite court proceedings.						

(q) Digital tools used in civil courts improve the quality of court proceedings.						
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9. The following questions aim to assess the outcomes people in your city or town get from the civil justice system.
To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Civil and commercial courts adjudicate disputes quickly (starting from the moment the case is filed to the moment a decision or agreement is reached).						
(b) Administrative courts adjudicate disputes quickly (starting from the moment the case is filed to the moment a decision or agreement is reached).						
(c) Small claims courts adjudicate disputes quickly (starting from the moment the case is filed to the moment a decision or agreement is reached).						
(d) State dispute resolution mechanisms (courts, small claims courts, administrative agencies, etc.) aim to address the needs of each involved party.						
(e) State dispute resolution mechanisms produce fair outcomes for each involved party.						
(f) The outcomes attained through state dispute resolution mechanisms reflect a fair distribution of benefits and burdens between involved parties.						
(g) The outcomes attained through state dispute resolution mechanisms rectify the damage or loss suffered as a result of the problem.						
(h) The outcomes attained through state dispute resolution mechanisms solve the problem between involved parties.						
(i) The outcomes attained through state dispute resolution mechanisms are consistent across similar problems.						
(j) Civil justice is delivered in an impartial and non-discriminatory manner.						
(k) All parties are treated equally and fairly within the civil justice system.						
(l) All parties obtain fair outcomes within the civil justice system.						
(m) The civil justice system does not exacerbate existing inequalities.						
(n) The civil justice system guarantees that parties are equally equipped to engage in judicial procedures, regardless of age, sex, social status, disability, religion, or other characteristics.						

(o) The mechanisms for enforcing uncontested claims (such as order for payment, court order, etc.) are effective.						
(p) Winning parties can enforce court decisions quickly and effectively.						
(q) Losing parties comply with court decisions quickly and effectively.						

10. Now thinking about the accessibility and the quality of the legal assistance people receive in your city or town, to what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) People have access to affordable legal assistance and representation when they face a legal problem.						
(b) People are able to get all the expert help they want when they face a legal problem.						
(c) People receive quality legal aid from lawyers and paralegals when they face a civil or commercial dispute.						
(d) Employees receive quality legal aid from lawyers and paralegals when they face a labor dispute (such as unjustified dismissal).						
(e) Owner-managers of small firms have access to affordable legal assistance and representation when they face a legal problem.						
(f) Owner-managers of small firms receive quality legal aid from lawyers and paralegals when they face a commercial dispute.						

SECTION IV. ALTERNATIVE DISPUTE RESOLUTION MECHANISMS

11. The following questions aim to assess the accessibility and quality of Alternative Dispute Resolution (ADR) mechanisms, such as mediation, arbitration, or restorative justice, among others, in your city or town. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) ADR (mediation, arbitration, restorative justice, etc.) are close to the people.						
(b) The procedures for accessing ADR are simple.						
(c) Alternative justice mechanisms effectively divert people from going into the formal system.						
(d) The state stimulates the availability and accessibility of private legal and justice						

service providers (through financing, regulation, incentives, etc.)						
(e) The state encourages the development and use of alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) as alternatives to the conventional justice process.						
(f) People can easily meet the costs of turning to an alternative justice mechanism (mediation, arbitration, restorative justice, etc.) when they face a legal problem.						
(g) Owner-managers of small firms can easily meet the costs of turning to an alternative justice mechanism (mediation, arbitration, restorative justice, etc.) when they face a legal problem.						
(h) Alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) are accessible to minorities.						
(i) Alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) adjudicate disputes quickly (starting from the moment the case is filed to the moment a decision or agreement is reached).						
(j) Alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) address the needs of each involved party.						
(k) The outcomes attained through alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) reflect a fair distribution of benefits and burdens between involved parties.						
(l) The outcomes attained through alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) rectify the damage or loss suffered as a result of the problem.						
(m) The outcomes attained through alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) solve the problem between involved parties.						
(n) The outcomes attained through alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) are consistent across similar problems.						
(o) Alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) produce fair outcomes for each involved party.						
(p) Alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) do not exacerbate existing inequalities.						

(q) Alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) are free of corruption.						
(r) Alternative justice mechanisms (mediation, arbitration, restorative justice, etc.) are free of political influence in their application of power.						
(s) Public sector employees comply with the decisions of alternative justice mechanisms.						
(t) The parties involved comply with the agreements resulting from the alternative justice mechanisms.						

SECTION V. REGULATORY ENFORCEMENT AND CORRUPTION

12. The following questions aim to determine the stability of government regulations in your city or town. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Business entry regulations are clear, accessible, and predictable.						
(b) Property and zoning regulations are clear, accessible, and predictable.						
(c) Regulations governing utility service provision are clear, accessible, and predictable.						
(d) Commercial regulations are clear, accessible, and predictable.						
(e) Labor regulations are clear, accessible, and predictable.						
(f) Environmental regulations for businesses are clear, accessible, and predictable.						

13. Now thinking about regulatory burden that people and business face in your city or town, to what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Administrative procedures for registering a new business are simple, inexpensive, and conducted without unreasonable delay.						
(b) Administrative procedures for registering an ownership title over immovable property are simple, inexpensive, and conducted without unreasonable delay.						
(c) Administrative procedures for connecting to public utilities are simple,						

inexpensive, and conducted without unreasonable delay.						
(d) Administrative procedures for obtaining labor permits are simple, inexpensive, and conducted without unreasonable delay.						
(e) Administrative procedures for obtaining commercial permits are simple, inexpensive, and conducted without unreasonable delay.						
(f) Administrative procedures for obtaining environmental permits are simple, inexpensive, and conducted without unreasonable delay.						
(g) The Due Process of Law is respected in administrative proceedings conducted by environmental protection authorities.						
(h) The Due Process of Law is respected in administrative proceedings conducted by labor authorities.						
(i) The Due Process of Law is respected in administrative proceedings conducted by local authorities.						

14. The following questions aim to assess the likelihood that people experience petty corruption. How likely is it that people or private companies in your city or town have to pay bribes, informal payments, or other monetary inducements to...

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) Get a place in a public school.						
(b) Receive public healthcare services.						
(c) Obtain a driver's license.						
(d) Receive welfare benefits from the government (for example, for people with disabilities, or for elderly people).						
(e) Receive retirement benefits from the government.						
(f) Make an Access to Information request.						
(g) Connect to public utilities.						
(h) Register an ownership title over immovable property.						
(i) Deal with legal proceedings (trials).						
(j) Expedite or delay a court process.						
(k) Register a new business.						
(l) Expedite the delivery of a construction permit.						
(m) Expedite the delivery of an occupational health and safety permit.						
(n) Clear goods through customs.						

(o) Obtain contracts with public institutions in public procurement processes.						
(p) Obtain contracts with public institutions without bidding processes.						
(q) Process tax declarations.						
(r) Deal with labor regulations or inspections at the business premises.						
(s) Deal with environmental regulations or inspections at the business premises.						
(t) Deal with health and safety regulations or inspections at the business premises.						

15. Thinking now about high-level corruption, how likely is it that government officials in [YOUR COUNTRY]...

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) Exert influence to award government contracts to specific vendors without following competitive bidding processes.						
(b) Exert influence to purchase goods or services from specific vendors at costs far above market rates.						
(c) Exert influence to award government contracts or purchase goods or services from specific vendors in exchange for informal payments or gifts.						
(d) Exert influence to renegotiate contracts after concession to benefit the vendors.						
(e) Exert influence to approve laws, regulations, policies, or budgets for their private benefit.						
(f) Use insider knowledge gained in office to profit financially.						

16. Please choose the statement that is closest to your views on how government procurement for major public works (airports, highways, power plants, etc.) operates in [YOUR COUNTRY]. (PLEASE CHOOSE ONLY ONE SINGLE ANSWER):

(a) Most contracts are awarded through an open and competitive bidding procedure.	
(b) There is a formal bidding procedure, but it is flawed. Several contracts are awarded without competitive bidding, or through ineffective bidding processes, leaving open the possibility of corruption.	
(c) There is no formal bidding procedure, or it is superficial and ineffective. Most contracts are awarded to firms which offer bribes; to firms owned by political supporters; or to firms in which a relevant government officer has a financial stake.	
(d) Don't Know	
(e) Not applicable	

17. How likely is it that local police officers in your city or town...

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) Request or receive bribes from traders and small merchants, so that they can carry on their activity.						
(b) Request or receive bribes from criminal organizations to ignore their illegal activities (like selling drugs on the streets).						
(c) Request or receive bribes from drivers to ignore traffic violations.						

18. Finally, to what extent do you agree that, in **[YOUR COUNTRY]**, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Members of the legislature who commit crimes are prosecuted and punished.						
(b) Members of the judiciary who commit crimes are prosecuted and punished.						
(c) Elected leaders or high-ranking government officials who commit crimes are prosecuted and punished.						
(d) Public sector employees of any level who commit crimes are prosecuted and punished.						
(e) Police officers who commit crimes are prosecuted and punished.						

Almost finished!

Thank you for completing the questionnaire. We are honored to include your expertise in the *European Union Subnational Justice, Governance, and Rule of Law Indicators*.

If you have any feedback or comments regarding the questionnaire, we would be grateful if you would let us know in the space below. Are there any relevant topics, issues, or questions that you think were left out?

TYPE OF CONTRIBUTION

Please indicate below if you would like to respond to this questionnaire as an **Anonymous** contributor, or if you would like to respond to this questionnaire as a **Publicly Acknowledged** contributor for your participation in this research project. **In both cases, your individual and specific answers to the questionnaire will remain strictly confidential.**

PUBLICLY ACKNOWLEDGED: [☐]

I would like to be **Publicly Acknowledged** as a contributor. My name and organizational affiliation will be listed in the Qualified Respondents Questionnaires (QRQ) "Contributing Experts" section of the *European Union Subnational Justice, Governance, and Rule of Law Indicators* report, and on the WJP website. In the space below, please fill out your information exactly as you wish it to appear:

Name:	
Firm, Company, or Organization:	

ANONYMOUS: [☐]

I would like to remain an **Anonymous** contributor. The WJP will not reveal my name, organizational affiliation, or any other identifiable information in the *European Union Subnational Justice, Governance, and Rule of Law Indicators* report.

ADDITIONAL INFORMATION

We are grateful for your contribution as an expert respondent to the *European Union Subnational Justice, Governance, and Rule of Law Indicators*. Many of the World Justice Project's experts contribute their time and expertise year after year to create one of the world's most comprehensive data sets measuring countries' adherence to the rule of law.

To ensure that we have the most up to date records in our database, we would greatly appreciate if you could fill out your contact information below. This information will remain strictly anonymous and will not be shared with any third parties. Your contact information will be securely stored in our database for further engagement and for future research opportunities with the WJP.

Please complete the following information:

Title:	
First Name:	
Last Name:	
City:	
Country:	
Position:	
Organization:	

Preferred Email:	
Preferred Language of Correspondence	

The WJP also produces the *WJP Rule of Law Index* yearly to assess the rule of law worldwide. As an expert respondent for **[YOUR COUNTRY]** in this project, would you be interested in receiving further information about how to participate in the global *WJP Rule of Law Index*?

- ☐ Yes
☐ No
☐ I'm already a current participant of the WJP Rule of Law Index

Do you teach at the university level? Yes ☐ No ☐
 If yes, which courses? _____

Are you an attorney? Yes ☐ No ☐
 If yes, how many years have you practiced law? _____

If you are an attorney, what are your areas of practice?					
Antitrust	<input type="checkbox"/>	Contracts	<input type="checkbox"/>	International law	<input type="checkbox"/>
Bankruptcy	<input type="checkbox"/>	Corporate law	<input type="checkbox"/>	Labor law	<input type="checkbox"/>
Business law	<input type="checkbox"/>	Criminal law	<input type="checkbox"/>	Litigation/Arbitration	<input type="checkbox"/>
Civil law	<input type="checkbox"/>	Employment law	<input type="checkbox"/>	Medical malpractice	<input type="checkbox"/>
Civil rights	<input type="checkbox"/>	Environmental law	<input type="checkbox"/>	Property law	<input type="checkbox"/>
Commercial law	<input type="checkbox"/>	Family law	<input type="checkbox"/>	Taxation	<input type="checkbox"/>
Constitutional law	<input type="checkbox"/>	General practice	<input type="checkbox"/>	Other	<input type="checkbox"/>
Consumer law	<input type="checkbox"/>	Intellectual property	<input type="checkbox"/>		<input type="checkbox"/>

REFERRALS

Finally, as an expert in your field, we would welcome referrals or suggestions of colleagues who may be willing to contribute by completing one of the questionnaires best aligned with their expertise:

- Civil and Commercial Law
- Constitutional Law, Civil Liberties, and Criminal Law
- Governance and Rule of Law

Add Collaborators

	Referral #1	Referral #2	Referral #3
Title:			
First Name:			
Last Name:			
Country:			
Position:			
Organization:			
Preferred Email:			

Thank you!

Thank you very much for contributing your time and expertise!

By contributing to this questionnaire, you are helping the World Justice Project support actionable and informed policies to advance the rule of law.

For more information on the WJP, please visit: www.worldjusticeproject.org.