



World Justice
Project



Funded by
the European Union

European Union Subnational Qualified Respondents' Questionnaire: Civil and Commercial Law (A)

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 25 questions and will take approximately 35 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of our report and data portal), **OR** you can select to be an **Anonymous** contributor (meaning your name will not be published in our report, website, or any other WJP materials, and your name and particulars will not be made known in any way).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 question aims 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.						

5. 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) Civil justice is appropriate and responsive to the people and the issues they face.						
(b) Civil justice is inclusive and targeted to specific access needs of groups at risk of discrimination.						
(c) Civil justice is delivered in an impartial and non-discriminatory manner.						

6. 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) Small business owners are aware of their rights when they face a legal problem.						
(b) Small business owners are aware of the formal justice mechanisms through which grievances can be addressed.						
(c) Small business owners are aware of the alternative justice mechanisms through which grievances can be addressed.						
(d) Small business owners know where to get information and advice when they face a legal problem.						

SECTION III. PROBLEMS IN ACCESS TO JUSTICE

7. On a scale from 1 to 10, please tell us how serious the following problems are in **civil and commercial courts** in the city where you live (1 means "not a problem" and 10 means a "very serious problem").

	1	2	3	4	5	6	7	8	9	10	Don't know	Not applicable
(a) Duration of cases (they take too much time).												
(b) Lack of independence of the judiciary from the government's power.												
(c) Lack of or inadequate training of lawyers.												
(d) Lack of or inadequate legal aid programs.												
(e) Corruption of judges and judicial officers (they don't move the cases unless the parties bribe them).												
(f) Inefficient enforcement mechanisms (judgments are difficult to enforce in practice).												

8. The following questions aim to examine the reasons why poor people in your city or town do not use the justice system to settle their disputes. On a scale from 1 to 10, please tell us how important the following factors are in influencing poor people's decisions on whether to approach the justice system to resolve a dispute in the city where you live (1 means "not important" and 10 means "a very important factor").

	1	2	3	4	5	6	7	8	9	10	Don't know	Not applicable
(a) Lack of awareness of available remedies.												
(b) Court fees (filing fees) are too high.												
(c) Attorney fees are too high.												
(d) Lack of pro-bono (free-of-charge) legal aid.												
(e) Lack of paralegals or legal clinics.												
(f) Language barriers (unavailability of translators).												
(g) Physical location of courthouses (courts are too far away).												
(h) Duration of cases (they take too much time).												
(i) Bias against marginalized people (discrimination based on social or economic status).												
(j) Corruption of judges and judicial officers.												
(k) Lack of public information about court procedures.												
(l) Procedures are too cumbersome and complex.												
(m) Lack of pre- and post-resolution support.												
(n) Lack of small claims courts or procedures.												
(o) Lack of specialized courts and broader court systems.												
(p) Insufficient or inefficient alternative justice mechanisms.												
(q) Limited understanding of the benefits of alternative justice.												
(r) Limited use of alternative justice mechanisms.												

9. How likely is it that a poor person facing the following situations in your city or town receives legal counsel from a lawyer, paralegal, legal aid center, etc.?

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) A tenant facing eviction.						
(b) Child custody dispute.						
(c) Major problems with public service providers (utilities).						

SECTION IV. WORKERS' RIGHTS

10. The following questions aim to understand the extent to which workers' rights are respected 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) Employees receive information and are consulted on their working conditions.						
(b) Employees receive information on the essential aspects of the employment relationship.						
(c) Employees receive information and are consulted on the economic and employment situation affecting their workplace.						
(d) Employees receive information and are consulted on decisions related to the strategic development of companies.						
(e) Workers in manufacturing can effectively organize into labor unions.						
(f) Workers in manufacturing can effectively bargain for their rights with their employers.						
(g) Workers in manufacturing can go on strike without fear of retaliation.						
(h) Workers in agriculture can effectively organize into labor unions.						
(i) Workers in agriculture can effectively bargain for their rights with their employers.						
(j) People who look for work have access to free placement services.						
(k) Workers are not terminated without valid reasons.						
(l) When workers are terminated without valid reasons, they get a fair compensation.						
(m) The prohibition of child labor is effectively enforced.						
(n) Poor children and adolescents do not work in agriculture, construction, small factories, or on the street.						

SECTION V. PROPERTY RIGHTS

11. The following questions aim to understand measures taken in cases of expropriation in **[YOUR COUNTRY]**. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
--	----------------	-------	----------	-------------------	------------	----------------

(a) When the government expropriates communal land and resources of peasants or small farmers, the farmers receive adequate compensation.						
(b) When the government expropriates property, it is for legitimate public purposes and in accordance with applicable laws and procedures.						
(c) When the government expropriates private investors and companies, the investors receive adequate compensation.						
(d) When the government takes measures that have effects similar to expropriation (such as unjustified interference in the uses or benefits of investments), investors receive adequate compensation.						

12. To what extent do you agree with the following statements? In practice, in **[YOUR COUNTRY]...**

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Foreign investors receive fair and equitable treatment from the government.						
(b) Legal restrictions on foreign investment are uniformly and consistently enforced.						
(c) Intellectual property rights (trademarks, copyrights, and patents) are effectively enforced.						

13. To what extent do you agree with the following statements? In your city or town, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Anti-squatting laws are effectively enforced.						
(b) The process for transferring a property when a business purchases land or a building is simple and quick.						

SECTION VI. REGULATORY ENFORCEMENT

14. The following questions aim to understand the enforcement of environmental, labor, and consumer regulations in the city or town where you live. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) The mechanisms for reporting environmental violations are simple, accessible, and inexpensive.						

(b) The mechanisms for reporting labor and safety violations are simple, accessible, and inexpensive.						
(c) The mechanisms for reporting violations of consumer protection laws are simple, accessible, and inexpensive.						
(d) Authorities handle environmental complaints impartially and effectively and start their own investigations if needed.						
(e) Authorities handle labor and safety complaints impartially and effectively and start their own investigations if needed.						
(f) Authorities handle consumer protection complaints impartially and effectively and start their own investigations if needed.						

15. How likely are the following situations to take place in the city or town where you live:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) A mid-size manufacturing firm gets routinely audited/inspected by the environmental protection authorities ?						
(b) A mid-size manufacturing firm is routinely audited/inspected by the labor authorities ?						
(c) A small business is routinely audited/inspected by local authorities ?						

16. How likely are the following situations to take place in the city or town where you live:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) A mid-size manufacturing firm gets audited/inspected by the environmental protection authorities as a result of allegations of pollution?						
(b) A mid-size manufacturing firm gets audited/inspected by the labor authorities as a result of an employee filing a complaint about a safety violation at work?						
(c) A small business gets audited/inspected by the local authorities as a result of allegations of business license or zoning violations?						

17. How likely are the following situations to take place in the city or town where you live:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) The environmental protection authorities impose sanctions if violations are detected?						

(b) The labor authorities impose sanctions if occupational safety violations are detected?						
(c) The local authorities impose sanctions if business license or zoning violations are detected?						

18. How likely are the following situations to take place in the city or town where you live:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) The environmental protection authorities request or receive bribes or other undue advantages to ignore environmental regulations violations?						
(b) The labor authorities request or receive bribes or other undue advantages to ignore the safety violations?						
(c) The local authorities request or receive bribes or other undue advantages to ignore the safety violations?						

SECTION VII. ACCESS TO INFORMATION

19. To what extent do you agree with the following statements. In practice, when dealing with an information request, government agencies in your city or town...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Grant the information, assuming it is properly requested.						
(b) Grant the information and it is pertinent and complete.						
(c) Grant the information within a reasonable time period.						
(d) Grant the information at a reasonable cost.						
(e) Grant the information without people having to pay a bribe.						

20. Please choose the statement that is closest to your views on how accessible the following information is in **[YOUR COUNTRY]**.

- **Very accessible:** Citizens, journalists, and NGOs can access detailed figures, subject to narrow and well justified exceptions defined by law. The information is easily available (online or at costs limited to photocopying), complete, and up to date.
- **Slightly accessible:** Citizens, journalists, and NGOs can access detailed figures, but this information may be difficult to access (some records are not online or only available at a cost), incomplete, or out of date.
- **Not accessible at all:** Citizens, journalists, and NGOs cannot access detailed figures due to secrecy, prohibitive barriers, or government inefficiency.

	Very accessible	Slightly accessible	Not accessible at all	Don't know	Not applicable
(a) Budget figures of government agencies					
(b) Copies of government contracts					
(c) Sources of campaign financing of elected officials and legislators					
(d) Disclosure records of senior government officials					
(e) Public donations to political parties					
(f) Reports of the National Human Rights Institution (ombudsman)					
(g) Copies of administrative decisions made by national government agencies					
(h) Copies of administrative decisions made by local government agencies					
(i) Transcripts of administrative proceedings					
(j) Tenders and awards of government agencies					
(k) National laws and statutes					
(l) Bills discussed within national parliament as well as voting records on bills.					
(m) Data about the quality of air and water					
(n) Lists of registered (limited liability) companies					
(o) Information about elections, voting outcomes, and voting processes					
(p) Records of actual (past) national government spending at a detailed transactional level					
(q) Land registries					

SECTION VIII. CORRUPTION

21. 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 abusing their power are sanctioned for misconduct.						
(b) Members of the judiciary abusing their power are sanctioned for misconduct.						
(c) Elected leaders or high-ranking government officials abusing their power are sanctioned for misconduct.						
(d) Public sector employees of any level abusing their power are sanctioned for misconduct.						
(e) Police officers abusing their power are sanctioned for misconduct.						

22. Thinking about the asset and interest disclosure obligations for government officials, 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) Senior government officials effectively and fully comply with their asset and interest disclosure obligations.						
(b) Senior government officials are sanctioned if they fail to comply with their asset and interest disclosure obligations.						

23. How likely are the following situations in [YOUR COUNTRY]?

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) Elected leaders or high-ranking government officials (head of state, head of government, ministers), or their agents request or receive bribes or other informal payments in exchange for favorable treatment or favors?						
(b) Members of the Legislature/Parliament request or receive bribes or other informal payments in exchange for political favors or a favorable vote on a bill?						
(c) Political parties request or receive bribes or other informal payments in exchange for political favors, favorable treatment, or access to policymakers?						
(d) Elected leaders or high-ranking government officials (head of state, head of government, ministers), or their agents, steal, embezzle, or misappropriate public funds or other state resources for personal or family use?						
(e) Elected leaders or high-ranking government officials use their authority to benefit political clienteles?						

24. The following questions aim to assess different types of corruption. How likely are the following situations in your city or town:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) Public sector employees steal, embezzle, or misappropriate public funds or other state resources for personal or family use?						
(b) Public sector employees add fake employees to the payroll or claim overtime for hours not worked?						

(c) Public sector employees misappropriate or steal government assets or supplies for personal use or for re-sale?						
(d) Elected leaders or high-ranking government officials use their authority to benefit family members or friends?						
(e) Public sector employees use their authority to benefit family members or friends?						
(f) Judges use their authority to benefit family members or friends?						
(g) Prosecutors use their authority to benefit family members or friends?						

25. Finally, how likely are the following situations in your city or town:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) Candidates or political parties receive bribes, gifts, or suspicious campaign contributions in exchange for political favors, contracts, jobs, or favorable policies?						
(b) Candidates or political parties receive bribes, gifts, or suspicious campaign contributions from criminal organizations in exchange for political favors, favorable policies, or to turn a blind eye to their illegal activities?						
(c) Candidates or political parties fail to comply with campaign financing regulations?						
(d) Elected leaders or high-ranking government officials misuse official resources (funds, time, influence, etc.) to help their own political party?						
(e) Elected leaders or high-ranking government officials manipulate elections or illegally interfere with the electoral process?						
(f) Election officials request or receive bribes, gifts, or other monetary inducements to benefit a candidate or political party?						
(g) Political parties, candidates, or elected leaders put undue pressure on certain groups of voters so that they vote a particular way or not at all?						
(h) Political parties or candidates distribute money, gifts, or resources to voters in an election in exchange for votes or political support?						

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.