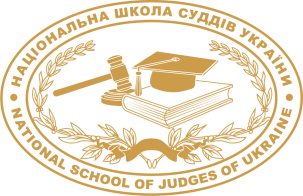
APPROVED

by the Protocol of the Scientific and Methodological Council of the National School of Judges of Ukraine

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**Strategy for the Development of Judicial Education**

**in Ukraine**

**for 2021-2025**

**General provisions**

The Strategy for the Development of Judicial Education in Ukraine for 2021–2025 (hereinafter – the Strategy) defines the purpose, strategic directions, and main tasks to guide the activities of the National School of Judges of Ukraine.

The development of the Strategy is due to the challenges and tasks of the justice system on the way to EU membership in the context of full-scale war, the need to change the priorities of judicial education in connection with the ongoing full-scale armed aggression of the Russian Federation, and adaptation to the changes taking place in today's globalised information world, taking into account EU best practices.

The National Strategy specifies the main ways of implementing the conceptual ideas and views on the development of education defined by the Concept of National Standards for Judicial Education.

**The current state of development of judicial education**

In Ukraine, legal regulation of the functioning of the judicial education system is ensured, as well as the right of a judge to improve their professional level and to undergo appropriate training and the duty of the judge to systematically develop professional skills, to maintain their qualifications at the proper level, necessary to exercise the authority.

The National School of Judges of Ukraine, as the only state institution with a special status within the justice system responsible for training highly qualified personnel for the judiciary and conducting research activities, consistently implements the main tasks defined in Article 105 of the Law of Ukraine «On the Judiciary and the Status of Judges» and, for this purpose, carries out the following activities:

1) initial training of judges;

2) training of judges, including those elected to administrative positions in courts;

3) periodic training of judges with the aim of improving their qualifications;

4) conducting training courses, as determined by the qualification or disciplinary body, to improve the qualifications of judges who are temporarily suspended from the administration of justice;

6) conducting scientific research on issues related to improving the judicial system, the status of judges and the judiciary;

7) studying international experience of organisation and operation of courts;

8) providing scientific and methodological support for the activities of courts, the High Qualification Commission of Judges of Ukraine and the High Council of Justice.

From its foundation and beginning of operations to the present day, judicial education has undergone a fundamental modernisation.

The Concept of National Standards for Judicial Education, developed in 2014 and implemented, which set out the basic requirements for the content and organisation of training activities for judges at the National School of Judges of Ukraine, and the implementation of the Development Strategy of the National School of Judges of Ukraine for 2016 -2020 contributed to the achievement of the set goals and objectives for improving the professional development of judges and the institutional development of the institution.

The training of judges is carried out in accordance with uniform requirements, involving judges from all instances and jurisdictions, leading domestic scholars and international experts. It is systematic, comprehensive and practically oriented, based on innovative methodological approaches, taking into account three dimensions – knowledge, skills, values and attitudes. The training process for judges is aimed at achieving an ongoing education, taking into account the educational needs and aspirations of the judiciary, and introducing educational innovations. In recent years, the catalogue of training products for judges has been significantly expanded, and their topics are constantly updated. The training of highly qualified judicial personnel is aimed at promoting EU values, which are respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of minorities, taking into account case law of the European Court of Human Rights (ECtHR). In December 2019, a high-level international regional conference developed and approved the Kyiv Recommendations on the content and methodology of judicial training on the application of the Convention for the Protection of Human Rights and Fundamental Freedoms, the case law of the European Court of Human Rights and the and the execution of European Court of Human Rights decisions.

Due to the ongoing armed aggression of the Russian Federation against Ukraine, which has been accompanied by crimes of unprecedented cynicism and cruelty, the National School of Judges of Ukraine has faced the task of ensuring the ability of judges to consider new categories of cases related to the war – war crimes and other international crimes, crimes against national security and defence, as well as the resolution of cases by courts regarding compensation for damage caused by the aggressor.

In 2017-2018, the NSJU conducted special training (initial judicial education) for 665 candidates for the position of judge. The training of candidates was conducted in accordance with an innovative training programme, which was developed taking into account the best international experience, and its purpose was to form practical skills and abilities of candidates for the position of judge in the application of the law and the conduct of court proceedings, as well as to strengthen their theoretical knowledge in an applied aspect.

The training of future judges took place in the form of trainings using interactive training methods and was combined with internships in courts and familiarisation visits to the prosecutor's office and pre-trial investigation bodies, as well as bar associations.

The mentoring (coaching) institution was introduced into the special training system for the first time. Each future judge had an individual judge-mentor (coach) who shared their experience and the ‘secrets’ of the profession, helped them master the practical skills of a judge, planned, organised and supervised their internship. Since 2024, as a result of changes in legislation, the NSJU has been providing initial training for judges who have already been appointed but have no experience in the position of judge, rather than for all candidates for the position of judge, as was previously. For such judges, trainings are conducted that are focused on acquiring practical skills and abilities for the administration of justice. Due to the fact that, according to the law, initial training can last no more than two months, internships and familiarisation visits were not conducted, and mentor judges were not involved. The educational doctrine of the NSJU also included two orientation training courses for the winners of the competition for vacant positions of judges of the Supreme Court in 2017 and 2019. These training courses were aimed at providing knowledge and developing skills for the proper performance of the powers of judges of the court of cassation, with the aim of helping judges to understand the fundamentally new role of judges of the highest institution and the court of cassation as a whole, as laid down in the judicial reform. In 2019, an orientation training course was also held for newly appointed judges of the High Anti-Corruption Court. The course is aimed at strengthening judges' competencies in anti-corruption issues, laws, procedures and best international practices, developing skills in managing the consideration of difficult cases, collegial work, and improving the ability to resist political and other pressures.

Distance forms of judicial education have undergone significant development. In addition to face-to-face and online training, the educational process takes place using a distance training platform, which contains a catalogue of electronic training courses.

New alternative forms of training have been developed and introduced into the training process for judges: interactive lectures, seminars and workshops, training videos, video lectures and video conferences, webinars, and podcasts.

To strengthen the teaching capacity of the National School of Judges of Ukraine (NSJU), a team of judicial trainers for face-to-face and distance training courses has been formed, and the quality of training has been improved. A reserve of trainers is also being prepared.

To actively support the process of judicial qualification evaluation and the conduct of competitions for filling vacant judicial positions, a structural unit—the “Testological Center”—has been established and institutionalized. The Centre has prepared a database of tests and practical tasks.

At the same time, current realities, the development of legislation and national judicial practice, the adaptation of the best European standards, and the training requests and needs of the judiciary necessitate further improvement of judicial education. In particular, the need to integrate EU law training for initial and ongoing training at the national level, if it is necessary for the proper administration of justice, was emphasised in the conclusion of the Council of the European Union (2014/C 443/04).

In order to implement the institutional reform of the NSJU, strengthen its managerial and operational potential, and to deepen judges' knowledge of EU law, an Order of the Rector of the NSJU established the Educational Laboratory for European Union Law Study. The NSJU has also signed memorandums of cooperation with leading European institutions. In addition, the NSJU website provides information on the available training resources of the European Judicial Training Network (EJTN), the Academy of European Law (ERA) and the European Institute of Public Administration (EIPA), which provide support in the study of European law.

Today, the key tasks are to expand the range of topics and forms of training products, to increase flexibility and dynamism in their use, to develop distance and online learning and teaching skills, to improve training and alternative forms and methods of training judges, in particular with regard to the right of judges to choose training according to their needs, based on existing experience and taking into account trends and the pace of development of educational innovations, globalisation processes and the development of the information society.

**Main problems and challenges**

The development of the judicial education system under current conditions requires a critical reassessment of achievements and a focused efforts and resources to on solving the most pressing problems. Among the most relevant challenges are:

* the ongoing full-scale armed aggression by the Russian Federation against Ukraine;
* the need to improve the judicial education system in line with EU standards and establish cooperation with European justice systems;
* the need to conduct initial training for 1,800 judges at once (the projected number of positions);
* the unfinished judicial reform;
* а personnel deficit in courts of first and appellate instance, resulting in excessive workload for sitting judges;
* low public trust to justice;
* insufficient level of legal culture;
* problems with the independence and impartiality of judges;
* excessive formalisation of procedural law;
* problems with access to justice and enforcement of court decisions;
* slow implementation of informatisation in the judicial system.

**Purpose, strategic directions/goals and main tasks of the Strategy**

The purpose of the Strategy is to improve the standards and quality of judicial education in accordance with the requirements of innovative sustainable development of society and to ensure the professional and personal development of judges taking into account individual needs.

High-quality judicial education is a necessary condition for the administration of justice based on the rule of law, ensuring everyone's right to a fair trial, guaranteed by the Constitution and laws of Ukraine, and international treaties, the binding consent of which has been granted by the Verkhovna Rada of Ukraine.

Modern judicial education is a guarantee of the democratic development of society and the rule of law, the restoration of the highly significant role of the court.

The strategy for the development of judicial education must adequately respond to modern social challenges, as well as integration and globalization processes, ensure proper training of judges to maintain and improve their qualifications (knowledge, skills and abilities) depending on the judges' work experience, the level and specialization of the court, and also taking into account their individual needs.

The strategic directions for the development of judicial education should be:

* institutional development of the National School of Judges of Ukraine in accordance with EU standards;
* development of National Standards for Judicial Education;
* improvement of initial training for judges;
* introduction of a mentorship program for judges who do not have prior experience in the position of judge.

**Main directions of implementation of the Strategy**

1. **Institutional development of the National School of Judges of Ukraine**

Comprehensive strengthening of the potential of the National School of Judges of Ukraine involves:

* developing the NSJU as a European judicial education institution that complies with EU standards and is oriented on satisfying the individual needs of judges;
* improving mechanisms for the professional development of NSJU employees, judicial trainers and persons involved in the training of judges, including the use of the modern technological tools, improving the professional competencies of trainers, and supporting employees in learning foreign languages;
* recruitment and strengthening of the role of the Educational Laboratory for European Union Law Study in the process of judicial education;
* strengthening cooperation with international technical assistance projects, the European Judicial Training Network (EJTN), the Academy of European Law (ERA) and the European Institute of Public Administration (EIPA) with the aim of introducing EU law trainings into the training process for judges;
* improving the efficiency of the Testing Centre by involving the best experts and improving the methodology for developing tests and practical tasks;
* creating conditions for the further development of the scientific and methodological component of judicial education, capable of responding to the needs of judges in a proper manner;
* creating conditions for the introduction of modern training tools (scientific, methodological, electronic, technical, information and communication, etc.), and the digitisation of the educational process.

1. **Development of National Standards of Judicial Education**

Improvement of National Standards of Judicial Education provides for:

reforming educational doctrine:

● studying and implementing the EJTN's experience in training judges, including improving approaches to analysing and identifying training needs and improving approaches to assessing the quality of judicial education using the Kirkpatrick model;

● continuously updating the content of judicial education based on a competency-based approach, depending on the experience of judges, the level and specialisation of the court, and taking into account their individual needs;

● developing new training courses on EU law and integrating EU law into existing training products;

● developing new and improving existing training courses aimed at ensuring the effective consideration of cases related to war (war and other international crimes, crimes against national security and defence, as well as the resolution of cases by courts regarding compensation for damage caused by the aggressor, etc.);

●developing and implementing training activities on issues of integrity and professional ethics of judges, the rule of law, gender-based violence; protection of vulnerable groups, digitisation and electronic evidence, anti-corruption legislation, cybercrime;

●expanding the variety of topics covered by training products, including the introduction of interdisciplinary and interagency training practices (judges, prosecutors, lawyers, assistants, etc.);

● taking into account the three dimensions of judicial education (knowledge; skills and abilities; values and attitudes) when developing and lecturing on training courses, in particular, increasing the importance of the value component and taking into account the social context of the administration of justice;

● introducing new forms of training, taking into account the latest scientific research in the field of adult training;

● encouraging and wider use of real-time (online) training activities, developing distance training, and introducing mixed training (a combination of face-to-face and distance training);

● creating an online catalogue of available training courses and creating the possibility to select it according to individual needs;

● share among judges the results of their work in the form of electronic resources that can be used for professional development and improvement;

● using new forms of training (individual or group meetings with victims after a certain period of time, involvement in resocialisation programmes, joint projects and programmes with ‘justice-friendly’ institutions, etc.);

● designing training courses based on a comprehensive integrative approach that recognises the traumatic and other effects of violence on victims, offenders, families, involved individuals and institutions, as well as communities;

● assisting judges in developing language skills, learning foreign languages, and deepening their knowledge for participation in cross-border communication and training; distributing manuals, dictionaries, self-assessment tests, distance learning modules, and other training materials in electronic form;

● establishing cooperation between judges at the international level through joint training events, study visits, and participation of national court judges in events organised by foreign judicial education institutions and international organisations that promote the values of the rule of law;

● ensuring innovation in judicial education;

● improving the system of regular assessment of judges.

**3. Improvement of initial training for judges**

The improvement of the initial training system for judges involves:

• updating the initial training programme for judges, taking into account the priority needs of persons who have no experience of working as judges, as well as their chosen specialisation;

• improving the normative and legal regulation of initial training for judges;

• expanding the means and forms of initial training based on the use of best foreign experience.

**4. Introduction of a mentoring institute for judges who do not have experience as a judge**

The introduction of a mentoring institute for judges who do not have experience as a judge provides for:

● legislative regulation of the mentoring mechanism, which should regulate the content, methodology and organisation of mentoring in courts;

● developing methodological recommendations for the selection of judges-mentors;

● preparing judges-mentors at the NSJU, including the development of methodological and training materials for such preparation;

● optimising the workload for judges-mentors.