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Estonian Supreme Court visited the Supreme Court of Ukraine

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The delegation of the Supreme Court, consisting of Chief Justice of the Supreme Court Villu Kõve, Chairman of the Civil Chamber, Urmas Volens, Chairman of the Administrative Chamber Ivo Pilving and Judge of the Criminal Chamber Paavo Randma, visited the Supreme Court of Ukraine on 18-22 November, as well as the Court of Appeal in Kyiv and the district courts of Borodianka and Malyn.

“The cooperation between the Estonian Supreme Court and the Supreme Court of Ukraine started before the Russian invasion of Ukraine, and now, in the light of the tragic events in Ukraine, the interaction between the two courts is even deeper and more meaningful,” said Stanislav Kravchenko, President of the Supreme Court of Ukraine. The President of the Supreme Court thanked the Estonian Supreme Court for its consistent support for the judicial system and its participation in international organisations.

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[1]

Photo taken at the building of the Supreme Court of Ukraine (in the background, there is a window covered with sandbags because of the threat of attack). Photo: Supreme Court of Ukraine

The attendees of the meeting discussed how a judicial reform could contribute to Ukraine’s EU accession process, what reciprocal training and internship programmes could be organised, and what challenges are faced in ensuring administration of justice in war situations. The Ukrainian colleagues confirmed that, despite all the difficulties, the administration of justice works, the judicial system has held up and people’s fundamental rights and freedoms are protected. While the number of cases fell by 46% at the beginning of the war, the number of cases has now reached pre-war levels. According to Borys Hulko, President of the Civil Cassation Court of the Supreme Court of Ukraine, one judge handles on average 350 cases per year, but if all the cases to which a judge is assigned are taken into account, this amounts to 1150 cases per judge per year. The workload is therefore heavy in the Supreme Court and even heavier in the lower courts. Because of the war, disputes related to support, land, sanctions and collaborators arrive on the Supreme Court’s desk in addition to the ‘ordinary’ cases.

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[2]

President of the Civil Cassation Court Borys Hulko pointing at a bullet hole in the window of the courthouse. Photo: Estonian Supreme Court

The district courts of Borodianka and Malyn were also paid a visit. The Borodianka courthouse was one of

the first to be damaged at the beginning of the war and has been completely destroyed. The court continues working on alternative premises belonging to the state.



[3]

Borodianka Courthouse. Photo: Supreme Court of Ukraine



[4]

The original sign of the Borodianka Courthouse by the entrance of the alternative premises. Photo: Estonian Supreme Court



[5]

President of the Borodianka District Court (left) showing the courtroom, which is a single room in the apartment-type alternative premises. The other rooms are filled from floor to ceiling with files. Photo: Supreme Court of Ukraine



[6]

Borodianka court dog who guarded the courthouse. Photo: Estonian Supreme Court



[7]

A mural of a Ukrainian gymnast by British artist Banksy, painted on the wall of a destroyed house. Photo: Estonian Supreme Court

The Malyn courthouse sustained significant damage from the shockwaves caused by the bombing of 6 March 2022. Chairman of the Court Volodymyr Yarmolenko and Mayor Oleksandr Sytalo pointed out that the city of Malyn receives financial assistance from Estonia for the reconstruction of the destroyed infrastructure, including the bridge connecting the two parts of the city, so he would like to express his gratitude to the Estonian people for this assistance. Overall, 20% of courts in Ukraine are currently not functioning, 40% of courthouses have been destroyed and a large number of courthouses have been damaged.



[8]

The bridge between the two parts of the city rebuilt with financial support from Estonia. Photo: Supreme Court of Ukraine

Chief Justice of the Supreme Court Villu Kõve noted that the exchange of experience within the framework of such a visit is invaluable. “Estonian judges now have the opportunity to learn from their Ukrainian counterparts how to ensure the administration of justice and the functioning of the judiciary in times of war or other crises,” said Kõve. Although the atrocities of war are by no means over, the Ukrainian judges have asked that other judicial delegations be encouraged to make such visits – this way, the expressions of support are more direct and effective.”

According to the Chief Justice of the Supreme Court life in Kyiv was normal, at least during the visit, and there were no major war atrocities to be seen, but the night before the delegation arrived, Kyiv was hit by a drone attack. “We recognise the bravery of the people of Kiev and understand their fatigue and stress,” said Kõve. “None of the meetings left us with the impression that someone is ready to surrender. On the contrary, everyone emphasised that they will fight until the victorious end.”

The delegation of the Supreme Court judges is the first official delegation of a high court to visit the Supreme Court of Ukraine during the war. The Estonian Supreme Court is grateful to the Supreme Court of Ukraine for its warm, sincere and kind welcome. The Estonian Supreme Court would also like to thank the Estonian Ambassador Annely Kolk, who helped to facilitate the meeting under difficult circumstances and offered support to the Supreme Court delegation throughout the visit.



[9]

Chief Justice of the Estonian Supreme Court Villu Kõve with President of the Supreme Court of Ukraine Stanislav Kravchenko. Photo: Annely Kolk

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