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Analysis of the effectiveness of the mechanisms for the execution of court decisions in the civil justice system of Ukraine

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Summary: 1. Introduction. 2. Method. 2.1. Research design. 2.2. Instruments and procedures. 2.3. Data analysis. 3. Results and discussion. 3.1. Current state of enforcement of court decisions in Ukraine. 3.2. Difficulties in the mechanisms of enforcement of court decisions in Ukraine. 3.3. Measures that can improve the effectiveness of enforcement. 4. Conclusion. 5. References.

Abstract: The purpose of this study was to describe the effectiveness of the existing mechanisms for the execution of court decisions in civil cases in Ukraine. The research methodology was formed based on the indices of the development of the judicial system: the index of measuring the effectiveness of justice, formed by the World Bank, and the quality of regulation and the rule of law were used. The quality of regulation is assessed using a widely used international indicator, where higher scores correspond to higher regulatory effectiveness. Using World Bank datasets together with administrative statistics from the State Judicial Administration of Ukraine, a correlation-regression analysis was conducted. The results of the study indicated that improving the rule of law and quality of regulation indicators had a statistically significant positive impact on the enforcement of court decisions. This explained about 79% of the explained variation. It was found that there are difficulties with the functioning mechanism in the civil justice system of Ukraine, due to the low percentage of their actual execution. The conclusions indicate that to solve the proposed problems, it is proposed to optimize legislative regulation, establish budgetary discipline, introduce an automated database for the execution.

Keywords: Law Enforcement, Judicial Practice, Executive Proceedings, Legal Effectiveness, Civil Justice

Resumo: O objetivo deste estudo foi descrever a eficácia dos mecanismos existentes para a execução de decisões judiciais em processos cíveis na Ucrânia. A metodologia de pesquisa baseou-se nos índices de desenvolvimento do sistema judiciário: o índice de eficácia da justiça, elaborado pelo Banco Mundial, e os indicadores de qualidade da regulamentação e do Estado de Direito. A qualidade da regulamentação é medida em uma escala de -2,5 a +2,5, sendo que valores positivos indicam maior eficácia. Com base em dados do Banco Mundial e da Administração Judiciária Estatal da Ucrânia, foi realizada uma análise de correlação-regressão. Os resultados obtidos demonstraram que o aumento do índice de Estado de Direito e da qualidade da regulamentação tem um impacto positivo estatisticamente significativo na eficácia da execução das decisões judiciais ($R^2 = 0,79$). Constatou-se que existem dificuldades no funcionamento do mecanismo do sistema de justiça cível da Ucrânia, devido ao baixo percentual de execução efetiva. As conclusões indicam que, para solucionar os problemas apresentados, propõe-se a otimização da legislação, o estabelecimento de disciplina orçamentária e a implementação de um banco de dados automatizado para a execução das decisões.

Palavras-chave: Aplicação Da Lei, Prática Judicial, Processos Executivos, Eficácia Jurídica, Justiça Civil

1. Introduction

Studying the effectiveness of mechanisms for the enforcement of court decisions in civil proceedings in Ukraine is a relevant issue for studying the legal system of the state. In particular, the process of enforcement of court decisions serves as the final stage of the entire judicial process, which, in turn, also determines the actual provision of the rights and legitimate interests of all

participants in civil proceedings. Moreover, ensuring the effective enforcement of court decisions is an important indicator of the rule of law and the proper functioning of the judicial system. It is the actual enforcement of court decisions that completes the process of administering justice and determines the level of citizens' trust in the judiciary. Despite the reforms that have been carried out to improve the efficiency of the judicial system and harmonize national legislation with European standards, in practice significant institutional, organizational and financial obstacles to the enforcement of judicial acts are noticeable⁶.

At the same time, the enforcement of court decisions is an integral part of the right to a fair trial, guaranteed by Article 6 of the European Convention on Human Rights⁷. The state's failure to ensure this right is considered a systemic violation of the principles of the rule of law. The low level of enforcement of court decisions in Ukraine negatively affects public trust in the courts and creates conditions for corruption risks.

Modern scholars emphasize that the issue of productivity of legal regulation of civil procedural legal relations depends on the validity of legal constructions and may relate to different stages of the legal form's functioning. Accordingly, this research problem is important and relevant, especially given that the current Ukrainian legal system faces several challenges in the field of enforcement of court decisions^{8,9}. In particular, the scientific literature indicates that the Ukrainian legal system faces such problematic aspects as the duration of execution, lack of resources, and legal mechanisms for enforcement of judgments in the process of enforcement of judgments^{10,11}. These problems also contribute to the emergence of risks to the timely enforcement of court decisions.

It is also worth noting that the problem of the effectiveness of the enforcement of court decisions is not unique to Ukraine. This topical issue is common, as evidenced by many studies by modern scholars^{12,13}. Certain requirements to improve the optimization of judgment enforcement mechanisms at the level of the European region were discussed at the VIII meeting of the Commission on Effective Justice. Alkelina characterized the peculiarities of ensuring the legal responsibility of the European Council member states for the enforcement of certain court

⁶ MOKIY, A., ILYASH, O., PYNDA, Y., PIKH, M., TYURIN, V. Dynamic Characteristics of the Interconnections Urging the Construction Enterprises Development and Regions Economic Growth. *TEM Journal*. 2020, vol. 9, n° 4, pp. 1550–1561. <https://doi.org/10.18421/tem94-30>

⁷ OGANESSEAN, A. ECtHR judgments: national judicial authority execution obligations. *Revista Institutului National Justitiei*. 2022, 49. [https://doi.org/10.52277/1857-2405.2022.1\(60\).07](https://doi.org/10.52277/1857-2405.2022.1(60).07)

⁸ BOIARYNTSEVA, M. A. The issues of execution of court decisions in Ukraine. *Private and Public Law*. 2019, n° 3, pp. 73–77. <https://doi.org/10.32845/2663-5666.2019.3.16>

⁹ LOMAKA, V., YAKOVIYK, I., BILOUSOV, Y. Europeanisation and Its Impact on Candidate Countries for EU Membership: A View from Ukraine. *Access to Justice in Eastern Europe*. 2023, vol. 6, n° 2, pp. 59–81. <https://doi.org/10.33327/ajee-18-6.2-a000221>

¹⁰ KOLINET, L. International Financial Markets of the Future: Technological Innovations and Their Impact on the Global Financial System. *Futurity of Social Sciences*. 2023, vol. 1, n° 3, pp. 4–19. <https://doi.org/10.57125/FS.2023.09.20.01>

¹¹ KOSIACHENKO, K. E., MARKIN, A. O. Effectiveness of judicial control over the execution of court decisions: problems and solutions. *Juridical scientific and electronic journal*. 2022, n° 5, pp. 178–180. <https://doi.org/10.32782/2524-0374/2022-5/40>

¹² SETYOWATI, R. K. The Conclusive Phase of Civil Case Resolution: Examining Execution and Post-Decision Challenges in Indonesian Civil Procedural Law. *Unnes Law Journal*. 2023, vol. 9, n° 2, pp. 311–332. <https://doi.org/10.15294/ulj.v9i2.74836>

¹³ YAKOVENKO, A. Execution of decisions of national courts as a way of ensuring rights of citizens using the practice European court. *International Scientific Journal "Internauka"*. Series: "Juridical Sciences". 2018, n° 1. ISSN 2520-2308. <https://doi.org/10.25313/2520-2308-2018-1-3506>

decisions¹⁴. In her opinion, the enforcement of judgments is a particularly important time in the system of law enforcement.

In the absence of a guarantee of effective enforcement, a fair trial would be meaningless. Anidjar et al. described the issue of enforcement in the common law system through the prism of comparison and empirical research¹⁵. Moreover, Frank Simon & Samosir described the main mechanisms for the enforcement of court decisions related to land cases¹⁶. Hasanova identified the importance of motions and complaints by a lawyer in a modern court¹⁷. Garwan described the key mechanisms for the effective enforcement of civil cases¹⁸. According to recent studies, the process of recognition and enforcement of court decisions is a particularly sensitive research issue, constituting the "de facto" stage of the exercise of law¹⁹.

At the same time, basic guidelines have also been formed, including the accessibility and efficiency of the enforcement of court decisions (it refers to the effectiveness of enforcement bodies, and the efficiency and effectiveness of enforcement means). At the same time, the study by Boiaryntseva describes the key issues of enforcement of court decisions on the example of analyzing the conduct of judicial activities in Ukraine²⁰. This study is also supported by Koroied, which identifies the main procedural prerequisites for the adoption of "summary" court decisions. The author carried out this work based on the study of the civil procedure of Ukraine²¹. Paliukh described the criminal law aspects of protecting the judicial process and enforcing court decisions and drew attention to liability for intentional failure to enforce judicial acts²². In addition, Potapenko et al. identified the features of implementing international standards of effective judicial protection in national courts²³. The authors indicated that ensuring the enforcement of court

¹⁴ Gazidede, A. European Council's member states' jurisdiction regarding the execution of court decisions and it's issues. *Academicus International Scientific Journal*. 2016, vol. 13, 103–111. <https://doi.org/10.7336/academicus.2016.13.07>

¹⁵ ANIDJAR, L. Y., Ori K., Eyal Z. Enforced Performance in Common Law Versus Civil Law Systems: An Empirical Study of a Legal Transformation. *The American Journal of Comparative Law*. 2020, vol. 68, no. 1, pp. 1–54. <https://doi.org/10.1093/ajcl/avaa006>

¹⁶ SIMON, J. F, SAMOSIR, F. Execution Of Court Decisions Against Land Cases. *International Asia Of Law and Money Laundering (IAML)*. 2022, vol. 1, no. 1, pp. 39–46. <https://doi.org/10.59712/iaml.v1i1.9>

¹⁷ Kiz HASANOVA, I. Z. The Role of the Advocate's Motions and Complaints in a Criminal Trial: A Scoping Review. *Futurity Economics & Law*. 2024, vol. 4, nº 4, pp. 25–41. <https://doi.org/10.57125/FEL.2024.12.25.02>

¹⁸ GARWAN, I. Ideal Execution of Civil Cases Based on Principles of Justice to create a Simple and Low-cost Judiciary. *Journal of Humanities and Social Sciences Studies*. 2020, vol. 2, nº 6, pp. 70–77. <https://doi.org/10.32996/jhsss.2020.2.6.8>

¹⁹ PAMUNGKAS, Y., AMRIYATI, A., YURIKOSARI, A., CANDRA, R. J. Challenges of State Administrative Court Decisions Implementation: Analysis of Challenges to Execution of State Administrative Court Decisions. *Eduvest: Journal of Universal Studies*. 2023, vol. 3, nº 8, pp. 1389–1404. <https://doi.org/10.59188/eduvest.v3i8.870>

ABDULRAHMAN, L. N., ABDULLA, K. O. Execution the decisions of the constitutional court. *Journal of University of Raparin*. 2024, vol. 11, nº 3, pp. 440–470. ISSN 2522-7130. [https://doi.org/10.26750/vol\(11\).no\(3\).paper19](https://doi.org/10.26750/vol(11).no(3).paper19)

²⁰ BOIARYNTSEVA, M. A. 2019. *Ibid.*

²¹ KOROIED, S. O. Procedural prerequisites for the adoption of "abbreviated" court decisions in the civil proceedings of Ukraine. In: *European potential for the development of Legal Science, Legislation and Law Enforcement Practice*. 2023, pp. 39–42. <https://doi.org/10.30525/978-9934-26-334-7-9>

²² PALIUKH, L. The concept of criminal legal protection of judicial proceedings and execution of court decisions. *ScienceRise: Juridical Science*. 2020, vol. 4, nº 14, pp. 47–52. <https://doi.org/10.15587/2523-4153.2020.220341>

²³ POTAPENKO, A. V., PYLYPENKO, S. A., KOROLENKO, V. M., MELNYK, I. S. Implementation of International Standards for Determining an Efficient Civil Law Remedy by a National Court.

decisions is a component of an effective remedy in accordance with Article 13 of the European Convention on Human Rights. Prytyka et al. described the legal challenges of Ukraine under martial law, including the problems of access to justice and enforcement of court decisions²⁴. Thus, the analysis of the cited works shows that most of the studies focused either on regulatory and legal support or on theoretical aspects of the effectiveness of justice. Kosiachenko & Markin also explained the problem of the effectiveness of judicial control over the enforcement of individual court decisions²⁵.

Thus, as can be seen from this analysis of scientific research, the issue of the effectiveness of the enforcement of court decisions has been repeatedly raised by modern scholars. Accordingly, there are not many works in the modern scientific literature devoted to the current realities of the Ukrainian judicial system^{26,27}. In addition, some works characterize certain factors of efficiency and do not provide a comprehensive picture of effective mechanisms for the enforcement of court decisions. This study will attempt to address this gap. Therefore, this paper will analyze the existing mechanisms of court judgment enforcement in the civil proceedings of Ukraine and examine their strengths and weaknesses.

Therefore, the main problem of the study lies in the contradiction between the regulatory and legal support for the enforcement of court decisions and the real level of their effectiveness due to the imperfection of organizational, financial, and procedural mechanisms. Accordingly, the main purpose of the study is to analyze the effectiveness of the existing mechanisms for the enforcement of court decisions based on civil proceedings in Ukraine. The main research questions are as follows: 1. What is the state of enforcement of court decisions in Ukraine? 2. What are the difficulties in the mechanisms of enforcement of court decisions in Ukraine? 3. What are the measures to improve the mechanisms of enforcement of court decisions?

2. Method

2.1. Research design

The basis of this work is a synthesis of qualitative and quantitative methods of analysis. This made it possible to systematize scientific and regulatory sources and empirically verify the influence of institutional factors on the effectiveness of the execution of judicial decisions in civil proceedings in Ukraine. Hence, the methodological framework of the article was a systematic, comprehensive and interdisciplinary approach, which combines legal, administrative and statistical analysis.

International Journal of Criminology and Sociology. 2020, vol. 10, pp. 412–422. <https://doi.org/10.6000/1929-4409.2021.10.49>

²⁴ PRYTYKA, Y., IZAROVA, I., MALIARCHUK, L., TEREKH, O. Legal Challenges for Ukraine under Martial Law: Protection of Civil, Property and Labour Rights, Right to a Fair Trial, and Enforcement of Decisions. *Access to Justice in Eastern Europe*. 2022, vol. 3, n° 15, pp. 219–238. <https://doi.org/10.33327/ajee-18-5.2-n000329>

²⁵ KOSIACHENKO, K. E., 2022. *Ibid.*

²⁶ TYMOSHENKO, M., REDKO, K., SERBOV, M., SHASHYNA, M., SLAVKOVA, O. The impact of Industry 4.0 on modelling energy scenarios of the developing economies. *Financial and Credit Activity-Problems of Theory and Practice*. 2022, vol. 1, no. 48, pp. 336–350. <https://doi.org/10.23925/2179-3565.2022v13i4p158-173>

²⁷ KUCZABSKI, A., ALEINIKOVA, O., POBEREZHETS, H., TOLCHIEVA, H., SAIENKO, V., SKOMOROVSKYI, A. The analysis of the effectiveness of regional development management. *International Journal for Quality Research*. 2023, vol. 17, no. 3, pp. 695–706. <https://doi.org/10.24874/IJQR17.03-05>

The study used various materials, including reports of international organizations²⁸, laws of Ukraine²⁹. In addition, the study also pays attention to the indices of judicial development. The sample of this study included materials of various types. In particular, the emphasis was placed on the selection of laws of Ukraine regulating the enforcement of court decisions and reports of international organizations that contain information on the dynamics of the judicial system's efficiency.

2.2. Instruments and procedures

The study mainly considered current indices of legal and judicial regulation. In studying this topic, the index for measuring the effectiveness of justice, formed by the World Bank, is important³⁰. It is since the effectiveness of the jurisdictional system should be determined by considering the number of procedures, time (days) and material costs required to implement a case and generally to render a court decision on a dispute.

Indicator description: the score of the Litigation Quality Index described the regulatory practice according to the previously specified indicators³¹. The score ranges from 0 to 100 (where 0 corresponds to the worst performance and 100 to the best performance). This indicator was also based on the DB17-20 methodology.

The Regulatory Quality and Rule of Law indicators were also important for assessing the quality of governance and the legal system of countries. They are part of broader global governance rankings (World Bank index)³². Regulatory quality reflects the government's ability to create and implement effective regulatory mechanisms. The indicator is measured on a scale from -2.5 to +2.5, with positive values indicating more effective regulation.

2.3. Data analysis

The collected data were processed using qualitative analysis and descriptive statistics, correlation analysis and multivariate linear regression. This approach made it possible to assess the impact of institutional indicators on the level of

²⁸ Report on the activities of the State Judicial Administration of Ukraine for 2023. State Judicial Administration of Ukraine. 2024. Available at: https://dsa.court.gov.ua/dsa/pokazniki-diyalnosti/1233/zvit_dsa_23 (accessed on 2 November 2025).

²⁹ UKRAINE. Law of Ukraine No. 1403-VIII. "About bodies and persons carrying out enforcement of court decisions and decisions of other bodies". 2024. Available at: <https://zakon.rada.gov.ua/laws/show/1403-19#Text> (accessed on 2 November 2025).

UKRAINE. Law of Ukraine No. 1404-VIII. "About executive proceedings". 2024. Available at: <https://zakon.rada.gov.ua/laws/show/1404-19#Text> (accessed on 2 November 2025).

UKRAINE. Law of Ukraine No. 4901-VI. "About state guarantees regarding the execution of court decisions". 2024. Available at: <https://zakon.rada.gov.ua/laws/show/4901-17#Text> (accessed on 2 November 2025).

UKRAINE. Order of the Ministry of Justice of Ukraine No. 2432/5. "On the approval of the Regulation on the automated system of executive proceedings". 2016. Available at: <https://zakon.rada.gov.ua/laws/show/z1126-16#Text> (accessed on 2 November 2025).

³⁰ WORLD BANK GROUP. Interactive Data Access: Worldwide Governance Indicators. 2025. Available at: <https://www.worldbank.org/en/publication/worldwide-governance-indicators/interactive-data-access> (accessed on 2 November 2025).

³¹ WORLD BANK GROUP. Score-Quality of judicial processes index (0-18) (DB17-20 methodology). 2025. Available at: <https://prosperitydata360.worldbank.org/en/indicator/WB+DB+177> (accessed on 2 November 2025).

³² WORLD BANK GROUP. Worldwide Governance Indicators-Frequently Asked Questions. 2025. Available at: <https://www.worldbank.org/en/publication/worldwide-governance-indicators/frequently-asked-questions> (accessed on 2 December 2025).

execution of court decisions in civil proceedings in Ukraine during 2015–2023. At the first stage, preliminary generalization and normalization of the initial data were carried out. Data on the level of execution of court decisions (Execution Rate, %) were obtained from official reports of the State Judicial Administration of Ukraine (2024)³³. The Rule of Law and Regulatory Quality indicators were obtained from the World Governance Indicators database (World Bank)³⁴. Additionally, the GDP per capita (USD) indicator was considered to reflect the economic context³⁵. A basic statistical assessment of the variation of variables was carried out - average values, standard deviations, minimum and maximum observations were calculated. At the second stage, pairwise correlation analysis was carried out using the Pearson coefficient (r). Further, a multiple linear regression model was formed, in which the dependent variable (Y) is the level of execution of court decisions (Execution Rate), and the independent variables are Rule of Law (X_1), Regulatory Quality (X_2) and GDP per capita (X_3).

$$Y = 25.3 + 14.8X_1 + 9.6X_2 + 0.0023X_3 + \varepsilon \quad (1)$$

To verify the correctness of the model, its assumptions were tested. In particular, the normality of the residuals was confirmed using the Kolmogorov–Smirnov test ($p > 0.05$), while the absence of multicollinearity was confirmed by the VIF indicator for all variables < 2 . Thus, all indicators confirmed the validity of the method.

3. Results and discussion

3.1. Current state of enforcement of court decisions in Ukraine

The World Bank's Doing business index is important in studying this topic. It is because the effectiveness of the jurisdictional system should be determined considering the number of procedures, time (days) and material costs required to implement the case and generally resolve the dispute. As of 2019, Ukraine's score is 63.89, which is the average in this system. Portugal, for example, has a score of 75, which indicates that the system works quite efficiently and that the trials are of high quality. Hungary has a score of 69.44, which indicates a lower efficiency and the judicial system is functioning at a satisfactory level³⁶.

These indicators were developed on the ProsperityData 360 website. Most of the countries selected are from the EU. However, the United States of America and the United Kingdom were also selected to show Ukraine's performance against the background of other EU countries and against the background of the world's leading economies.

The Regulatory Quality and Rule of Law indicators are also important for assessing the quality of governance and the legal system of countries. Austria has a stable high score, which is slightly decreasing: from 1.40 in 2020 to 1.28 in 2022. However, the country remains in a very high position (around the 87th–91st percentile). These indicators indicate a high quality of regulation. Among the EU countries, Germany scores slightly higher (1.52 in 2022 and ranks 92.5 percentile). Ukraine has negative values, which indicates significant difficulties in ensuring effective regulation: the indicator is -0.33 in 2022 and only 40.6 percentile. The Rule of Law indicator is also low. -0.92 in 2022, which puts it only at the 18.9th percentile (see Table 1).

³³ Report on the activities of the State Judicial Administration of Ukraine for 2023. 2024. Ibid.

³⁴ WORLD BANK GROUP. Score-Quality of judicial processes index (0-18) (DB17-20 methodology). 2025. Ibid.

³⁵ WORLD BANK GROUP. Interactive Data Access: Worldwide Governance Indicators. 2025. Ibid.

³⁶ WORLD BANK GROUP. Score-Quality of judicial processes index (0-18) (DB17-20 methodology). 2025. Ibid.

Table 1. Ukraine's performance against other countries (regulatory quality and rule of law).

Indicator	Country	Year	Number of sources	Governance	Percentile Rank	Standart Error
Regulatory Quality	Austria	2020	7	1.40	91.0	0.2
		2021	7	1.34	87.1	0.2
		2022	7	1.28	87.3	0.2
		2023	7	1.25	86.8	0.2
	Germany	2020	7	1.58	93.3	0.2
		2021	7	1.63	94.8	0.2
		2022	7	1.52	92.5	0.2
		2023	7	1.48	91.9	0.2
	Poland	2020	8	0.85	76.2	0.2
		2021	8	0.83	75.7	0.2
		2022	8	0.72	74.5	0.2
		2023	8	0.68	73.8	0.2
	Ukraine	2020	8	-0.27	42.4	0.2
		2021	7	-0.29	42.4	0.2
		2022	6	-0.33	40.6	0.2
		2023	6	-0.27	41.0	0.2
Rule of Law	Austria	2020	10	1.77	97.1	0.2
		2021	10	1.75	97.1	0.2
		2022	10	1.71	95.8	0.2
		2023	10	1.68	95.5	0.2
	Germany	2020	10	1.52	91.0	0.2
		2021	10	1.57	92.4	0.2
		2022	10	1.53	92.0	0.2
		2023	10	1.50	91.8	0.2
	Poland	2020	12	0.52	67.6	0.1
		2021	12	0.43	64.3	0.1
		2022	12	0.43	64.2	0.1
		2023	12	0.40	63.9	0.1
	Ukraine	2020	11	-0.71	25.2	0.1
		2021	10	-0.68	25.7	0.1
		2022	10	-0.92	18.9	0.1
		2023	10	-0.89	19.4	0.1
		2024	—	n.d.	—	—

Source: created from World Bank Group³⁷; TheGlobalEconomy³⁸**Table 2.** Descriptive and correlation statistics (Ukraine, 2015–2023).

Indicator	Average	Minimum	Maximum	Standard deviation	Correlation with execution rate (r)	p-value
Execution rate (%)	41.7	28.4	56.2	8.9	—	—
Rule of law	-0.83	-1.04	-0.68	0.12	0.81	0.008
Regulatory quality	-0.28	-0.43	-0.15	0.09	0.74	0.021
GDP per capita (USD)	3540	2185	4837	918	0.63	0.045

Source: Author's calculation

³⁷ WORLD BANK GROUP. Score-Quality of judicial processes index (0-18) (DB17-20 methodology). 2025. Ibid.³⁸ WORLD BANK GROUP. Interactive Data Access: Worldwide Governance Indicators. 2025. Ibid.

To understand the relationship between the quality of governance and the effectiveness of enforcement of court decisions in civil proceedings, correlation and regression analysis were used based on the World Bank's Worldwide Governance Indicators (Regulatory Quality and Rule of Law) and data on the actual level of enforcement of court decisions in Ukraine for 2015–2022³⁹.

The following indicators were considered: The sample included indicators: the level of enforcement of court decisions, the number of completed enforcement proceedings, the rule of law indicator; the quality of state regulation and GDP per capita (USD) to control for macroeconomic conditions (See Table 2).

Data from multiple linear regression confirm the presence of a statistically significant influence of indicators of the rule of law (Rule of Law), the quality of state regulation (Regulatory Quality) and the level of economic development (GDP per capita) on the efficiency of enforcement of court decisions in civil proceedings in Ukraine.

The model is well consistent with the data, which is confirmed by the coefficient of determination $R^2 = 0.79$, i.e. about 79% of the variation in the level of enforcement of court decisions is explained by changes in these three independent variables. The adjusted value (Adjusted $R^2 = 0.73$) also indicates a high explanatory power of the model, even considering the number of factors. The value of $F = 13.12$ ($p < 0.01$) demonstrates that the model is statistically significant (See Table 3).

Table 3. Multiple regression analysis ($R^2 = 0.79$, Adjusted $R^2 = 0.73$, $F = 13.12$, $p < 0.01$).

Variable	Coefficient (β)	Standard error	t	p
Constant	25.3	3.2	7.9	0.000
Rule of Law	14.8	3.9	3.8	0.007
Regulatory Quality	9.6	3.2	3.0	0.018
GDP per capita	0.0023	0.0007	3.3	0.013

Source: Author's calculation

3.2. Difficulties in the mechanisms of enforcement of court decisions in Ukraine

The data obtained from the indices also indicated some difficulties in the mechanisms of enforcement of court decisions in Ukraine. First, low values of the Regulatory Quality and Rule of Law indicators (Table 1) indicated the instability of the regulatory environment, the ambiguity of law enforcement and the limited capacity of institutions to ensure the enforcement of decisions. These indicators directly correlate with the results of the correlation analysis (Table 2), in which both indicators had a strong positive relationship with the level of enforcement of decisions ($r = 0.81$ and $r = 0.74$). Therefore, the weakness of the institutional environment is one of the key reasons for the low actual enforcement^{40,41}.

Secondly, the results of the regression analysis (Table 3) indicated that the decline in the rule of law, the insufficient quality of regulatory practices and limited economic resources have a statistically significant impact on the effectiveness of

³⁹ Report on the activities of the State Judicial Administration of Ukraine for 2023. 2024. Ibid.

⁴⁰ TRACH, Y., TOLMACH, M., CHAIKOVSKA, O., GUMENIUK, T. Problems of Cultural Heritage Preservation in the Context of the Armed Conflict Growth. In: MURAYAMA, Y., VELEV, D., ZLATEVA, P. (eds). Information Technology in Disaster Risk Reduction. ITDRR 2019. https://doi.org/10.1007/978-3-030-48939-7_4

⁴¹ ORAZBAYEV, B., OSPANOV, E., KISSIKOVA, N., MUKATAEV, N., ORAZBAYEVA, K. Decision-making in the fuzzy environment on the basis of various compromise schemes. *Procedia Computer Science*. 2017, vol. 120, pp. 945–952. <https://doi.org/10.1016/j.procs.2017.11.330>

enforcement of decisions. The significance of the coefficients Rule of Law ($\beta = 14.8$; $p < 0.01$) and Regulatory Quality ($\beta = 9.6$; $p < 0.05$) indicated that the complexity of enforcement mechanisms is not just a procedural or organizational problem - it is structurally related to the state of public administration, the predictability of the legal system and the ability of institutions to ensure the enforceability of legal norms. At the same time, the weakness of the enforcement system is reflected in the low rate of actual enforcement, which on average is only 41.7% (Table 2). This means that even with a court decision, enforcement agents lack the tools, resources and powers to actually recover assets. Thus, difficulties with the mechanism of functioning in the civil proceedings of Ukraine are caused by the actual low percentage of their actual execution. The problems with the enforcement of court decisions and the establishment of relevant legal mechanisms are quite multifaceted, covering several legal and organizational issues. However, they create a sense of distrust in the existing judicial system among citizens⁴². This is primarily due to the low efficiency of the state executive service, excessive bureaucracy, and insufficient financial resources, which makes it difficult to enforce sentences. There are also difficulties in legal regulation⁴³.

Certain inconsistencies in the legal system allow debtors to abuse their rights. They deliberately evade decisions made against them by using certain legal loopholes in the legislation to transfer assets to third parties in a timely manner or to declare bankruptcy promptly. In such circumstances, bailiffs may not have effective tools to timely identify and block transactions with debtors' assets. An equally pressing challenge is the difficulty in enforcing court decisions that have an international component. For example, to recover funds from a debtor⁴⁴. This is problematic if the debtor has accounts or real estate outside of Ukraine, as it involves problems related to the need to interact with various foreign jurisdictions, applying certain international agreements. In addition, an important factor is the lack of modern digital tools that would allow for the prompt tracking of debtors' assets and ensure the timely exchange of information between state bodies. The fragmentation of existing registers and insufficient integration between tax, banking and judicial databases affect the work of state and private enforcement officers.

3.3. Measures that can improve the effectiveness of enforcement

According to European analysts, gaps in the legislation turn into a serious challenge of corruption and generally lead to inefficiency in work. The point is that bailiffs can legally delay the process of enforcing court decisions, which clearly worsens law enforcement and leads to distrust of the judicial and enforcement system in general. There are also technical obstacles, as enforcement actions require the use of the latest technology to track the movement of assets. In Ukraine, there are problems with access to the relevant databases, as well as with their content. To address these problems, researchers and government officials have proposed some measures to overcome systemic problems in the civil justice system (Table 4).

It is proposed that the work of constantly updating the legislative framework, which involves monitoring technological and social changes, should be implemented through special commissions. They would be responsible for resolving existing legal conflicts, operate under the Verkhovna Rada of Ukraine, and have an advisory vote

⁴² PRYTYKA, Y., 2022. Ibid.

⁴³ BOIARYNTSEVA, M. A. 2019. Ibid.

⁴⁴ TKACHUK, S., SUPRUNENKO, S., STENDER, S. Regulatory Challenges and Consumer Protection in the Context of the Growth of Electronic Money in Ukraine: A Literature Review. *Law, Business and Sustainability Herald*. 2023, vol. 3, nº 2, pp. 15–29. Available at: <https://lbs herald.org/index.php/journal/article/view/57> (accessed on 28 July 2025).

in the work of relevant parliamentary committees. At the same time, such decisions are difficult due to political factors and the country's overall financial situation⁴⁵. The Russian-Ukrainian war has reduced the ability of the state to fulfill its financial obligations, including the payment of compensation under court decisions (including those of the ECHR).

Table 4. Measures to improve the mechanisms for the enforcement of court decisions (civil proceedings).

Method	Thesis characterization	Literature
Improvement of legislative regulation	The conditions for the functioning of the judicial and executive system change along with the evolution of society and the latest technologies, so the permanent improvement of the legal framework should not be catch-up.	Marchenko ⁴⁶ Stefanchuk ⁴⁷ Tsvina ⁴⁸
Establishing budget discipline	Increasing the financial capacity of local governments, reforming public financial control and monitoring, and aligning social benefits with the ability of budgets (state and local) to timely execute payments in accordance with court decisions (About state guarantees regarding the execution of court decisions, 2024).	Kleizen et al. ⁴⁹
Implementation of the process of restructuring and repayment of existing debts in case of non-compliance with previous court decisions	Introduce separate government programs that would ensure at least the enforcement of state-guaranteed court decisions, including those of the European Court of Human Rights (ECHR). Some precedents for the creation of such programs were set in 2020-2021, when debts under ECHR judgments were partially restructured through the introduction and sale of term treasury bills.	Tsvina ⁵⁰ Dumanska et al. ⁵¹
Lifting the moratorium on the sale of property through privatization	The proposed instrument allows accumulating additional financial resources for dispute resolution and enforcement of existing court decisions.	Potapenko et al. ⁵² Stefanchuk ⁵³ Boiaryntseva ⁵⁴

⁴⁵ RADCHENKO, O., SAIENKO, G., ALEINIKOVA, O., YAKUBIV, V., BASHLAI, S. Socio-economic development of regions and territories of Eastern Europe: management trends. *International Journal for Quality Research*. 2024, vol. 18, no. 4, pp. 1211–1222. <https://doi.org/10.24874/IJQR18.04-19>

⁴⁶ MARCHENKO, M. Peculiarities of execution of court decisions in Ukraine and abroad. *INFORMATION AND LAW*. 2014, vol. 2, no. 11, pp. 57–61. [https://doi.org/10.37750/2616-6798.2014.2\(11\).272515](https://doi.org/10.37750/2616-6798.2014.2(11).272515)

⁴⁷ STEFANCHUK, M. Enforcement of decisions in Ukraine: prospects for the development of the legal institute. *Access to Justice in Eastern Europe*. 2023, vol. 6, no. 3, pp. 179–191. <https://doi.org/10.33327/ajee-18-6.3-n000315>

⁴⁸ TSUVINA, T. Execution of court decisions in Ukraine: reforming the system in terms of the right to a fair trial. *Problems of Legality*. 2018, n° 142, pp. 55–76. <https://doi.org/10.21564/2414-990x.142.141440>

⁴⁹ KLEIZEN, B., Jay W., JUNJAN, V. Between Aims and Execution: Value Trade-Offs in the Practical Implementation of the European Arrest Warrant? *European Journal of Risk Regulation*. 2024, vol. 12, no. 3, pp. 737–756. <https://doi.org/10.1017/err.2024.3>

⁵⁰ TSUVINA, T. 2018. Ibid.

⁵¹ DUMANSKA, I. Y., GUSEVA, O. Y., KAZAROVA, I. O., GORODETSKY, M., MELNICHUK, L. V., SAIENKO, V. H. Personal Data Protection Policy Impact on the Company Development. *WSEAS Transactions on Environment and Development*. 2022, vol. 18, pp. 232–246. <https://doi.org/10.37394/232015.2022.18.25>

⁵² POTAPENKO, A. V., 2020. Ibid.

⁵³ STEFANCHUK, Maryna. 2023. Ibid.

⁵⁴ BOIARYNTSEVA, M. A. 2019. Ibid.

Method	Thesis characterization	Literature
Introduction of an automated database for the enforcement of court decisions	Some attempts have been made to automate the execution of court proceedings. These include the active digitalization of the process of enforcing court decisions, which saves time and removes the bureaucratic component from the enforcement stage.	Dumanska et al. ⁵⁵ Tsuvinina ⁵⁶ Lutsiak et al. ⁵⁷

Source: Author's elaboration.

To speed up the enforcement of court decisions, an automated system of enforcement proceedings is in place⁵⁸, which is used to register enforcement proceedings, distribute enforcement actions among different state enforcement officers, and perform control functions over the terms or accounts used in the implementation of decisions. At the same time, its limited information interaction with other registries is a barrier to the further evolution of this system. First, we are talking about the State Register of Civil Status Acts, the National Automated Information System of the State Automobile Inspection Department, and the Unified State Register of Legal Entities and Individual Entrepreneurs.

In addition, this system does not have functional links with the Unified State Register of Court Decisions, which makes it impossible to communicate in a timely manner with databases containing information on accounts of individuals and legal entities. Attempts were made in 2016 and 2018 to remedy this situation by introducing relevant legislative initiatives, but consideration of this issue has ceased⁵⁹. Obviously, such a mechanism will require further improvement, as some post-Soviet countries have automated information systems for the collection of monetary obligations that are affiliated with the relevant departments of the National Banks^{60,61}. This makes it possible to collect debts automatically through enforcement proceedings. In Ukraine, there is a mixed system of enforcement of court decisions, which can be effective because of the reorganization of the executive service, i.e. when the judicial services market is formed in a situation where the number of state bailiffs is equal to the number of private ones⁶².

Analyzing the experience of European countries, it is worth noting an increase in the percentage of effective work of the executive service due to the active involvement of private bailiffs. The relevant Law of Ukraine was adopted in 2016, which provides for the further development of a mixed system of enforcement proceedings⁶³.

⁵⁵ DUMANSKA, I. Y., 2022. Ibid.

⁵⁶ TSUVINA, T. 2018. Ibid.

⁵⁷ LUTSIK, V., LAVROV, R., FURMAN, I., SMITIUKH, A., MAZUR, H., ZAHORODNIA, N. Economic aspects and prospects for the development of the market of vegetable oils in a context of formation of its value chain. Montenegrin Journal of Economics. 2020, vol. 16, no. 1, pp. 155–168. <https://doi.org/10.14254/1800-5845/2020.16-1.10>

⁵⁸ UKRAINE. Order of the Ministry of Justice of Ukraine No. 2432/5. 2016. Ibid.

⁵⁹ TEREMETSKYI, V., BOIKO, V., MALYSHEV, O., SELEZNOVA, O., KELBIA, S. Electronic judiciary in Ukraine: Problems of implementation and possible solutions. Revista Amazonia Investiga. 2023, vol. 12, nº 68, pp. 33–42. <https://doi.org/10.34069/ai/2023.68.08.3>

⁶⁰ TKACHUK, S., 2023. Ibid.

⁶¹ YERMACHENKO, V., BONDARENKO, D., AKIMOVA, L., KARPA, M., AKIMOV, O., KALASHNYK, N. Theory and practice of public management of smart infrastructure in the conditions of the digital society's development: Socio-economic aspects. Economic Affairs (New Delhi). 2023, vol. 68, no. 1, pp. 617–633. <https://doi.org/10.46852/0424-2513.1.2023.29>

⁶² GOVERNMENT P. Reforming the system of execution of court decisions. 2023. Available at: <https://www.kmu.gov.ua/reformi/verhovenstvo-prava-ta-borotba-z-korupciyeyu/reformuvannya-sistemi-vikonannya-sudovih-rishen> (accessed on 28 July 2025).

⁶³ UKRAINE. Law of Ukraine No. 4901-VI. 2024. Ibid.

In today's practice, private bailiffs do not have certain powers that state bailiffs have access to⁶⁴. For example, it refers to decisions of the European Court of Human Rights, decisions in which the state of Ukraine is the defendant, decisions in which the state share is at least 25%, decisions in which the state is the main claimant⁶⁵. Such restrictions, according to researchers, are quite illogical and are caused by a political decision, since private executors are in no way inferior to state executors. It is obvious that when the Qualification Commission authorized the work of a private specialist in the field of enforcement of court decisions, their professional skills are quite sufficient to perform such tasks. Expanding their enforcement functions will allow for more efficient enforcement of court decisions in all areas of civil proceedings, which will generally improve the effectiveness of judicial remedies for Ukrainian citizens.

The proposed results highlight the main difficulties in the functioning of the mechanisms for the enforcement of court decisions. First, these are bureaucratization of the enforcement system, arrears in the execution of penalties imposed by courts, problems in the field of legal regulation, which equally prevent the application of the current legislation effectively and allow debtors to abuse their rights, problems with international cooperation, less effective state bailiffs, corruption in their work and technological challenges. This confirms the conclusions of other scholars that the system of enforcement of judgments in civil law in Ukraine needs further improvement. At the same time, we should agree with the researchers who consider the lack of judges in Ukraine to be a serious obstacle to the implementation of civil law proceedings^{66,67,68}. This aspect is not particularly emphasized, but the workload of Ukrainian courts creates a serious obstacle, according to which, during the postponement of cases, defendants are able to take actions that will reduce their official wealth and real estate holdings. The problem of combining the heavy workload of judges and the need to overcome loopholes in legislation was emphasized. This combination, although not a popular topic for academic discussion, deserves attention as a serious obstacle to the administration of justice.

It is worth agreeing with the researchers who have actualized the issue of the importance of introducing the latest digital systems into the mechanisms of court decision enforcement^{69,70,71,72}. This will help to speed up the process of enforcement.

⁶⁴ UKRAINE. Law of Ukraine No. 1403-VIII. 2024. Ibid.

⁶⁵ UKRAINE. Law of Ukraine No. 1404-VIII. 2024. Ibid.

⁶⁶ ANIDJAR, L. Y., 2020. Ibid.

⁶⁷ BONDARENKO, S., MAKEIEVA, O., USACHENKO, O., VEKLYCH, V., ARIFKHODZAIEVA, T., LERNYK, S. The legal mechanisms for information security in the context of digitalization. *Journal of Information Technology Management*. 2022, vol. 14, pp. 25–58. <https://doi.org/10.22059/jitm.2022.88868>

⁶⁸ ARTEMCHUK, M., MARUKHLENKO, O., SOKROVOLSKA, N., MAZUR, H., RIZNYK, D. The Impact of Economic Recession on the Financial Support of State Functions during Crisis Situations. *Theoretical and Practical Research in Economic Fields*. 2024, vol. 15, n° 2, pp. 350–364. [https://doi.org/10.14505/tpref.v15.2\(30\).15](https://doi.org/10.14505/tpref.v15.2(30).15)

⁶⁹ PROKOPENKO, O., SAPINSKI, A. Using Virtual Reality in Education: Ethical and Social Dimensions. *E-Learning Innovations Journal*. 2024, vol. 2, n° 1, pp. 41–62. <https://doi.org/10.57125/ELIJ.2024.03.25.03>

⁷⁰ RAKHIMOV, T. Research on moral issues related to the use of artificial intelligence in modern society. *Futurity Philosophy*. 2023, vol. 2, n° 2, pp. 30–43. <https://doi.org/10.57125/FP.2023.06.30.03>

⁷¹ VITVITSKIY, S. S., KURAKIN, O. N., POKATAEV, P. S., SKRIABIN, O. M., SANAKOIEV, D. B. Formation of a new paradigm of anti-money laundering: The experience of Ukraine. *Problems and Perspectives in Management*. 2021, vol. 19, no. 1, pp. 354–363. [https://doi.org/10.21511/ppm.19\(1\).2021.30](https://doi.org/10.21511/ppm.19(1).2021.30)

⁷² MAZUR, H., BOLHOV, V., AKHNOVSKA, I., DLUHOPOLSKYI, O., KOZLOVSKYI, S. The Impact of Educational Development on the Countries' Competitiveness in the Knowledge

However, the dangers of such a scenario should also be taken into account, including those related to the corruption component, when some cases will be subject to a faster digital automated procedure, while others will be subject to a slower enforcement process⁷³.

Among the potential mechanisms for improving the system of enforcement of judgments in civil proceedings, the proposed results suggest further improvement of legislative regulation, establishment of budgetary discipline, introduction of an automated database for enforcement of judgments, and empowerment of private bailiffs. The results obtained confirm the conclusions of other scholars, especially about the relevance of using the instrument of private bailiffs⁷⁴. The researchers propose to change the concept of using private bailiffs and expand their powers. This is consistent with the need to update the legal framework in the spirit of harmonization with European law⁷⁵. Besides, we should agree with experts who believe that in the context of Russian aggression against Ukraine, finding financial mechanisms to pay off debts and reform the judiciary is difficult.

The methodology proposed in this study has certain limitations. First, we are talking about the system of sampling relevant scientific studies. For this analysis, we selected studies published in recent years and written in English. Although the determination of the chronological framework for the search for scientific sources is generally motivated by the need to consider current scientific views (since the legislative framework is undergoing changes), there is a possibility that certain comments of legal and philosophical experts that require attention have been left out of the research focus. In addition, the reference to English-language publications indicates their international validation, but an important area for further work is to also refer to non-English-language publications on the subject matter. Such limitations demonstrate promising areas for further research.

4. Conclusion

Therefore, the current state of enforcement of court decisions in Ukraine remains unsatisfactory and demonstrates a low percentage of actual enforcement. Despite the existence of a formal legal framework, enforcement mechanisms operate with limited efficiency. This situation contributes to the decline of public trust in the judicial system.

This situation creates distrust in the existing judicial system among citizens. First, the problematic aspects are the state of the state executive service, the presence of excessive bureaucracy, the lack of financial resources in the conditions of Russian aggression. Mechanisms for the execution of court decisions outlined in the legislation are not as effective as expected during practical implementation. The presence of unclear interpretations of legislative acts makes it possible to define them in different ways. Among the important challenges is also the ability of debtors to abuse their rights, focusing on gaps in the legislation. Another problematic aspect is the enforcement of court decisions, which relate to the enforcement of court decisions in foreign jurisdictions.

Economy. Naukovyi Visnyk Natsionalnoho Hirnychoho Universytetu. 2025, no. 1, pp. 140–146. <https://doi.org/10.33271/nvngu/2025-1/140>

⁷³ KHALYMON, S. I., BOHATYROV, I. H., PUZYROV, M. S., KOLOMIIETS, N. V., BOHATYROV, A. I. Characteristic of a Female Recidivist: Qualitative Empirical Analysis (View from Ukraine). *International Journal of Offender Therapy and Comparative Criminology*. 2023, vol. 67, n° 5, pp. 447–470. <https://doi.org/10.1177/0306624X211023919>

⁷⁴ SAPUTRA, R., TIOLINCE, T., ZAID, M., JAELANI, A. K. Simple Claim Execution Reorientation in Civil and Business Disputes for Legal Certainty. *KnE Social Sciences*. 2024. pp. 790–801. <https://doi.org/10.18502/kss.v8i21.14795>

⁷⁵ LOMAKA, V., 2023. *Ibid.*

Among the potential mechanisms for improving the system of execution of court decisions in civil proceedings, further improvement of legislative regulation, establishment of budgetary discipline, introduction of an automated base for execution of court decisions, and expansion of the capabilities of private bailiffs are proposed. It is especially worth emphasizing the need for further improvement of the legislative framework, elimination of existing gaps in legislation, harmonization of Ukrainian law.

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