

Problems of Access to Justice in Rural Areas: Example of Ukraine

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Introduction. The human right on access to justice is the main guarantee of the right to the judicial protection, fixed in the Convention for the protection of human rights and fundamental freedoms (1950). It is especially topical to ensure this right for the people living in rural areas since its specifics demands creation of additional guarantees of access to justice.

Aim. The aim of this scientific research is to allocate problems of access to justice in rural areas on an example of Ukraine and search of ways of their decision.

Material and Methods. The research is based on Ukrainian and foreign scientists' works devoted to problems of availability of justice. For the conduct of the research, such methods have been used: dialectic, comparative, synthesis and analysis, statistical, sociological etc.

Results. For the people living in rural areas, it is necessary to consider access to justice as possibility of free application to justice system for protection of their rights that is without any obstacles or difficulties. However, in need of application to a court, people living in rural areas face a lot of problems, such as territorial, economic and organisational. Territorial problems consist in territorial distance of judicial authorities from rural areas. Today courts of the first instance operate in Ukraine on the level of cities and districts. However, judicial reform provides creation of district courts which will act on the level of several districts. Thus, country people are moving away from judicial authorities. Economic problems consist in high level of court expenses and low material well-being of rural dwellers. In comparison with the cities, the average level of income in rural areas is much lower. However, the level of court expenses does not consider a difference in income of the people appealing to a court. Moreover, rural dwellers initially incur higher expenses connected with the need of trip to the city which the court is located in. Organisational problems consist in absence in rural areas of the necessary infrastructure facilitating access to court (lack of transport infrastructure, absence of high-speed Internet and possibility to use technologies of "electronic justice").

Conclusions. People living in rural areas face several additional obstacles at application to a court compared to city dwellers; therefore, their access to justice is limited. For the solution of this problem, it is possible to offer the following steps: general development of infrastructure in rural areas; formation of judicial system based on uniform territorial distribution; reduction of court expenses for dwellers of rural areas proportionally to the level of their income; development of institution of lay justice operating in rural areas.



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