



# Flash Eurobarometer 436

## Report

# Perceived independence of the national justice systems in the EU among companies

Fieldwork  
February-March 2016  
Publication  
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Survey requested by the European Commission,  
Directorate-General for Justice and Consumers  
and co-ordinated by the Directorate-General for Communication

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The interpretations and opinions contained in it are solely those of the authors.

Flash Eurobarometer 436 – TNS Political & Social



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(DG COMM "Strategy, Corporate Communication Actions and Eurobarometer" Unit)

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## TABLE OF CONTENTS

<b>INTRODUCTION</b>	<b>2</b>
<b>EXECUTIVE SUMMARY</b>	<b>4</b>
<b>I.PERCIVED INDEPENDENCE OF COURTS AND JUDGES AMONG COMPANIES</b>	<b>5</b>
<b>II.MAIN REASONS AMONG COMPANIES FOR THE PERCEIVED INDEPENDENCE OF THE NATIONAL JUSTICE SYSTEMS</b>	<b>8</b>
<b>1 Positive assessments</b>	<b>8</b>
<b>2 Negative assessments</b>	<b>16</b>
<b>ANNEXES</b>	
<b>Technical specifications</b>	
<b>Questionnaire</b>	
<b>Tables</b>	

## INTRODUCTION

This Flash Eurobarometer survey was carried out at the request of the European Commission's Directorate-General for Justice and Consumers by the TNS Political & Social network among businesses employing one or more persons in the 28 Member States of the European Union between 25 February and 4 March 2016.

The survey was designed to explore the perceptions of judicial independence in companies across the EU Member States in particular:

- how companies rate the justice system in their country in terms of the independence of courts and judges;
- the reasons why they rate the independence of the justice system the way they do.

The objective of this survey is to collect survey data on the independence of courts and judges in EU Member States in order to feed the EU Justice Scoreboard which provides an overview of the quality, independence and efficiency of EU Member States' justice systems.

A total of 6,803 companies were interviewed via telephone (mobile and fixed line) in their mother tongue on behalf of the Directorate-General for Justice and Consumers. The methodology used is that of Eurobarometer surveys as carried out by the Directorate-General for Communication ("Strategy, Corporate Communication Actions and Eurobarometer" Unit)<sup>1</sup>. A technical note on the manner in which interviews were conducted by the Institutes within the TNS Political & Social network is annexed to this report. Also included are the interview methods and confidence intervals<sup>2</sup>.

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<sup>1</sup> <http://ec.europa.eu/COMFrontOffice/PublicOpinion/>

<sup>2</sup> The results tables are included in the annex. It should be noted that the total of the percentages in the tables of this report may exceed 100% when the respondent was able to give several answers to the question.

**Note:** In this report, countries are referred to by their official abbreviation. The abbreviations used in this report correspond to:

Belgium	BE	Lithuania	LT
Bulgaria	BG	Luxembourg	LU
Czech Republic	CZ	Hungary	HU
Denmark	DK	Malta	MT
Germany	DE	The Netherlands	NL
Estonia	EE	Austria	AT
Ireland	IE	Poland	PL
Greece	EL	Portugal	PT
Spain	ES	Romania	RO
France	FR	Slovenia	SI
Croatia	HR	Slovakia	SK
Italy	IT	Finland	FI
Republic of Cyprus	CY *	Sweden	SE
Latvia	LV	United Kingdom	UK
European Union – weighted average for the 28 Member States			EU28

\* Cyprus as a whole is one of the 28 European Union Member States. However, the ‘acquis communautaire’ has been suspended in the part of the country which is not controlled by the government of the Republic of Cyprus. For practical reasons, only the interviews carried out in the part of the country controlled by the government of the Republic of Cyprus are included in the ‘CY’ category and in the EU28 average.

*We wish to thank the enterprises throughout the European Union  
that have given their time to take part in this survey.  
Without their active participation, this study would not have been possible.*

## EXECUTIVE SUMMARY

### Perceived independence of the national justice system among companies

- Nearly half of companies across the EU rate the independence of courts and judges in their country highly. 48% of companies describe it as being good, while less than half say that the justice system in their country is bad in terms of the independence of courts and judges (44%).

### Main reasons explaining perceptions of the independence of the national justice system

- Most of the companies rating the independence of their national justice system as good give the status and position of judges which guarantee their independence as a reason for doing so (75%), followed by the absence of interference or pressure from economic or other specific interests (63%) or from government and politicians (60%).
- Interference or pressure from government and politicians or from economic or other specific interests are the most common reasons for rating the independence of the justice system as bad (both 74%). Nearly six in ten companies regard the status and position of judges which does not sufficiently guarantee their independence as a reason for rating the independence of the justice system in their country as bad (59%).

## I. PERCEIVED INDEPENDENCE OF COURTS AND JUDGES AMONG COMPANIES

The first chapter of the report examines the way companies perceive the independence of the justice system in their own country in general. Companies were asked how they would rate the justice system in their country in terms of the independence of courts and judges.

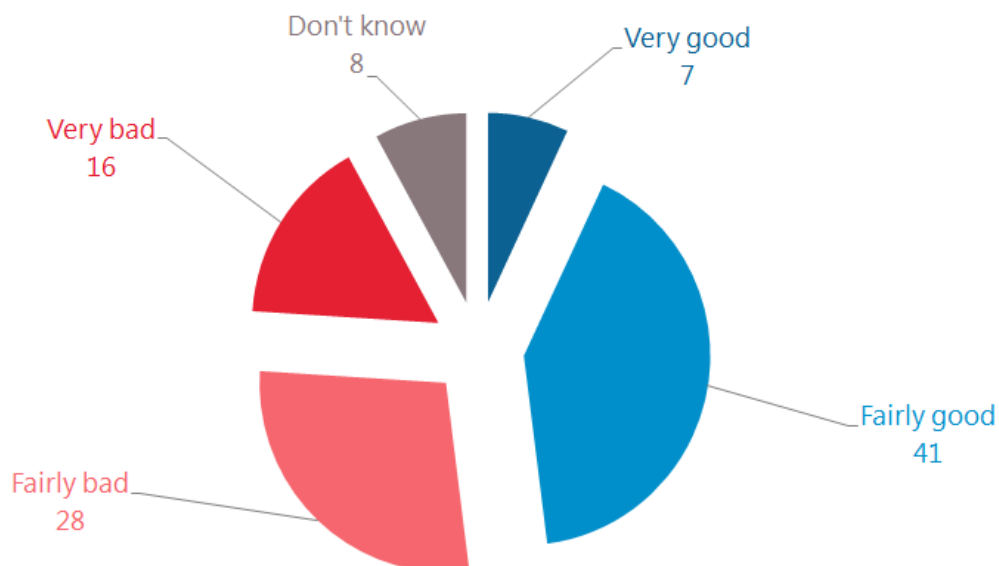
### - Nearly half of companies rate the independence of courts and judges in their country as good -

Nearly half of companies rate the justice system in their country as being good in terms of the independence of courts and judges (48%). Fewer than one in ten companies say it **very good** (7%) and four in ten believe it is **fairly good** (41%).

Less than half of companies (44%) say the justice system in their country is bad in terms of the independence of courts and judges with less than three in ten companies rating it as **fairly bad** (28%) and one in six companies rating is as **very bad** (16%).

Finally, fewer than one in ten companies **do not know** how to rate the independence of courts and judges in their country (8%).

**Q1** From what you know, how would you rate the justice system in (OUR COUNTRY) in terms of the independence of courts and judges? Would you say it is very good, fairly good, fairly bad or very bad?  
(% - EU)

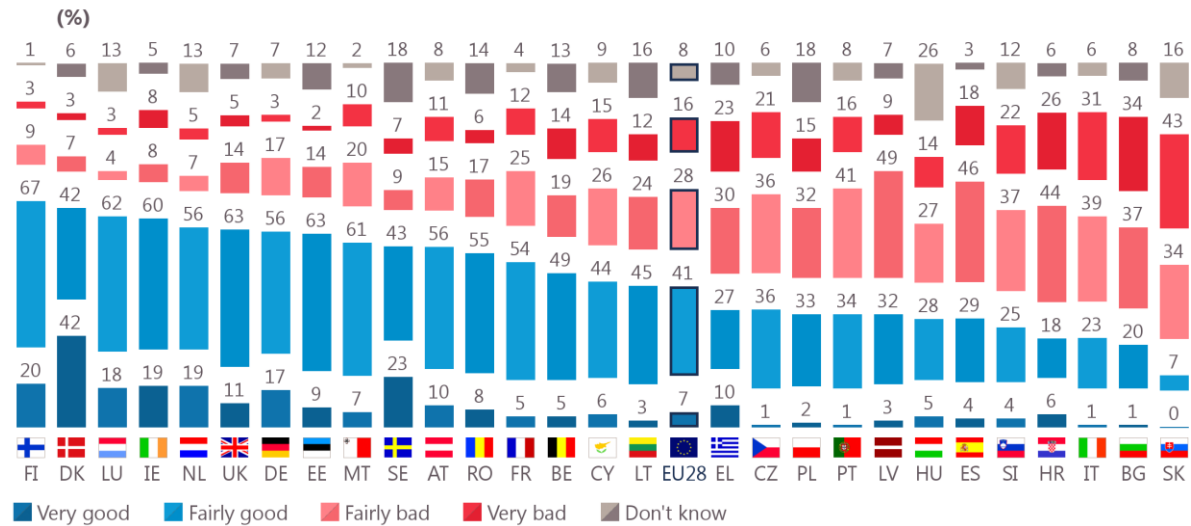




At national level, at least eight in ten companies in Finland (87%), Denmark (84%) and Luxembourg (80%) say the justice system is **good** in terms of the independence of courts and judges. At the other end of the scale, this answer is least widespread in Slovakia (7%), Bulgaria (21%), Croatia and Italy (both 24%).

Companies in Denmark and in Sweden are most likely to rate their justice system as being **very good** (42% and 23% respectively).

**Q1** From what you know, how would you rate the justice system in (OUR COUNTRY) in terms of the independence of courts and judges? Would you say it is very good, fairly good, fairly bad or very bad?



Conversely, companies in Slovakia (77%), Bulgaria (71%), Croatia and Italy (both 70%) are the most likely to say that the justice system in their country is **bad** in terms of the independence of courts and judges, while those in Luxembourg (7%), Denmark (10%), Finland and the Netherlands (both 12%) are the least likely to say the same.

The companies rating their national justice system poorly are predominantly to be found in Slovakia (43%), Bulgaria (34%), Italy (31%) and Croatia (26%) where at least a quarter of them rate the independence of courts and judges as **very bad**.

An analysis of company characteristics shows that:

Small companies with 1-9 employees are the most likely to say that, in terms of the independence of courts and judges, the justice system in their country is **bad** (45%), while those with 250 employees or more are the least likely to do so (27%).

Service companies (53%) are more likely than retail companies (43%) to say that the independence of courts and judges in their country is **good**, while industrial and retail companies are the most likely to rate the independence of courts and judges in their country as **bad** (both 48%).






Companies established after 1 January 2015 and between 2010 and 2015 (both 52%) are more likely than those established before 2010 (47%) to rate the independence of courts and judges as **good**.

Companies with a turnover of more than two million euro (58%) are more likely than companies with a turnover of 100,000 euro or less (43%) to say that the justice system is **good** in terms of the independence of courts and judges.

Companies that have sold products or services to countries outside the EU in 2015 (54%) are more likely than those that have not exported at all (46%) to rate the independence of courts and judges in their country as **good**.

There are no noticeable differences when looking at the companies that have and have not been involved in a dispute, which went to court.

**Q1** From what you know, how would you rate the justice system in (OUR COUNTRY) in terms of the independence of courts and judges? Would you say it is very good, fairly good, fairly bad or very bad?

	Total 'Good'	Total 'Bad'	Don't know
EU28	48	44	8
 <b>Company size</b>			
1-9	47	45	8
10-49	51	39	10
50-249	62	31	7
250+	61	27	12
 <b>Sectors grouped (NACE)</b>			
Manufacturing (C)	44	42	14
Retail (G)	43	48	9
Services (H/I/J/K/L/M/N/R)	53	40	7
Industry (D/E/F)	45	48	7
 <b>Company age</b>			
Before 2010	47	44	9
Between 2010 and 2015	52	41	7
After 2015	52	45	3
 <b>Company's turnover in 2015</b>			
Up to 100 000 euros	43	48	9
More than 100 000 to 500 000 euros	54	38	8
More than 500 000 to 2 mil. euros	55	36	9
More than 2 mil. euros	58	33	9
<b>Sold products or services to...</b>			
Other EU countries	51	40	9
Countries outside EU	54	38	8
None	46	46	8
 <b>Involved in dispute which went to court</b>			
Yes	47	44	9
No	48	44	8

## II. MAIN REASONS AMONG COMPANIES FOR THE PERCEIVED INDEPENDENCE OF THE NATIONAL JUSTICE SYSTEMS

The second chapter considers the reasons why companies rate the independence of courts and judges of the justice system as good or bad. They were asked how far the guarantees provided by the status and position of judges, interference or pressure from government and politicians, and interference or pressure from economic or other specific interests explained their good or bad rating of the independence of the justice system in their country.

### 1 Positive assessments

***- Three-quarters of companies give the guarantees provided by the status and position of judges as a reason for rating the independence of the justice system in their country as good -***

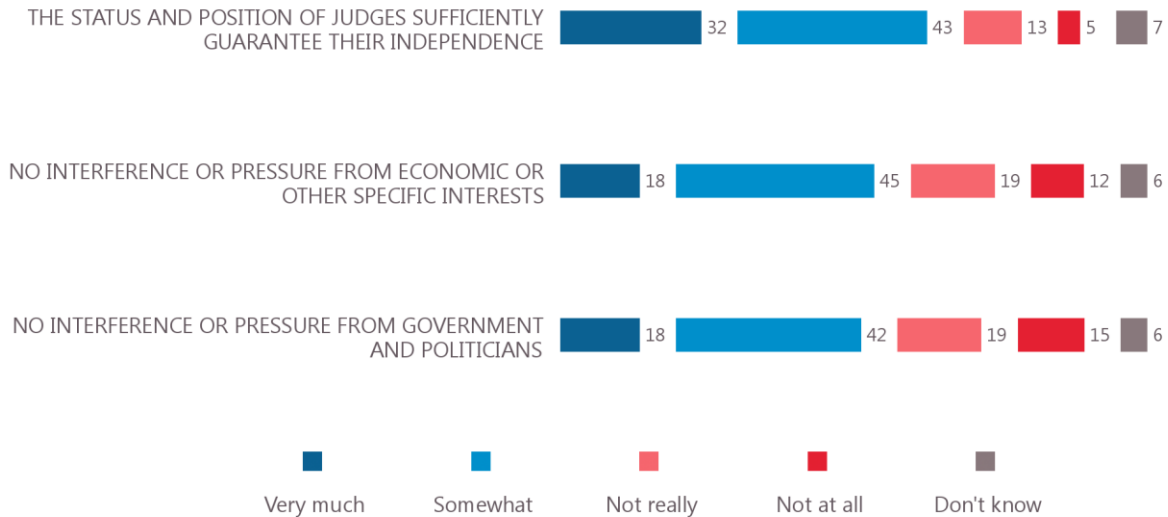
Only the companies describing the independence of the justice system in their own country as 'very good' or 'fairly good' were asked the questions on how far the guarantees provided by the status and position of judges, the absence of interference or pressure from government and politicians, or the absence of interference or pressure from economic or other specific interests explained their good rating of the national justice system.

Three-quarters of companies say that **the status and position of judges, which sufficiently guarantee their independence**, is the reason for rating the independence of the justice system in their country as good (75%). Almost a third of companies are **very much** influenced by this factor (32%), and over four in ten say that it **somewhat** explains why they rate the independence of the justice system in their country as good (43%).

At least six in ten companies give **the absence of interference or pressure from economic or other specific interests** as a reason for rating the independence of the justice system in their country as good (63%). Almost one in five companies are **very much** influenced by this factor (18%), while more than four in ten are **somewhat** influenced by it (45%).

Six in ten companies say that **the absence of interference or pressure from government and politicians** explains why they rate the independence of the justice system in their country as good (60%). Almost one in five companies say that this factor **very much** influenced their opinion (18%), while more than four in ten companies say it influenced them **somewhat** (42%).

**Q2b** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):  
(% - EU)

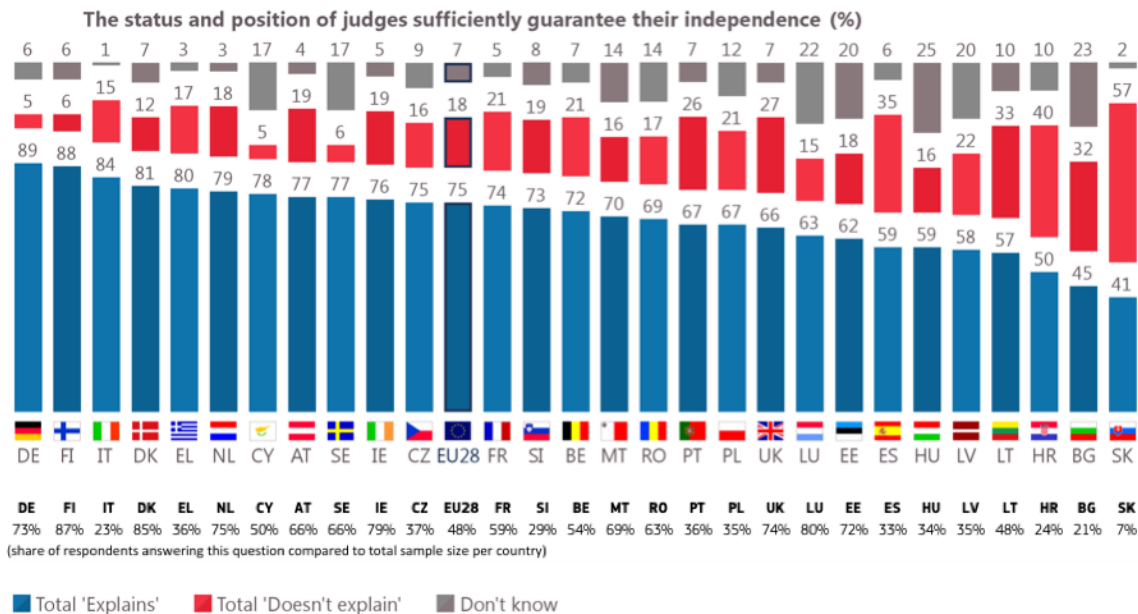


Base: companies rating the independence of their national justice system as good (n=3.245)

At national level, over eight in ten companies in Germany (89%), Finland (88%), Italy (84%) and Denmark (81%) say that **the status and position of judges which sufficiently guarantee their independence** explains why they rate the independence of the justice system in their country as good. At the lower end of the scale, over four in ten companies in Slovakia (41%) and Bulgaria (45%) and half in Croatia (50%) give this answer.

Meanwhile, companies in Slovakia (57%), Croatia (40%) and Spain (35%) **do not** consider the status and position of judges which sufficiently guarantee independence as a reason for rating of the independence of the justice system in their country as good.

**Q2b.3** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

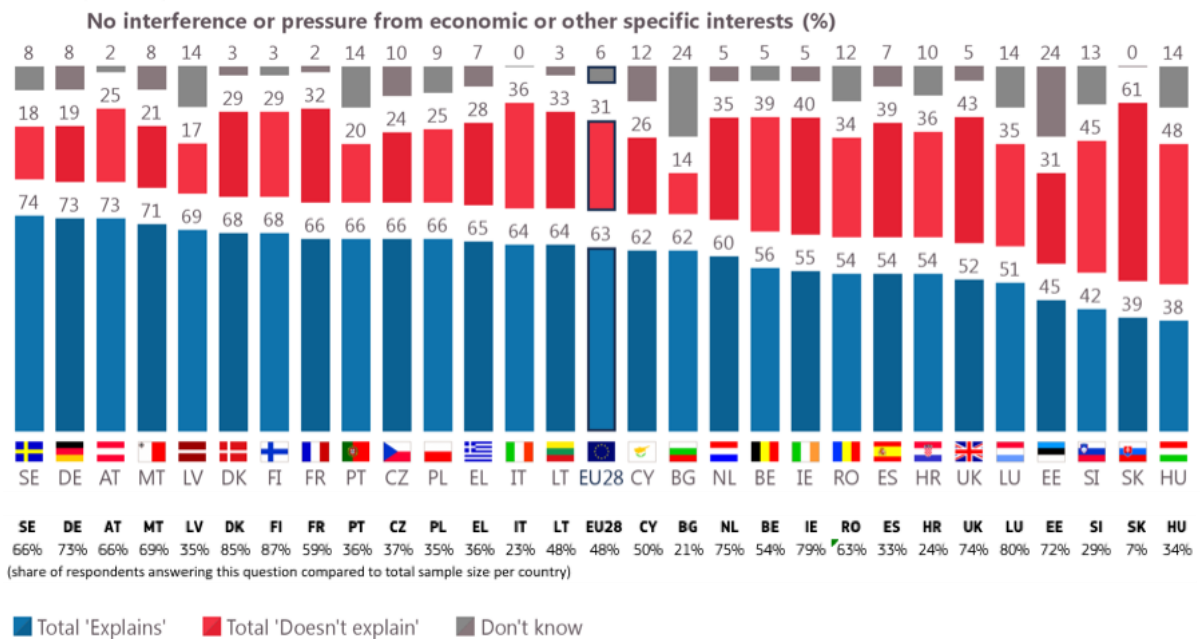


Base: companies rating the independence of their national justice system as good (n= 3.245)

Nearly three-quarters of companies in Sweden (74%), Germany and Austria (both 73%) regard **the absence of interference or pressure from economic or other specific interests** as a reason for rating the independence of the justice system in their country as good. In contrast, around four in ten companies in Hungary (38%), Slovakia (39%) and Slovenia (42%) do the same.

Meanwhile, companies in Slovakia (61%), Hungary (48%) and Slovenia (45%) are the most likely to say that the absence of interference or pressure from economic or other specific interests **is not** a reason for rating the independence of the justice system in their country as good.

**Q2b.2** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

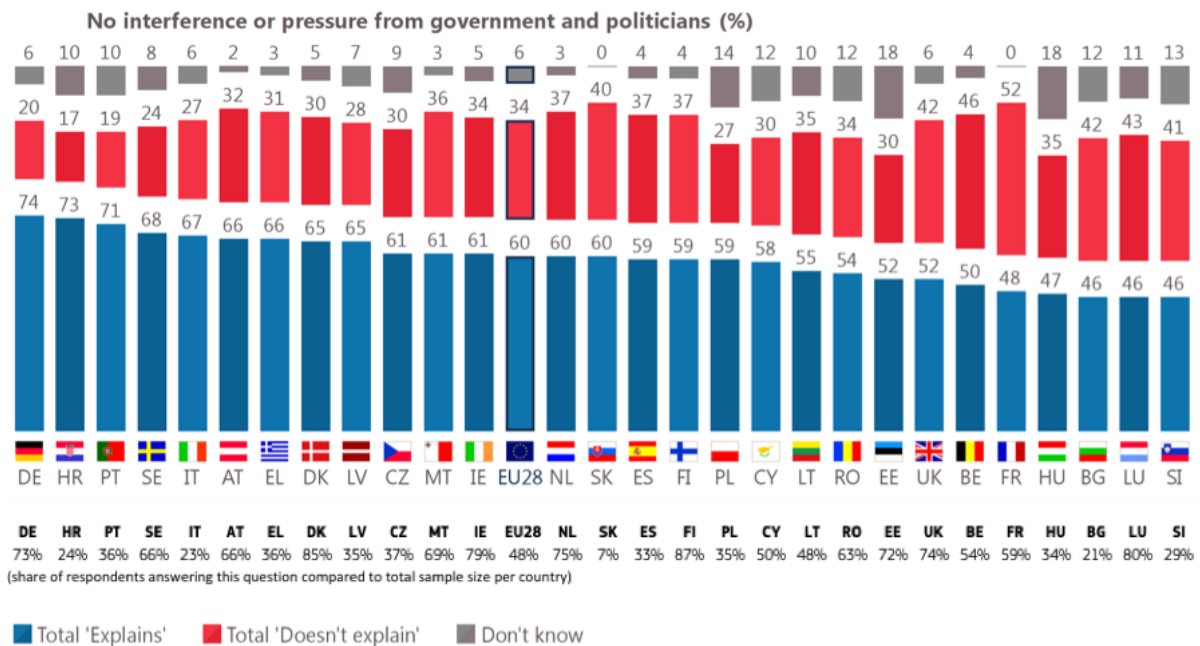


Base: companies rating the independence of their national justice system as good (n=3.245)

Nearly three-quarters of companies in Germany (74%), Croatia (73%) and Portugal (71%) say that **the absence of interference or pressure from government and politicians** is a reason for rating the independence of the justice system in their country as good. However, less than half the companies in Luxembourg, Bulgaria, Slovenia (all 46%), Hungary (47%) and France (48%) agree.

At least half of companies in France (52%) say that the absence of interference or pressure from government and politicians **is not** a reason for judging the independence of the justice system in their country as good.

**Q2b.1** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

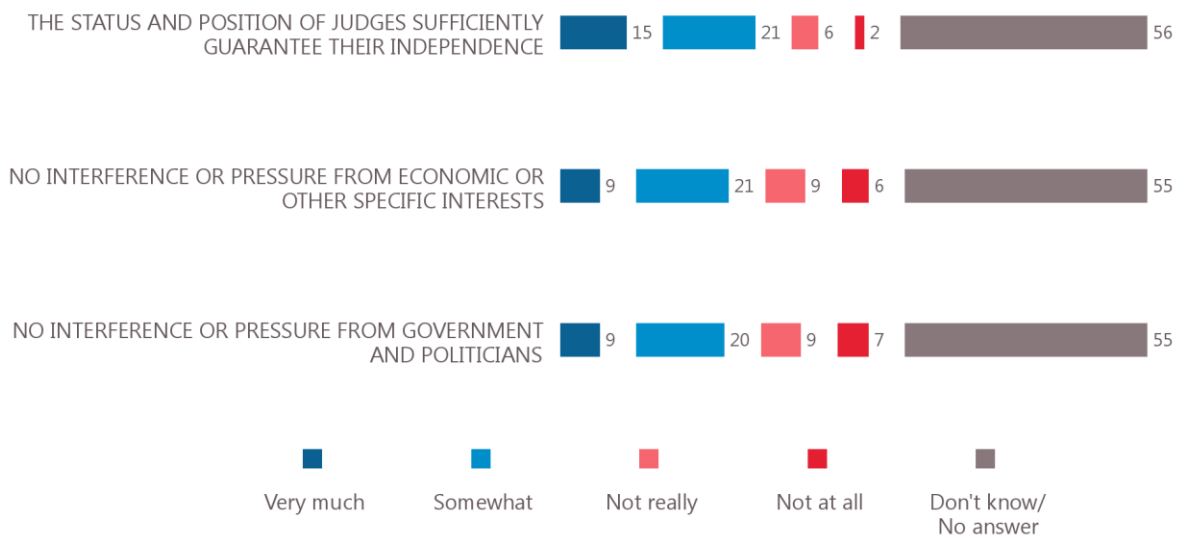


Base: companies rating the independence of their national justice system as good (n= 3.245)

To fine-tune the analysis, the data below were recalculated **based on the full sample**, i.e. all the companies that took part in this survey. These results are described below.

Just over a third of companies say that **the status and position of judges sufficiently guaranteeing their independence** is a reason for rating the independence of the justice system in their country as good (36%). Around three in ten companies say that **the absence of interference or pressure from economic or other specific interests** (30%) and **the absence of interference or pressure from government and politicians** (29%) are reasons for doing so.

**Q2bT** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):  
(% - EU)



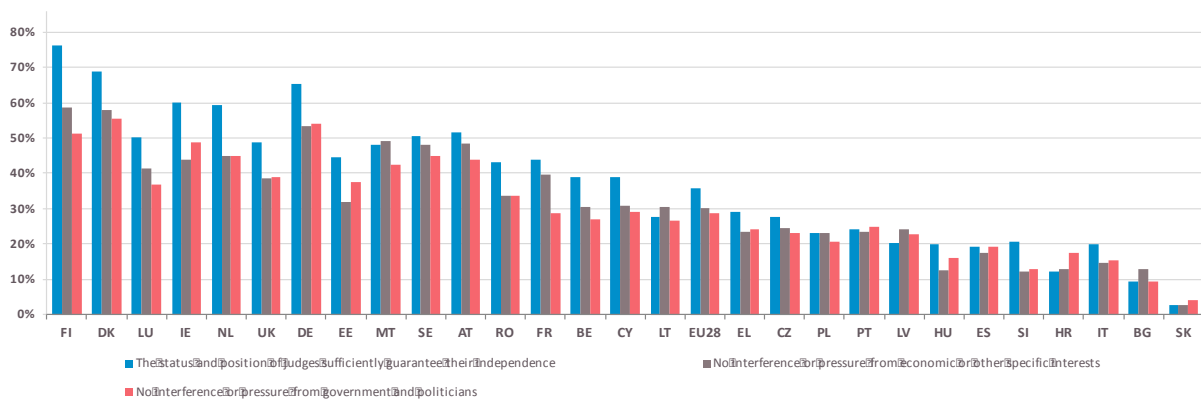
Base: 6.803 companies

Looking at the results recalculated on the basis of the full sample at national level shows that companies in Finland (76%), Denmark (68%) and Germany (65%) are the most likely to say that **the guarantees provided by the status and position of judges** is a reason for rating the independence of the justice system in their country as good. At the other extreme, companies in Slovakia (3%), Bulgaria (9%) and Croatia (12%) are the least likely to do so.

Companies in Finland (58%), Denmark (57%) and Germany (53%) are the most likely to say that **the absence of interference or pressure from economic or other specific interests** explains why they rate the independence of the justice system in their country as good. However, less than one in twenty companies in Slovakia (3%) and less than one in six in Slovenia (12%) and Bulgaria, Hungary and Croatia (all 13%) agree.

Over half of companies in Denmark (55%), Germany (54%) and Finland (52%) give **the absence of interference or pressure from government and politicians** as a reason for rating the independence of the justice system in their country as good. At the opposite end of the scale, this factor is mentioned the least by companies in Slovakia (4%), Bulgaria (9%) and Slovenia (13%).

Q2bT Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY): (TOTAL EXPLAINS)



Base: all companies

The order of the countries presented in the chart above corresponds to order use in chart for Q1



Turning to the company characteristics,

Companies with 250 employees or more are most likely to give each of the reasons for rating the independence of the justice system in their country as good. Companies with 10-49 employees are also particularly likely to mention **the guarantees provided by the status and position of judges** and **the absence of interference or pressure from economic or other specific interests** as reasons.

Service companies (63%) are more likely than manufacturing or industrial companies (both 56%) to say that **the absence of interference or pressure from government and politicians** explains why they rate the independence of the justice system in their country as good. Service companies are also more likely than manufacturing companies to give **the guarantees provided by the status and position of judges** as a reason for a 'good' rating (76% vs. 69%).

Companies established between 2010 and 2015 are the most likely to mention all these factors – **the absence of interference or pressure from government and politicians** (64% compared with 58% of companies established after 1<sup>st</sup> January 2015), **the absence of interference or pressure from economic or other specific interests** (70% vs. 49%) and **the guarantees provided by the status and position of judges** (79% vs. 69%) – as reasons for rating the independence of the justice system in their country as good.






Companies with a turnover of more than two million euro (80%) are more likely than companies with the lowest turnover (70%) to say that **the guarantees provided by the status and position of judges** is a reason for rating the independence of the justice system in their country as good. Companies with a turnover between 100,000 and 500,000 euro are the most likely to give **the absence of interference or pressure from economic or other specific interests** as a reason (68%). Companies with the lowest turnover are the least likely to mention this (59%).

Companies that have sold products or services to countries outside the EU are more likely than those companies that have sold products or services to other EU countries to consider **the absence of interference or pressure from government and politicians** (64% vs. 58%) or **the absence of interference or pressure from economic or other specific interests** (67% vs. 59%) as reasons for rating the independence of the justice system in their country as good.

There are not any noticeable differences between the reasons when looking at the companies that have and have not been involved in a dispute which went to court.

**Q2b** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

**Total 'Explains' (% - EU)**

	The status and position of judges sufficiently guarantee their independence	No interference or pressure from economic or other specific interests	No interference or pressure from government and politicians
EU28	75	63	60
 <b>Company size</b>			
1-9	73	62	59
10-49	82	66	62
50-249	74	56	63
250+	83	66	68
 <b>Sectors grouped (NACE)</b>			
Manufacturing (C)	69	62	56
Retail (G)	74	62	59
Services (H/I/J/K/L/M/N/R)	76	65	63
Industry (D/E/F)	73	61	56
 <b>Company age</b>			
Before 2010	73	62	59
Between 2010 and 2015	79	70	64
After 2015	69	49	58
 <b>Company's turnover in 2015</b>			
Up to 100 000 euros	70	59	59
More than 100 000 to 500 000 euros	77	68	61
More than 500 000 to 2 mil. euros	78	63	57
More than 2 mil. euros	80	64	62
<b>Sold products or services to...</b>			
Other EU countries	74	59	58
Countries outside EU	75	67	64
None	74	64	61
 <b>Involved in dispute which went to court</b>			
Yes	74	63	60
No	75	63	60

Base: companies rating the independence of their national justice system as good (n= 3.245)

## 2 Negative assessments

### **- Nearly three-quarters of companies say that interference or pressure from government and politicians or from economic or other specific interests explain why they rate the independence of the justice system in their country as bad -**

Only companies perceiving the independence of the justice system in their own country as being 'fairly bad' or 'very bad' were asked about how far the status and position of judges which do not sufficiently guarantee their independence, the interference or pressure from government and politicians, or the interference or pressure from economic or other specific interests explained their bad rating of the independence of the national justice system.

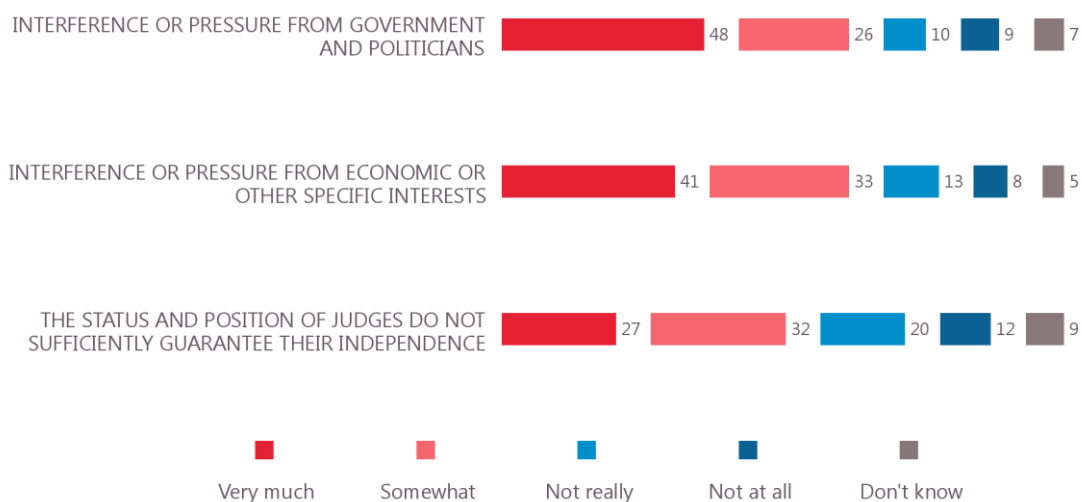
Turning to companies rating the justice system in their country poorly in terms of the independence of courts and judges reveals the following:

Nearly three-quarters of companies say that **interference or pressure from government and politicians** is a reason for rating the independence of the justice system in their country as bad (74%). Nearly half of companies say this factor **very much** explains their opinion (48%), while just over a quarter of companies say it **somewhat** explains it (26%).

Nearly three-quarters of companies say that **interference or pressure from economic or other specific interests** explains why they rate the independence of the justice system in their country as bad (74%). More than four in ten companies say this factor **very much** influenced their opinion (41%), while a third say it influenced them **somewhat** (33%).

Nearly six in ten companies regard **the status and position of judges which do not sufficiently guarantee their independence** as a reason for rating the independence of the justice system in their country as bad (59%). Just over a quarter of companies say that this factor **very much** explains their poor rating (27%), while almost a third say this aspect **somewhat** explains it (32%).

**Q2a** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):  
(% - EU)

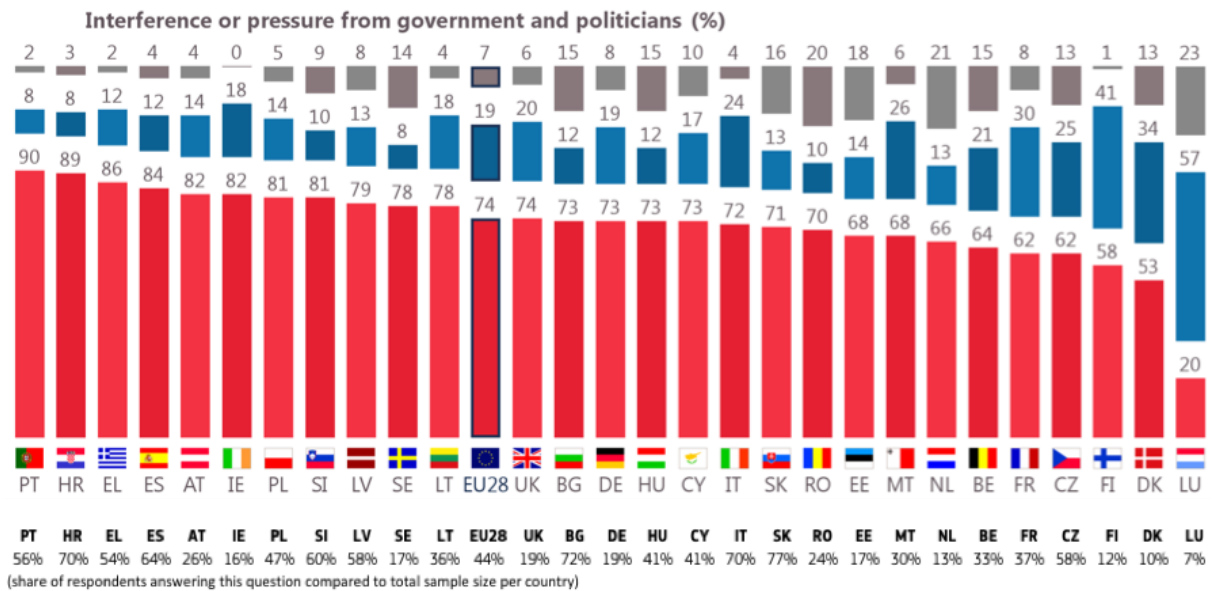


Base: companies rating the independence of their national justice system as bad (n=2.986)

At national level, nine in ten companies in Portugal (90%) say that **interference or pressure from government and politicians** is a reason for rating the independence of the justice system in their country as bad. A similarly high proportion is found in Croatia (89%) and Greece (86%). This answer is mentioned the least by companies in Luxembourg (20%), Denmark (53%) and Finland (58%).

Meanwhile, nearly six in ten companies in Luxembourg (57%) say that interference or pressure from government and politicians **is not** a reason for rating the independence of the justice system in their country as bad. Over four in ten companies in Finland (41%) also gave this answer, as do over a third in Denmark (34%).

**Q2a.1** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):



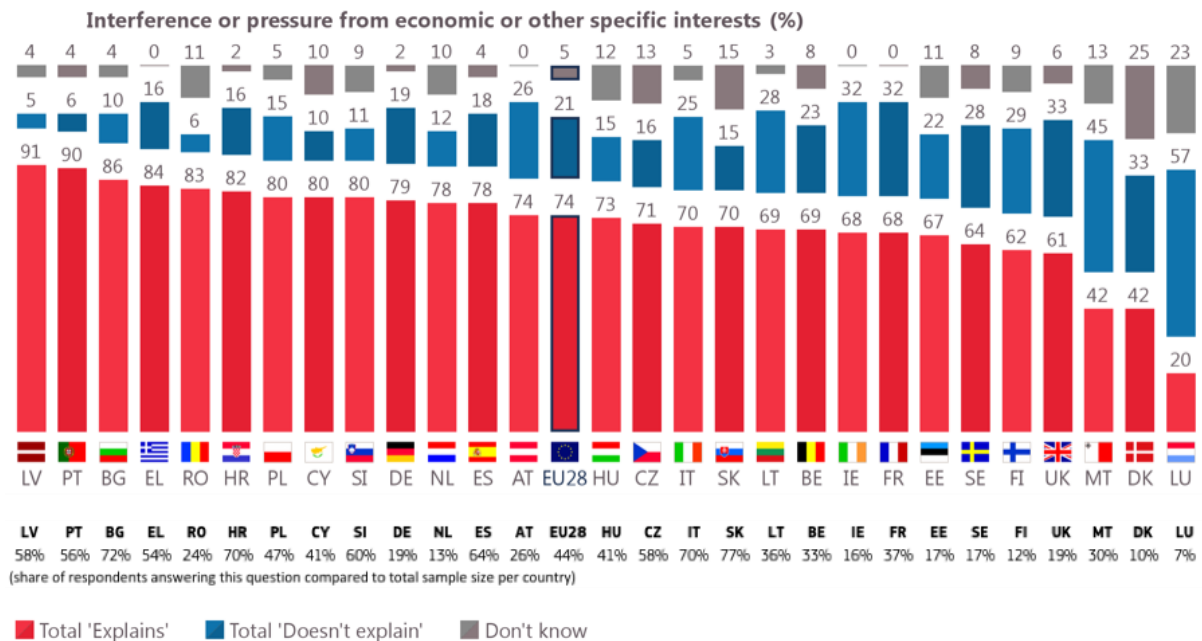
■ Total 'Explains' ■ Total 'Doesn't explain' ■ Don't know

Base: companies rating the independence of their national justice system as bad (n=2.986)

Companies in Latvia (91%), Portugal (90%) and Bulgaria (86%) are the most likely to give **interference or pressure from economic or other specific interests** as the reason for rating the independence of the justice system in their country as bad. By contrast, this aspect is mentioned the least by companies in Luxembourg (20%), Denmark and Malta (both 42%).

Meanwhile, companies in Luxembourg (57%), Malta (45%), the United Kingdom and Denmark (both 33%) are the most likely to say that interference or pressure from economic or other specific interests **does not explain** why they rate the independence of the justice system in their country as bad.

**Q2a.2** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

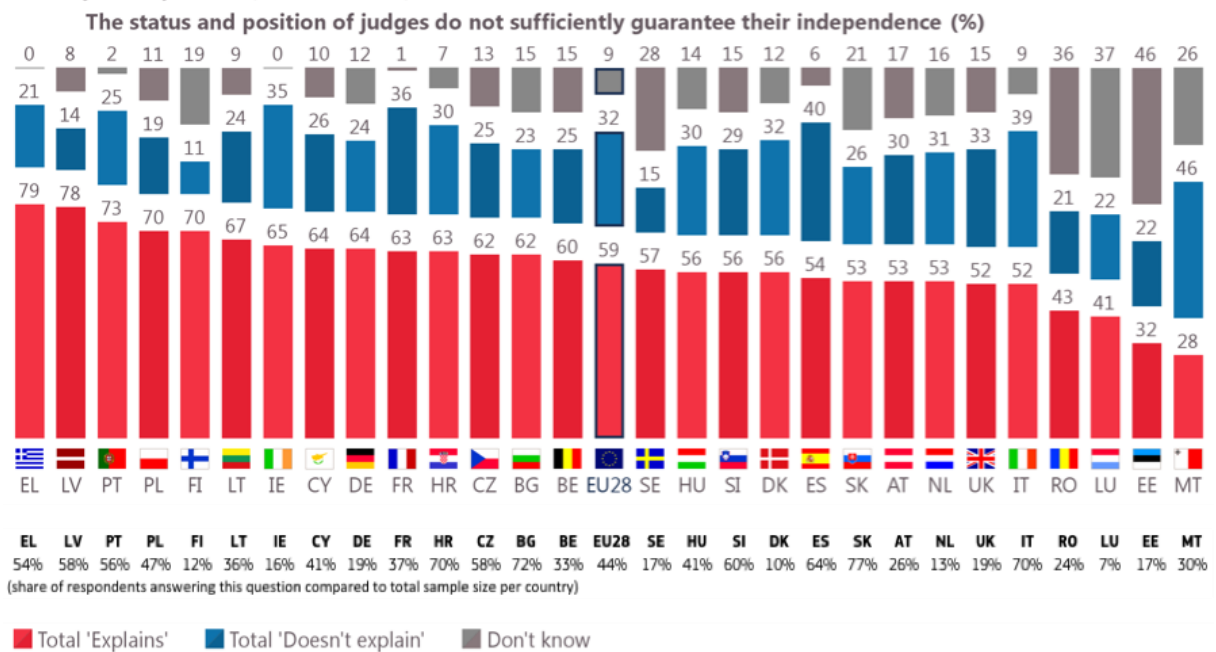


Base: companies rating the independence of their national justice system as bad (n=2.986)

Nearly eight in ten companies in Greece (79%) and Latvia (78%) regard **the status and position of judges, which do not sufficiently guarantee their independence**, as a reason for the poor rating of the independence of the justice system in their country, as do nearly three-quarters in Portugal (73%). At the other extreme, around three in ten companies in Malta (28%) and Estonia (32%) and more than four in ten companies in Luxembourg (41%) identify this reason.

Meanwhile, companies in Malta (46%), Spain (40%) and Italy (39%) **do not** consider the status and position of judges as a reason for rating the independence of the justice system in their country as bad.

**Q2a.3** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

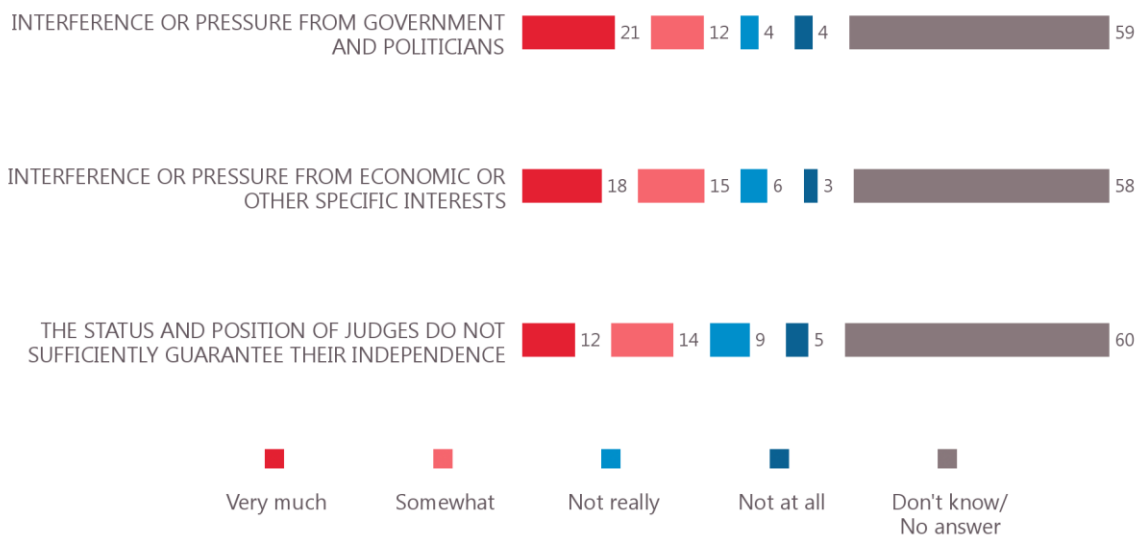


Base: companies rating the independence of their national justice system as bad (n=2.986)

In order to fine-tune the analysis, the data below were recalculated **on the basis of the full sample**, i.e. all companies who participated in this survey. These results are described below.

One-third of companies give **interference or pressure from government and politicians** and **interference or pressure from economic or other specific interests** (both 33%) as reasons for rating the independence of the justice system in their country as bad. Just over a quarter of companies say that **the status and position of judges which do not sufficiently guarantee their independence** explains their 'bad' rating of the independence of the justice system in their country (26%).

**Q2aT** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):  
(% - EU)



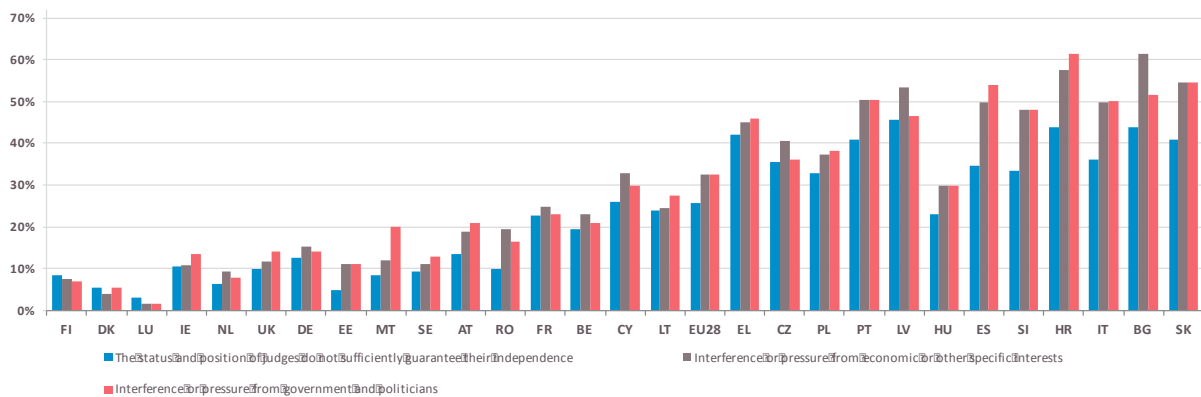
Base: 6.803 companies

Looking at the results recalculated on the basis of the full sample at national level shows that companies are most likely to say that **interference or pressure from government and politicians** is a reason for rating the independence of the justice system in their country as bad in Croatia (62%), Slovakia (55%) and Spain (54%). This factor is mentioned the least in Luxembourg (1%), Denmark (5%) and Finland (7%).

At least six in ten companies in Bulgaria (62%) say that **interference or pressure from economic or other specific interests** is a reason for rating the independence of the justice system in their country as bad. Almost six in ten companies in Croatia (58%) also give this answer, followed by over half in Slovakia (55%). This reason is mentioned least in Luxembourg (1%), Denmark (4%) and Finland (7%).

Companies in Latvia (46%), Croatia and Bulgaria (both 44%) are the most likely to say that **the status and position of judges which do not sufficiently guarantee their independence** is the reason for rating the independence of the justice system in their country as bad. In contrast, companies in Luxembourg (3%), Estonia (5%) and Denmark (6%) are the least likely to give this answer.

Q2aT Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY): (TOTAL EXPLAINS\*)



Base: all companies

The order of the countries presented in the chart above corresponds to the order use in chart for Q1



An analysis of company characteristics reveals;

Companies with 250+ employees are the most likely to say that the **interference or pressure from government and politicians** explains their poor rating for the independence of the justice system in their country (90%). Companies with 10 to 49 employees are the least likely to mention this (69%).

On the other hand, companies with 10-49 employees (78%) are more likely to regard **interference or pressure from economic or other specific interests** as a reason for rating the independence of the justice system in their country as bad, while companies with 250+ employees are the most likely to mention **the status and position of judges which do not sufficiently guarantee their independence** (67%).

Companies in the industry sector are the most likely to say that **interference or pressure from government and politicians** explains why they rate the independence of the justice system in their country as bad (80% compared with 66% of manufacturing companies). Service companies are more likely than manufacturing companies to regard **the status and position of judges which do not sufficiently guarantee their independence** as a reason (63% vs. 53%).

Companies established before 2010 are more likely than companies established after 1<sup>st</sup> January 2015 to mention all these factors – **interference or pressure from government and politicians** (76% vs. 64%), **interference or pressure from economic or other specific interests** (75% vs. 55%) and **the status and position of judges which do not sufficiently guarantee their independence** (59% vs. 47%) – as reasons for rating the independence of the justice system in their country as bad.

Companies with a turnover between 500 000 and 2 million euro are more likely than companies with a turnover between 100,000 and 500,000 euro to say that **interference or pressure from government and politicians** (84% vs. 73%) is a reason for rating the independence of the justice system in their country as bad. Companies with a turnover between 500 000 and 2 million euro (69%) are also particularly more likely than companies with the lowest turnover (58%) to give **the status and position of judges which do not sufficiently guarantee their independence** as a reason for rating the independence of the justice system in their country as bad. Companies with a turnover of more than 2 million euro are the most likely to say that **interference or pressure from economic or other specific interests** is a reason for doing so (83%).






Companies that have sold products or services to countries outside the EU (83%) are more likely than companies that have exported at all (73%) to mention that **interference or pressure from economic or other specific interests** is a reason for rating badly the independence of the justice system in their country.

Companies that sell to other companies are more likely than those that sell to consumers to regard **the status and position of judges which do not sufficiently guarantee their independence** as a reason for rating the independence of the justice system in their country as bad (62% vs. 57%).

Companies that have not been involved in a court dispute are more likely to say that **interference or pressure from government and politicians** explains why they rate the independence of the justice system in their country as bad (76%), while companies that have been involved in a dispute which has gone to court are the least likely to do so (62%). Conversely, companies that have been in a court dispute are more likely to say that **the status and position of judges which do not sufficiently guarantee their independence** is a reason for rating the independence of the justice system in their country as bad (66%) than companies that have not been involved in any dispute (58%).

**Q2a** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

**Total 'Explains' (% - EU)**

	Interference or pressure from government and politicians	Interference or pressure from economic or other specific interests	The status and position of judges do not sufficiently guarantee their independence
EU28	74	74	59
 <b>Company size</b>			
1-9	76	74	59
10-49	69	78	61
50-249	76	67	52
250+	90	63	67
 <b>Sectors grouped (NACE)</b>			
Manufacturing (C)	66	73	53
Retail (G)	75	75	54
Services (H/I/J/K/L/M/N/R)	74	75	63
Industry (D/E/F)	80	71	62
 <b>Company age</b>			
Before 2010	76	75	59
Between 2010 and 2015	68	72	57
After 2015	64	55	47
 <b>Company's turnover in 2015</b>			
Up to 100 000 euros	75	75	58
More than 100 000 to 500 000 euros	73	73	61
More than 500 000 to 2 mil. euros	84	76	69
More than 2 mil. euros	80	83	64
<b>Sold products or services to...</b>			
Other EU countries	77	78	60
Countries outside EU	78	83	57
None	74	73	58
<b>Company sells...</b>			
Total 'Products'	74	74	57
Total 'Services'	75	74	60
Total 'to consumers'	73	73	57
Total 'to companies'	77	76	62
 <b>Involved in dispute which went to court</b>			
Yes	62	72	66
No	76	75	58

Base: companies rating the independence of their national justice system as bad (n=2.986)

## TECHNICAL SPECIFICATIONS

Between the 25th of February and the 4th of March 2016, TNS Political & Social, a consortium created between TNS political & social, TNS UK and TNS opinion, carried out the FLASH EUROBAROMETER 436 survey on request of the EUROPEAN COMMISSION, Directorate-General for Justice and Consumers. It is a business to business survey co-ordinated by the Directorate-General for Communication, "Strategy, Corporate Communication Actions and Eurobarometer" Unit.

The FLASH EUROBAROMETER 436 covers businesses employing 1 or more persons in the Manufacturing (Nace category C), Retail (Nace category G), Services (Nace categories H/I/J/K/L/M/N/R) and Industry (Nace categories D/E/F) sectors within the European Union.

Whenever a company was eligible the selected respondent had to be someone with decision making responsibilities (managing director, CEO) or someone leading the commercial activities of the company (Commercial managers, sales managers, marketing managers).

All interviews were carried using the TNS e-Call center (our centralized CATI system). The sample was selected from an international business database, with some additional sample from local sources in countries where necessary.

Quotas were applied on both company size (using four different ranges: 1-9 employees, 10-49 employees, 50-249 employees and 250 employees or more) and sectors (Retail, Services, Manufacturing and Industry). These quotas were adjusted according to the country's universe but were also reasoned in order to ensure that the sample was large enough in every cell.

	COUNTRIES	INSTITUTES	N° INTERVIEWS	DATES FIELDWORK		UNIVERSE	PROPORTION EU28
BE	Belgium	TNS Dimarso	200	25/02/2016	4/03/2016	565.784	2,32%
BG	Bulgaria	TNS BBSS	200	25/02/2016	1/03/2016	314.146	1,29%
CZ	Czech Republic	TNS Aisa	200	25/02/2016	2/03/2016	988.747	4,05%
DK	Denmark	TNS Gallup DK	202	25/02/2016	2/03/2016	2.193.133	8,98%
DE	Germany	TNS Deutschland	400	25/02/2016	4/03/2016	2.193.133	8,98%
EE	Estonia	TNS Emor	200	25/02/2016	1/03/2016	62.611	0,26%
IE	Ireland	IMS Millward Brown	201	25/02/2016	4/03/2016	145.876	0,60%
EL	Greece	TNS ICAP	200	25/02/2016	4/03/2016	698.647	2,86%
ES	Spain	TNS Spain	400	25/02/2016	4/03/2016	2.354.951	9,64%
FR	France	TNS Sofres	402	25/02/2016	4/03/2016	3.016.645	12,35%
HR	Croatia	Hendal	200	25/02/2016	3/03/2016	146.627	0,60%
IT	Italy	TNS Italia	400	25/02/2016	3/03/2016	3.770.878	15,44%
CY	Rep. of Cyprus	CYMAR	200	25/02/2016	3/03/2016	47.027	0,19%
LV	Latvia	TNS Latvia	202	25/02/2016	3/03/2016	97.124	0,40%
LT	Lithuania	TNS LT	200	25/02/2016	1/03/2016	153.253	0,63%
LU	Luxembourg	TNS Dimarso	195	25/02/2016	4/03/2016	30.797	0,13%
HU	Hungary	TNS Hoffmann Kft	200	25/02/2016	1/03/2016	499.850	2,05%
MT	Malta	MISCO	200	25/02/2016	3/03/2016	47.403	0,19%
NL	The Netherlands	TNS NIPO	200	25/02/2016	3/03/2016	862.698	3,53%
AT	Austria	TNS Austria	200	25/02/2016	2/03/2016	318.264	1,30%
PL	Poland	TNS Polska	400	25/02/2016	4/03/2016	1.493.431	6,11%
PT	Portugal	TNS Portugal	200	25/02/2016	4/03/2016	776.429	3,18%
RO	Romania	TNS CSOP	200	25/02/2016	3/03/2016	436.154	1,79%
SI	Slovenia	RM PLUS	200	25/02/2016	4/03/2016	126.763	0,52%
SK	Slovakia	TNS Slovakia	200	25/02/2016	4/03/2016	405.625	1,66%
FI	Finland	TNS Gallup Oy	201	25/02/2016	3/03/2016	232.233	0,95%
SE	Sweden	TNS SIFO	200	25/02/2016	4/03/2016	662.936	2,71%
UK	United Kingdom	TNS UK	400	25/02/2016	4/03/2016	1.781.895	7,30%
	TOTAL EU28		6.803	25/02/16	04/03/16	24.423.060	100%

Readers are reminded that survey results are estimations, the accuracy of which, everything being equal, rests upon the sample size and upon the observed percentage. With samples of about 1,000 interviews, the real percentages vary within the following confidence limits:

Statistical Margins due to the sampling process

(at the 95% level of confidence)

*various sample sizes are in rows*

*various observed results are in columns*

	5%	10%	15%	20%	25%	30%	35%	40%	45%	50%	
	95%	90%	85%	80%	75%	70%	65%	60%	55%	50%	
N=50	6,0	8,3	9,9	11,1	12,0	12,7	13,2	13,6	13,8	13,9	N=50
N=500	1,9	2,6	3,1	3,5	3,8	4,0	4,2	4,3	4,4	4,4	N=500
N=1000	1,4	1,9	2,2	2,5	2,7	2,8	3,0	3,0	3,1	3,1	N=1000
N=1500	1,1	1,5	1,8	2,0	2,2	2,3	2,4	2,5	2,5	2,5	N=1500
N=2000	1,0	1,3	1,6	1,8	1,9	2,0	2,1	2,1	2,2	2,2	N=2000
N=3000	0,8	1,1	1,3	1,4	1,5	1,6	1,7	1,8	1,8	1,8	N=3000
N=4000	0,7	0,9	1,1	1,2	1,3	1,4	1,5	1,5	1,5	1,5	N=4000
N=5000	0,6	0,8	1,0	1,1	1,2	1,3	1,3	1,4	1,4	1,4	N=5000
N=6000	0,6	0,8	0,9	1,0	1,1	1,2	1,2	1,2	1,3	1,3	N=6000
N=7000	0,5	0,7	0,8	0,9	1,0	1,1	1,1	1,1	1,2	1,2	N=7000
N=7500	0,5	0,7	0,8	0,9	1,0	1,0	1,1	1,1	1,1	1,1	N=7500
N=8000	0,5	0,7	0,8	0,9	0,9	1,0	1,0	1,1	1,1	1,1	N=8000
N=9000	0,5	0,6	0,7	0,8	0,9	0,9	1,0	1,0	1,0	1,0	N=9000
N=10000	0,4	0,6	0,7	0,8	0,8	0,9	0,9	1,0	1,0	1,0	N=10000
N=11000	0,4	0,6	0,7	0,7	0,8	0,9	0,9	0,9	0,9	0,9	N=11000
N=12000	0,4	0,5	0,6	0,7	0,8	0,8	0,9	0,9	0,9	0,9	N=12000
N=13000	0,4	0,5	0,6	0,7	0,7	0,8	0,8	0,8	0,9	0,9	N=13000
N=14000	0,4	0,5	0,6	0,7	0,7	0,8	0,8	0,8	0,8	0,8	N=14000
N=15000	0,3	0,5	0,6	0,6	0,7	0,7	0,8	0,8	0,8	0,8	N=15000
	5%	10%	15%	20%	25%	30%	35%	40%	45%	50%	
	95%	90%	85%	80%	75%	70%	65%	60%	55%	50%	

## QUESTIONNAIRE

**Q1 From what you know, how would you rate the justice system in (OUR COUNTRY) in terms of the independence of courts and judges? Would you say it is very good, fairly good, fairly bad or very bad?**

*(READ OUT - ONE ANSWER ONLY)*

Very good	1
Fairly good	2
Fairly bad	3
Very bad	4
DK/NA (DO NOT READ OUT)	5

*NEW based on FL385 Q5*

**ASK Q2a IF 'FAIRLY BAD' (CODE 3) OR 'VERY BAD' (CODE 4) IN Q1 – OTHERS GO TO Q2b**

**Q2a Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):**

*(READ OUT - ONE ANSWER ONLY)*

		Very much	Somewhat	Not really	Not at all	DK/NA (DO NOT READ OUT)
1	Interference or pressure from government and politicians	1	2	3	4	5
2	Interference or pressure from economic or other specific interests	1	2	3	4	5
3	The status and position of judges do not sufficiently guarantee their independence	1	2	3	4	5

*NEW*

**ASK Q2b IF 'VERY GOOD' (CODE 1) OR 'FAIRLY GOOD' (CODE 2) IN Q1**

**Q2b** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):




























(READ OUT - ONE ANSWER ONLY)

		Very much	Somewhat	Not really	Not at all	DK/NA (DO NOT READ OUT)
1	No interference or pressure from government and politicians	1	2	3	4	5
2	No interference or pressure from economic or other specific interests	1	2	3	4	5
3	The status and position of judges sufficiently guarantee their independence	1	2	3	4	5

NEW

**Q1** From what you know, how would you rate the justice system in (OUR COUNTRY) in terms of the independence of courts and judges? Would you say it is very good, fairly good, fairly bad or very bad?

(%)






























		Very good	Fairly good	Fairly bad	Very bad	Don't know	Total 'Good'	Total 'Bad'
EU28		7	41	28	16	8	48	44
BE		5	49	19	14	13	54	33
BG		1	20	37	34	8	21	71
CZ		1	36	36	21	6	37	57
DK		42	42	7	3	6	84	10
DE		17	56	17	3	7	73	20
EE		9	63	14	2	12	72	16
IE		19	60	8	8	5	79	16
EL		10	27	30	23	10	37	53
ES		4	29	46	18	3	33	64
FR		5	54	25	12	4	59	37
HR		6	18	44	26	6	24	70
IT		1	23	39	31	6	24	70
CY		6	44	26	15	9	50	41
LV		3	32	49	9	7	35	58
LT		3	45	24	12	16	48	36
LU		18	62	4	3	13	80	7
HU		5	28	27	14	26	33	41
MT		7	61	20	10	2	68	30
NL		19	56	7	5	13	75	12
AT		10	56	15	11	8	66	26
PL		2	33	32	15	18	35	47
PT		1	34	41	16	8	35	57
RO		8	55	17	6	14	63	23
SI		4	25	37	22	12	29	59
SK		0	7	34	43	16	7	77
FI		20	67	9	3	1	87	12
SE		23	43	9	7	18	66	16
UK		11	63	14	5	7	74	19



**Q2a.1** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

**Interference or pressure from government and politicians (%)**






























(IF 'FAIRLY BAD' OR 'VERY BAD' IN Q1)

		Very much	Somewhat	Not really	Not at all	Don't know	Total 'Explains'	Total 'Doesn't explain'
EU28		48	26	10	9	7	74	19
BE		40	24	4	17	15	64	21
BG		42	31	5	7	15	73	12
CZ		32	30	8	17	13	62	25
DK		53	0	16	18	13	53	34
DE		40	33	9	10	8	73	19
EE		39	29	7	7	18	68	14
IE		72	10	2	16	0	82	18
EL		37	49	5	7	2	86	12
ES		66	18	6	6	4	84	12
FR		43	19	18	12	8	62	30
HR		60	29	6	2	3	89	8
IT		44	28	13	11	4	72	24
CY		49	24	7	10	10	73	17
LV		51	28	7	6	8	79	13
LT		35	43	9	9	4	78	18
LU		4	16	25	32	23	20	57
HU		58	15	6	6	15	73	12
MT		48	20	20	6	6	68	26
NL		47	19	11	2	21	66	13
AT		52	30	5	9	4	82	14
PL		44	37	8	6	5	81	14
PT		64	26	2	6	2	90	8
RO		58	12	5	5	20	70	10
SI		62	19	6	4	9	81	10
SK		51	20	6	7	16	71	13
FI		39	19	12	29	1	58	41
SE		43	35	1	7	14	78	8
UK		45	29	13	7	6	74	20

**Q2a.2** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

**Interference or pressure from economic or other specific interests (%)**






























(IF 'FAIRLY BAD' OR 'VERY BAD' IN Q1)

		Very much	Somewhat	Not really	Not at all	Don't know	Total 'Explains'	Total 'Doesn't explain'
EU28		41	33	13	8	5	74	21
BE		32	37	15	8	8	69	23
BG		48	38	7	3	4	86	10
CZ		38	33	8	8	13	71	16
DK		13	29	16	17	25	42	33
DE		47	32	15	4	2	79	19
EE		46	21	14	8	11	67	22
IE		36	32	23	9	0	68	32
EL		37	47	9	7	0	84	16
ES		48	30	13	5	4	78	18
FR		38	30	21	11	0	68	32
HR		42	40	14	2	2	82	16
IT		38	32	13	12	5	70	25
CY		47	33	7	3	10	80	10
LV		61	30	5	0	4	91	5
LT		33	36	6	22	3	69	28
LU		2	18	14	43	23	20	57
HU		38	35	6	9	12	73	15
MT		22	20	39	6	13	42	45
NL		67	11	10	2	10	78	12
AT		45	29	14	12	0	74	26
PL		31	49	10	5	5	80	15
PT		59	31	6	0	4	90	6
RO		49	34	2	4	11	83	6
SI		43	37	11	0	9	80	11
SK		49	21	13	2	15	70	15
FI		50	12	28	1	9	62	29
SE		35	29	14	14	8	64	28
UK		24	37	14	19	6	61	33

**Q2a.3** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

**The status and position of judges do not sufficiently guarantee their independence (%)**






























(IF 'FAIRLY BAD' OR 'VERY BAD' IN Q1)

		Very much	Somewhat	Not really	Not at all	Don't know	Total 'Explains'	Total 'Doesn't explain'
EU28		27	32	20	12	9	59	32
BE		25	35	19	6	15	60	25
BG		33	29	12	11	15	62	23
CZ		29	33	23	2	13	62	25
DK		39	17	16	16	12	56	32
DE		24	40	16	8	12	64	24
EE		14	18	8	14	46	32	22
IE		32	33	15	20	0	65	35
EL		30	49	12	9	0	79	21
ES		27	27	26	14	6	54	40
FR		33	30	26	10	1	63	36
HR		18	45	24	6	7	63	30
IT		24	28	23	16	9	52	39
CY		38	26	12	14	10	64	26
LV		38	40	11	3	8	78	14
LT		32	35	10	14	9	67	24
LU		2	39	4	18	37	41	22
HU		35	21	27	3	14	56	30
MT		9	19	33	13	26	28	46
NL		31	22	21	10	16	53	31
AT		22	31	22	8	17	53	30
PL		16	54	4	15	11	70	19
PT		39	34	8	17	2	73	25
RO		18	25	15	6	36	43	21
SI		27	29	23	6	15	56	29
SK		30	23	15	11	21	53	26
FI		30	40	1	10	19	70	11
SE		35	22	7	8	28	57	15
UK		22	30	24	9	15	52	33

**Q2b.1** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

**No interference or pressure from government and politicians (%)**






























(IF 'VERY GOOD' OR 'FAIRLY GOOD' IN Q1)

		Very much	Somewhat	Not really	Not at all	Don't know	Total 'Explains'	Total 'Doesn't explain'
EU28		18	42	19	15	6	60	34
BE		12	38	33	13	4	50	46
BG		21	25	14	28	12	46	42
CZ		6	55	10	20	9	61	30
DK		26	39	22	8	5	65	30
DE		22	52	10	10	6	74	20
EE		21	31	15	15	18	52	30
IE		31	30	19	15	5	61	34
EL		10	56	14	17	3	66	31
ES		23	36	17	20	4	59	37
FR		11	37	34	18	0	48	52
HR		25	48	11	6	10	73	17
IT		16	51	22	5	6	67	27
CY		8	50	5	25	12	58	30
LV		22	43	24	4	7	65	28
LT		13	42	10	25	10	55	35
LU		12	34	21	22	11	46	43
HU		11	36	19	16	18	47	35
MT		23	38	23	13	3	61	36
NL		25	35	20	17	3	60	37
AT		15	51	20	12	2	66	32
PL		24	35	21	6	14	59	27
PT		36	35	6	13	10	71	19
RO		13	41	11	23	12	54	34
SI		18	28	23	18	13	46	41
SK		18	42	38	2	0	60	40
FI		16	43	17	20	4	59	37
SE		26	42	10	14	8	68	24
UK		15	37	18	24	6	52	42

**Q2b.2** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

**No interference or pressure from economic or other specific interests (%)**






























(IF 'VERY GOOD' OR 'FAIRLY GOOD' IN Q1)

		Very much	Somewhat	Not really	Not at all	Don't know	Total 'Explains'	Total 'Doesn't explain'
EU28		18	45	19	12	6	63	31
BE		16	40	25	14	5	56	39
BG		14	48	3	11	24	62	14
CZ		12	54	16	8	10	66	24
DK		37	31	9	20	3	68	29
DE		21	52	11	8	8	73	19
EE		12	33	21	10	24	45	31
IE		28	27	25	15	5	55	40
EL		7	58	28	0	7	65	28
ES		22	32	26	13	7	54	39
FR		16	50	21	11	2	66	32
HR		6	48	20	16	10	54	36
IT		13	51	33	3	0	64	36
CY		13	49	13	13	12	62	26
LV		24	45	16	1	14	69	17
LT		20	44	5	28	3	64	33
LU		16	35	14	21	14	51	35
HU		12	26	29	19	14	38	48
MT		12	59	14	7	8	71	21
NL		21	39	17	18	5	60	35
AT		14	59	13	12	2	73	25
PL		17	49	16	9	9	66	25
PT		33	33	7	13	14	66	20
RO		13	41	16	18	12	54	34
SI		10	32	23	22	13	42	45
SK		0	39	22	39	0	39	61
FI		19	49	16	13	3	68	29
SE		34	40	6	12	8	74	18
UK		15	37	23	20	5	52	43

**Q2b.3** Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (OUR COUNTRY):

**The status and position of judges sufficiently guarantee their independence (%)**

(IF 'VERY GOOD' OR 'FAIRLY GOOD' IN Q1)

		Very much	Somewhat	Not really	Not at all	Don't know	Total 'Explains'	Total 'Doesn't explain'
EU28		32	43	13	5	7	75	18
BE		16	56	16	5	7	72	21
BG		25	20	31	1	23	45	32
CZ		42	33	16	0	9	75	16
DK		53	28	10	2	7	81	12
DE		61	28	3	2	6	89	5
EE		23	39	8	10	20	62	18
IE		34	42	13	6	5	76	19
EL		17	63	17	0	3	80	17
ES		20	39	26	9	6	59	35
FR		24	50	17	4	5	74	21
HR		1	49	30	10	10	50	40
IT		13	71	10	5	1	84	15
CY		24	54	3	2	17	78	5
LV		44	14	19	3	20	58	22
LT		6	51	8	25	10	57	33
LU		22	41	8	7	22	63	15
HU		26	33	15	1	25	59	16
MT		19	51	12	4	14	70	16
NL		38	41	10	8	3	79	18
AT		34	43	14	5	4	77	19
PL		21	46	13	8	12	67	21
PT		30	37	7	19	7	67	26
RO		28	41	12	5	14	69	17
SI		23	50	14	5	8	73	19
SK		1	40	39	18	2	41	57
FI		50	38	3	3	6	88	6
SE		45	32	2	4	17	77	6
UK		23	43	20	7	7	66	27