In a legal, democratic state, the judiciary plays a pivotal role in safeguarding human rights and freedoms. In Ukraine, this role is enshrined in Article 6 of the Constitution, which establishes the principle of the separation of power into the legislative, executive, and judicial branches. This structure not only prevents the concentration of power but also ensures balance in how state institutions operate.

Administrative justice stands as a crucial component of the judicial system. It provides independent oversight of public authorities' actions and guarantees adherence to the rule of law. The concept of establishing administrative courts in Ukraine was first laid out in the Concept of Judicial and Legal Reform back in 1992. Its practical implementation came to fruition on 6 July 2005, with the adoption of the Code of Administrative Procedure of Ukraine (CAPU) – a foundational document that set the rules for handling cases pertaining to public legal relations.

Over its two decades of existence, the Code of Administrative Procedure of Ukraine (CAPU) has become an effective legal instrument. It ensures genuine judicial oversight of decisions, actions, or inactions by public authorities; protection of the rights and legitimate interests of citizens, businesses, and organizations;



and upholding democratic principles and European standards of justice.

According to Article 7 of the CAPU, administrative justice is built on principles, such as legality, equality of parties, adversarial proceedings, openness of the process, the binding nature of court decisions, and accessible appellate and cassation review. Special emphasis is placed on the stability of judicial practice and the predictability of rulings, which bolsters trust in the judicial system as a whole.

In 2016, the significance of administrative justice received the highest recognition, becoming enshrined at the constitutional level (Article 125 of the Constitution of Ukraine). This highlights its fundamental role in the justice system.

Today, administrative courts are more than just legal bodies; they serve as an effective protective shield for every citizen of Ukraine. The twenty-year history of these courts is a journey of establishment, development, and continuous adaptation to modern challenges. This is especially crucial amidst the ongoing transformation of public administration, the digitalization of interactions between citizens and the state, and the growing role of civil society.

Designer – Oleksandra Kuchynska.

ADMINISTRATIVE JUSTICE OF UKRAINE

