

Guarantees For Participants Of Civil Judicial Proceedings In Ukraine Under Martial State

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Abstract

The scientific article analyzes the problems associated with ensuring guarantees for participants in civil proceedings under martial law. The definition of procedural guarantees for participants in civil proceedings is formulated. It is concluded that the guarantees for participants in civil proceedings, which cannot be absolute under martial law, include: adaptation of the schedule and working conditions of courts to the current situation and prompt response to its change; postponement or withdrawal of the case from consideration due to the inability of the participants in the case to arrive at the court session due to danger to life or a similar threat to court employees; ensuring the right to file an application for postponement of the consideration of the case due to active hostilities, as well as the right to consider the case in videoconference mode; priority in considering urgent cases; restrictions on personal reception of citizens and admission of third parties to court sessions; restrictions on access of participants in the process to some e-resources that allow monitoring the status of the consideration of cases; use of electronic court and integrated information platforms to ensure rapid data exchange between participants in the trial and preservation of evidence in the proper format; recognition of the introduction of martial law as a valid reason for the renewal of procedural deadlines. It is emphasized that the content and form of proceedings in civil cases must meet the objectives and basic principles of civil proceedings, taking into account the specifics of such proceedings. It is noted that the complexities of the introduced special legal regime of martial law accelerated the reorganization of the judicial system of civil proceedings in Ukraine, and determined the "remote" form of conducting the trial, prompted the development of a mechanism for extending the terms of general and special statutes of limitations, which contributed to improving access to justice, and made it possible to resolve certain judicial personnel issues, which to some extent accelerated the consideration of civil cases.

Keywords: civil proceedings, justice, guarantees, participants in civil proceedings, rights, procedural economy, tasks, efficiency, martial law.

A. INTRODUCTION

The administration of justice is a special function of the state, which is implemented exclusively by the courts. The task of one of the forms of judicial proceedings - civil, is specified in Part 1 of Article 2 of the Civil Procedure Code of Ukraine (Civil Procedure Code of Ukraine, 2004). It consists in the fair, impartial and timely consideration and resolution of civil cases in order to effectively protect the violated, unrecognized or disputed rights, freedoms or interests of individuals, the rights and interests of legal entities, and the interests of the state.

The achievement of the specified task of civil judicial proceedings is possible only if the procedures established by law are observed in judicial proceedings by the court and the participants in the judicial proceedings. At the same time, the implementation of the tasks of judicial proceedings is achieved through the implementation of procedural rights and obligations by the specified persons, which, according to the basic principles of civil judicial proceedings, are determined by the Civil Procedure Code of Ukraine.

It should be emphasized that the definition of the scope of rights by law is only a necessary, but not sufficient prerequisite for their practical implementation. The possibility of exercising the relevant right by its bearer must be provided with certain guarantees for its proper implementation, and these guarantees must be able to correspond with their existing legal tools to the legal reality (reality) that has actually developed (Kurilo and Zlenko, 2024).

The implementation of procedural rights by participants in civil proceedings and their use in accordance with their intended purpose, as well as the actual observance of the provisions of Part 2 of Article 2 of the Civil Procedure Code of Ukraine, which obliges the court and participants in the trial to be guided by the task of civil proceedings, which prevails over any other considerations in the trial, are problematic in practice. This situation indicates that the procedural guarantees established by law, in conditions of insufficiently high level of professionalism of law enforcement officers, prevalence of legal nihilism and corruption in society, do not always work properly.

To the above problems in modern Ukraine, another, perhaps the most important one has been added - war. Full-scale Russian military aggression has affected all aspects of the existence of Ukrainian society, including, of course, the functioning of the legal system of Ukraine and the determination of directions for improving civil legislation (Kharitonova et al., 2023). The traditional organization of the judicial system has undergone significant changes, because martial law requires the prompt adaptation of legal regulation, which necessitates the revision and improvement of procedural norms, guarantees the protection of human rights and ensures fair judicial proceedings. At the same time, extraordinary conditions increase the risk of violation of the rights and legitimate interests of participants in civil judicial proceedings, which requires the state to develop adequate mechanisms for their observance.

In this regard, the issue of studying the essence of such guarantees with the prospect of further identifying shortcomings and developing proposals for their elimination does not lose its relevance. Therefore, we set the task of studying existing scientific approaches to determining the essence of procedural guarantees, in particular in the conditions of martial law introduced in Ukraine, and, on this basis, deepening legal knowledge regarding guarantees of the rights of participants in civil proceedings, forming an author's view on the issue.

B. METHODS

The scientific article uses general philosophical, general scientific and special research methods. The dialectical method constitutes the methodological basis of the study and is used to clarify the nature and content of the guarantees of the rights of participants in civil proceedings, their intersystemic connections and their provision in the conditions of the special legal regime introduced in Ukraine. The method of analysis and synthesis allowed us to analyze and systematize the main approaches proposed in the scientific literature to the interpretation of the guarantees of the rights of subjects involved in civil proceedings. Using the system-structural method, a structural characteristic of procedural guarantees and their system in civil proceedings is provided. The logical-legal method made it possible to identify the peculiarities of interpreting the provisions of the current legislation of Ukraine in the context of ensuring the rights of subjects of criminal proceedings, standards of fairness and accessibility of justice.

C. RESULT AND DISCUSSION

1. Procedural guarantees in the civil process of Ukraine and their essence

Today, there is no single unified approach to determining the essence of procedural guarantees regardless of the form of legal proceedings. In the scientific literature, different opinions are expressed not only about the concept of procedural guarantees, but also substantiate theses about the existence of a certain system of such guarantees. Procedural guarantees are often identified with the implementation of the relevant rights of the participants in the process. In particular, according to some scientists, procedural norms are intended to ensure the right to

protection of the rights, freedoms and interests of a person and a citizen in combination with the right to apply for such protection to the court, as well as to determine the powers of the court (Skakun, 2005).

There is an opinion that procedural guarantees in the sphere of the judiciary (and directly in the course of the implementation of the function of justice), firstly, are based on a strict definition of what and how should happen in court (in this sense, we can say that procedural legislation provides for all actions of the court and other participants in the process), as well as in the process of preparing the case for consideration (in the sphere of the judiciary, all established procedures are determined by the highest level in terms of the thoroughness of development and their comprehensiveness). And, secondly, they are designed to ensure a fair consideration of the case (Bilous, 2019). According to A. Polyansky, procedural guarantees should be understood as the means established by procedural norms for the implementation of the tasks of the judiciary, primarily the protection of the rights and legitimate interests of persons held legally liable. Procedural guarantees are an integral part of the legal status of a person, since only with their help can the rights, freedoms and obligations of a person and a citizen be realized. They are designed to ensure, guarantee the functioning of a particular social and legal institution established by law (Polyansky, 2019).

Outlining the procedural guarantees of justice, O. Yakymenko draws attention to the fact that on the one hand, aiming to facilitate the implementation of the function of justice, they simultaneously perform a characteristic preventive role, that is, they are a reliable means of preventing abuses in the process of administering justice. On the other hand, a specific property of the aforementioned procedural guarantees is that they complement the material guarantees of administering justice and ensure their proper application (Yakymenko, 2021).

In our opinion, procedural guarantees are, first of all, a system of procedural means of ensuring the implementation of the rights of participants in a certain type of judicial proceedings, defined by the Constitution and Laws of Ukraine. However, such guarantees are not limited to ensuring such rights.

Procedural guarantees in civil proceedings should be considered as a subordinate, integral phenomenon of the mechanism of legal regulation in the implementation of civil proceedings. In this sense, procedural guarantees are a system defined by the Constitution, the Civil Procedure Code of Ukraine, and other Laws of Ukraine to ensure the implementation of procedural norms by judicial authorities and other persons for the exercise of the right to judicial protection in civil proceedings, the performance of procedural duties by participants in civil proceedings (Zakharova, 2010). These are a kind of legal opportunities in which favorable conditions are created for the unhindered exercise of the rights of individuals through voluntary, conscious, legally stipulated interaction of such persons among themselves and with the court.

Having defined the task of civil proceedings as the fair consideration and resolution of civil cases, the legislator simultaneously placed the risk of consequences associated with the performance or non-performance of procedural actions by a party in the case on such a party (Part 4 of Article 12 of the Civil Procedure Code of Ukraine). Also, Part 3 of Article 13 of the Civil Procedure Code of Ukraine provides that a party to the case disposes of his rights regarding the subject of the dispute at his own discretion. It is obvious that the above-mentioned provisions make the ability to effectively protect and exercise his own rights during the trial directly dependent on the degree of legal awareness of the party, the availability of relevant experience or the opportunity to obtain qualified legal assistance, including in terms of procedural representation (Civil Procedure Code, 2004). In such conditions, there are grounds to say that, striving to achieve unconditional fulfillment of the tasks of civil proceedings, in some cases it is possible to achieve only relative justice in the consequences of resolving the dispute. An additional argument in support of this opinion is the existence of facts of judicial errors in the consideration of court cases and the appellate and cassation practice of their review. Accordingly, in conditions when objectively justice is still not able to ensure absolute fairness in resolving disputes, it is necessary to consider the issue of procedural guarantees also taking into account a certain relativity of this institution. We believe that it is not always justified to include in the definition of procedural guarantees a reference to the fact that such guarantees must necessarily contribute to the fulfillment of the task of judicial proceedings. In the context of ensuring the maximum effectiveness of procedural guarantees, it is worth mentioning that the implementation of procedural guarantees is always the key to the effective activity of the court, first of all, as a participant in the process with a specific procedural status, since it is entrusted with the function of judicial proceedings (Melnyk, 2016). We share this position, given that the fulfillment of the tasks of judicial proceedings is impossible without the person who, in fact, administers justice. It is the court that should be considered as the central element of the system for ensuring the tasks of judicial proceedings and, accordingly, the rights of the participants in the judicial case.

Thus, we can summarize that the guarantees of the rights of participants in civil proceedings today are not absolute and cannot always ensure the practical implementation of the rights of the relevant subjects. The real functional purpose of procedural guarantees is to create favorable conditions for the implementation of the rights of individuals, where the final result depends on many other factors, the most important of which is the stable functioning of the judicial system.

2. General provisions on the organization of civil justice in Ukraine under martial law

The legal basis for civil justice in Ukraine under martial law is formed on the basis of the Constitution of Ukraine (Constitution of Ukraine, 1996), the Law “On the Legal Regime of Martial Law” (Law of Ukraine “On the Legal Regime of Martial Law”, 2015) and a number of other regulatory documents that establish the legal principles of the functioning of the judicial system, guarantee the principles of justice and legality, and also determine the mechanisms for protecting human rights in emergency conditions, when state bodies must promptly respond to changes in the security situation and ensure the continuity of the judicial process. Regulatory acts that take into account both the general principles of the state system and the peculiarities of legal regulation in conditions of increased risk allow not only to organize the effective work of courts, but also to create a basis for the operational adaptation of procedural norms in order to ensure access to court for all participants in the process, which has a direct impact on the formation of a reliable evidentiary base and ensuring fairness in making judicial decisions. The essential role of legislation in ensuring fairness and organizing the work of the judicial system during martial law is that regulatory acts create a legal basis for the development and implementation of mechanisms that allow judicial bodies to adapt to new operating conditions, ensuring the preservation of procedural guarantees that require careful analysis and consideration of specific aspects of martial law when forming procedural norms. Legislation is a key tool that contributes to the systematic optimization of legal regulation, ensuring a timely response to the challenges of modernity through the establishment of clear rules of interaction between participants in the judicial process and organizational structures involved in the administration of justice.

It should be noted that Articles 26 and 122 of the Law of Ukraine “On the Legal Regime of Martial Law” provide for relevant provisions that are fundamental for the implementation of proper civil justice in wartime, including: courts act exclusively on the basis and in the manner determined by the laws of Ukraine and the Constitution of Ukraine; prohibition of restrictions on the powers of courts determined by the current legislation of Ukraine; the exclusive power of courts to administer justice is reaffirmed; it is prohibited to create extraordinary and special courts; acceleration and reduction of any forms of judicial proceedings are prohibited; a change in the territorial jurisdiction of cases in the event of impossibility of administering justice, as well as the possibility of changing the location of courts, is provided for in a legal manner (Law of Ukraine “On the Legal Regime of Martial Law”, 2015).

Thus, we can state that the legislator has chosen the right vector to ensure proper civil justice in martial law, providing additional guarantees for the protection of rights and legitimate interests for the subjects of the appeal. Moreover, it is worth noting that even considering the complexity of access to justice in the territories where active hostilities are being conducted, the legislator does not determine additional conditions for the appeal, which is fully consistent with the provisions of Articles 64 of the Constitution of Ukraine, the practice of the European Court of Human Rights, as well as Article 2 of the Civil Procedure Code of Ukraine and the principles of civil justice. Nevertheless, the issues regarding the procedure for actual access to the court in temporarily occupied territories, as well as the conduct of court hearings on existing cases (Law of Ukraine “On the Judiciary and the Status of Courts”, 2016), remain relevant.

Compliance with territorial jurisdiction is of great importance. The current Civil Procedure Code of Ukraine has not yet regulated the issue of the mechanism for conducting legal proceedings in territories where active hostilities are taking place and in temporarily occupied territories. We consider the novella specified in Art. 147 of the Law of Ukraine “On the Judicial System and the Status of Judges” to be sound, which stipulates the possibility of changing the order of territorial jurisdiction of legal cases in the event of the actual impossibility of holding court sessions by the court (Law of Ukraine “On the Judicial System and the Status of Courts”, 2016). Martial law is fully consistent with the provision on the objective impossibility of conducting legal proceedings, and therefore is actively used today. As specified in the Law, the Chairman of the Supreme Court is given the opportunity to make changes to territorial jurisdiction, and such information is made known via the Internet, in particular on the official website of the judicial body. In addition, it is worth noting that the State Judicial Administration of Ukraine is also obliged to provide citizens with full information about the progress of the

case, including an up-to-date list of those courts that, for objective reasons, do not administer justice. However, another rather controversial issue remains the possibility for the Chairman of the Supreme Court to change territorial jurisdiction, since in this case the Code of Civil Procedure of Ukraine does not provide for such a possibility, and the Law of Ukraine "On the Judicial System and the Status of Judges" contains general provisions on the administration of justice in Ukraine, and therefore the Code of Civil Procedure of Ukraine itself is a special law and legal disputes arise regarding the competition of articles (Polyuk, 2018). This may lead to ambiguity in the practice of courts until the Supreme Court personally forms a practice in resolving this conflict. It seems logical that during the introduction of martial law, the number of civil cases decreased significantly, which is explained by the inability of citizens to fully exercise their rights through judicial protection. At the same time, cases of protection of property rights are the most common during martial law, which fully meets the challenges of the time and the interests of citizens. A separate category of cases is compensation for damage caused by the Russian Federation, but it is worth noting that these cases are quite specific in terms of compliance with international law, as well as the actual possibility of such compensation.

During martial law, the powers of the courts cannot be terminated, and the reduction or acceleration of any forms of legal proceedings, including civil ones, is prohibited. In conditions of martial law, the content and form of proceedings in civil cases must correspond to the tasks and basic principles of civil legal proceedings, but the peculiarities of conducting such proceedings in conditions of martial law/state of emergency must be provided for.

The introduction of martial law in the territory of Ukraine did not stop the course of procedural deadlines for filing claims in civil proceedings. The issue of renewing the procedural deadline in case of its omission for reasons related to the introduction of martial law in Ukraine is resolved in each specific civil case, taking into account the arguments indicated in the application for renewal of such a deadline. The introduction of martial law in Ukraine itself cannot be a basis for renewing the procedural deadline. Such grounds can only be circumstances that arose as a result of the introduction of martial law and made it impossible for a participant in a civil proceeding to perform procedural actions within the period established by the Civil Procedure Code of Ukraine. Another important aspect in martial law conditions remains the issue of the efficiency of civil judicial proceedings, since judges themselves are also under special pressure from martial law and cannot always fully administer justice. That is why the relevant bodies have developed a certain mechanism for increasing the efficiency of case consideration. In particular, the explanations of the Supreme Court, as well as the recommendations of the Council of Judges of Ukraine, set out the following provisions that in one way or another ease the workload on the courts, namely: if possible, postpone or remove cases from consideration due to the inability of the participants in the case to arrive at the court session due to danger to life or a similar threat to court employees; the right of participants in the trial to submit an application for postponement of the consideration of the case due to active hostilities, as well as the right to consider the case online (video conference) on the basis of a corresponding application; priority consideration of urgent cases; the need to take responsibility for developing relevant judicial practice, based on the realities of wartime; consideration of cases that are not urgent is carried out only with the written consent of all participants in the case; the management of the courts limits the personal reception of citizens and the admission of third parties to court sessions; in order to organize safe conditions for visitors to courts and participants in court proceedings, access to some e-resources is limited, which allow monitoring the status of the consideration of cases; when determining the schedule and conditions of the courts' work, the current situation should be guided by and promptly respond to its changes; the introduction of martial law is a valid reason for renewing procedural deadlines (Chunaryova, 2019). It is worth noting that for the most part the relevant provisions are based on the experience of responding to the Covid-19 pandemic, in particular regarding the emphasis on conducting remote court sessions and the use of electronic resources in conducting legal proceedings. Nevertheless, the issue of conducting a remote court session also causes some controversy, since it is in civil proceedings that not all participants can use electronic means of participation in a video conference due to various factors, including active hostilities. At least, participants in the proceedings cannot always have continuous access to the Internet, or be safe even remotely. Unfortunately, it is practically impossible to find an absolutely comprehensive solution in this case, so the relevant bodies use the most universal measures to ensure access to the court for all participants in the process. In addition, due to the dynamics of the fighting and the transition of some settlements under the temporary control of the aggressor, there is an increasingly frequent problem with conducting civil proceedings in such places.

In this regard, since 2022, the Supreme Court has been providing relevant recommendations to all court employees in the event of the capture of the settlement in which the court is located. In particular, if possible, remove court cases and transfer them to the court with the relevant territorial jurisdiction, primarily those that are in progress, and if this is not possible, ensure that cases are stored in safes in the court premises (Order on Determining the Territorial Jurisdiction of Cases, 2025).

We consider such measures to be extremely important, since in the event of the loss of the relevant legal proceedings, the legislation does not contain provisions on the possibility of their renewal, but only those cases in which a final decision has already been made or a ruling has been issued to close the proceedings. Thus, any other cases are subject to renewal, and in turn, the plaintiff must file a claim again with the relevant court and with a new territorial jurisdiction. This certainly has a negative impact on the entire system of civil proceedings, violating the basic principles of equality of participants in the process and the rule of law. In summary, it can be stated that the introduction of martial law in Ukraine has had a negative impact on the judicial system of Ukraine and civil proceedings in particular. Since the beginning of the active phase of military aggression, that is, from 02/24/2022, "point" changes have been made to the Civil Procedure Code of Ukraine, indirectly related to the effect of martial law. Despite the lack of changes to the Civil Procedure Code of Ukraine that would meet the conditions of such a special legal regime, during the implementation of civil proceedings, courts have learned to adapt the current procedural norms for the effective administration of justice in martial law.

At the same time, it is worth highlighting positive aspects in the adaptation of civil proceedings to existing realities. It is the remote form of civil proceedings that provides an alternative replacement for the already classic method of conducting a trial, which we will focus on below.

3. Features of remote participation in the civil process of Ukraine

Organizational changes that are implemented under martial law include a set of measures aimed at adapting the court's work regime through the redistribution of resources, modification of the organizational structure and modernization of procedural norms. The redistribution of resources also involves the optimization of the internal distribution of tasks between employees of the judicial system, which ensures a prompt response to the growing requirements of modern justice (Paskar, 2023). The use of remote technologies allows for the trial of civil cases using modern communication platforms, thereby ensuring not only efficiency, but also continuity of the judicial process.

The introduction of digitalization through an electronic court contributes to increasing the efficiency of justice, as it allows for the integration of information systems, which facilitates the rapid exchange of data between participants in the process, and also increases the level of protection of confidential information, which is extremely important in the context of preserving the evidentiary base. This format of judicial procedures ensures their compliance with modern requirements, when each case is considered taking into account the specifics of martial law, which is characterized by the need for rapid response and prompt decision-making (Barabash, 2023). Therefore, the legal framework, together with organizational changes, constitute the foundation for ensuring the stable functioning of civil justice during martial law, since legal regulation, based on a comprehensive analysis of legislative acts and procedural norms, allows not only to quickly adapt to the conditions of a state of emergency, but also to preserve the principles of justice, access to court, and protection of human rights, which is an indisputable basis for maintaining a high level of trust in the justice system in the face of modern challenges.

In the context of modern challenges facing the judicial system of Ukraine, organizational changes are of particular importance, since the redistribution of resources, which is carried out in order to optimize the court's work regime, includes a set of measures for the effective management of human and material resources, which allows for the prompt consideration of civil cases with the provision of an adequate evidentiary base that confirms the positions of the parties, in particular the plaintiff and the defendant, and contributes to maintaining the principles of fair trial (Smokovich, 2022). In the conditions of the introduced martial law, ensuring the rights of participants in the trial becomes particularly relevant, since guarantees of access to the court for each party, including the plaintiff, defendant and other participants, create the basis for the implementation of the principles of justice and legality, which is the "cornerstone" of civil proceedings in Ukraine (Sheybut, 2024).

Another important aspect of protecting the rights of participants in the process is ensuring an adequate evidentiary base, which is formed on the basis of collected materials and documentary evidence that confirm the positions of the parties. Modern practice shows that effective pre-trial review of cases contributes to the prompt identification of significant circumstances when the court session is organized using remote technologies, which

allows for the consideration of civil cases with the involvement of modern information systems and digitalization tools (Kyrgyzova and Sibilov, 2023). The use of an electronic court and integrated information platforms ensures not only the rapid exchange of data between participants in the trial, but also contributes to the preservation of evidence in the proper format, which guarantees compliance with the procedural norms established by the procedural code, and, thus, allows maintaining a high level of evidentiary base. The peculiarities of the trial process under martial law become particularly important in the context of the need to adapt traditional mechanisms for organizing civil proceedings to the conditions of an emergency regime, when state institutions, in particular the court, are forced to respond promptly to the challenges of the external environment, while maintaining the principles of fair trial and providing an appropriate evidentiary base for making reasoned judicial decisions. The flexibility of procedural norms regulating the judicial process allows for the prompt consideration of civil cases, taking into account the specific conditions of martial law, which is manifested in the possibility of revising and modernizing the provisions of the procedural code in order to optimize the organization of court sessions and the prompt pre-trial consideration of cases.

Innovative technologies used in the electronic court contribute to the prompt collection and processing of evidence, which has a positive effect on the efficiency of judicial consideration of cases and reduces the risk of delays that may arise due to the limited physical presence of participants in the process in conditions of emergency. This not only ensures efficiency, but also increases the quality of the evidence base, which is critically important for making fair judicial decisions. In conditions where external challenges force the judicial system to modernize its mechanisms, effective interaction between all parties involved in the process provides the opportunity to respond promptly to changes in circumstances, thereby contributing to maintaining high standards of the evidence base and implementing the principles of fair trial.

In general, we note that the Ukrainian judicial system was able to adapt and continues to function in conditions of full-scale war. Although the procedural algorithms of court actions in martial law require certain adjustments, the courts have managed to adapt to difficult conditions and continue to protect violated rights, since their primary task is to ensure justice in the state.

D. CONCLUSIONS

The presented in this study allows us to conclude that procedural guarantees of participants in civil proceedings are a system of means of ensuring the implementation of procedural norms by judicial authorities, other persons, defined by the Constitution, the Civil Procedure Code of Ukraine, and other Laws of Ukraine, for the exercise of the right to judicial protection in civil proceedings, the performance of procedural duties by participants in civil proceedings. These are legal opportunities in which favorable conditions are created for the unhindered exercise of the rights of individuals through the voluntary, conscious, legally stipulated interaction of such persons among themselves and with the court. The specified means of ensuring the implementation of procedural norms are applied at the initiative of the participants in the process or the court, or are imperatively defined in the norm of the law. The means of ensuring the rights of participants in the process, imperatively defined in the norm of the law, include the basic principles of the functioning of the judiciary, the normative side of which indicates that in an objective form they are norms of law, compliance with which is mandatory and ensured by the force of the state.

Guarantees of the rights of participants in civil proceedings under martial law introduced in Ukraine are not absolute and are not always able to ensure the practical implementation of the rights of individuals and legal entities, which prompts the legislator to introduce (attempt to) appropriate changes to the legislation aimed at resolving the problems of the lack of judicial personnel, excessive burden on judges, the inability to conduct legal proceedings in temporarily occupied territories, regulation of the transfer of court cases, inadequate financing of the judicial system of Ukraine, restrictions or postponement of general access to electronic resources, non-enforcement of court decisions, etc. The primary task is to adopt such procedural norms that will be systemic, interconnected, unified both in the Civil Procedure Code of Ukraine itself and coordinated with other procedural codes.

Under martial law, the content and form of proceedings in civil cases must correspond to the tasks and basic principles of civil proceedings, taking into account the peculiarities of conducting such proceedings. The issue of renewal of the procedural term in case of its omission for reasons related to the introduction of a special legal regime is resolved in each civil case, taking into account the arguments indicated in the application for renewal

of such term. The grounds for renewal of the procedural term may be exclusively circumstances that arose as a result of the introduction of martial law and made it impossible for a participant in the civil process to perform procedural actions within the period established by the Civil Procedure Code of Ukraine.

The difficulties of martial law accelerated the reorganization of the judicial system of civil proceedings in Ukraine, and determined a new form of conducting the process, namely "remote", prompted the development of a mechanism for extending the terms of general and special limitation periods, which contributed to improving access to justice, and made it possible to resolve individual judicial personnel issues, which to some extent accelerated the consideration of civil cases.

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