

RUSSIA* – national procedures for mutual legal assistance in criminal matters

States Parties are requested to fill in this table with the necessary information and return it to the Secretariat of the PC-OC. The information contained in this table should be updated on a yearly basis.

<p>The competent authority (name of the institution, address, telephone, fax and e-mail where available) responsible for rendering mutual legal assistance:</p>	<p>The Supreme Court of the Russian Federation – on matters of judicial activity of the Supreme Court of the Russian Federation; 15 Povarskaya Moscow, 121260 The Russian Federation http://www.supcourt.ru</p> <p>The Ministry of Justice of the Russian Federation – in matters connected with judicial activities with an exception of the Supreme Court of the Russian Federation; 14 Zhitnaya Moscow, 119991 The Russian Federation http://www.minjust.ru</p> <p>The Ministry of Internal Affairs of the Russian Federation – in respect of requests, which do not need an authorization from judge or public prosecutor, concerning inquiry or preliminary investigation of cases which internal affairs authorities have competence for; 16 Zhitnaya Moscow, 119049 The Russian Federation http://www.mvd.ru</p> <p>The Federal Security Service of the Russian Federation – in respect of requests, which do not need an authorization from judge or public prosecutor, concerning inquiry or preliminary investigation of cases which federal security services authorities have competence for; 22 Kuzneckiy most Moscow, 101000 The Russian Federation http://www.fsb.ru</p> <p>The Prosecutor General's Office of the Russian Federation – in all other cases of inquiry or preliminary investigation. 15A Bolshaya Dmitrovka Moscow, GSP-3, 125993 The Russian Federation e-mail: genproc@gov.ru work-time: 09 am – 06 pm Greenwich middletime: +3 Matters concerning execution of investigative requests within rendering legal assistance in criminal matters are considered by Legal Assistance Department Main Department for International Legal Co-operation, fax: +7 (495) 692-2848</p>
<p>Language requirements:</p>	<p>Letters rogatory and all attached materials forwarded to the Russian Federation according to paragraph 2 of Article 16 of the Convention shall have translations into Russian language.</p>

* Please indicate your State.

Time limits:	According to Article 7 of the Convention the Russian Federation declared that requests to effect service of writs shall be forwarded not later than 50 days before the day of summoning of a person.
Documentation required:	Documents indicated in the Convention (no reservations made by the Russian Federations on this matter).
List of possible actions sought:	Procedural actions as they are defined in the Convention because no reservations made by the Russian Federations on this matter.
Double criminality requirement, if applicable:	<p>The Russian Federation undertakes to afford each other, in accordance with the provisions of this Convention, the widest measure of mutual assistance in proceedings in respect of offences the punishment of which, at the time of the request for assistance, falls within the jurisdiction of the judicial authorities of the requesting Party.</p> <p>At the same time the Russian Federation reserves the right to make the execution of letters rogatory for search or seizure of property dependent on compliance with the conditions, stipulated in subparagraphs "a", "b", "c" of paragraph 1 of the above Article of the Convention.</p> <p>(comment. Paragraph a – crime, with which letter rogatory is connected is punishable as under law of the requesting Party and under law of the requested Party).</p>
Statutes of limitation for special offences, if applicable:	<p>According to paragraph 1 of Article 23 of the Convention the Russian Federation declared that in addition to the grounds provided in Article 2 of the Convention request for legal assistance may be refused if prosecution or execution of the sentence in matter is impossible in view of expiration of statute of limitation according to legislation of the Russian Federation.</p> <p>According to Article 78 of the Criminal Code of the Russian Federation a person is relieved from criminal responsibility if the following periods have elapsed from the day of commission of the crime:</p> <ul style="list-style-type: none"> 2 years after the commission of a crime of minor gravity; 6 years after the commission of a crime of average gravity; 10 years after the commission of a grave crime; 15 years after the commission of an especially grave crime; <p>The periods of limitation shall be calculated from the day of commission of a crime up to the moment of the entry of the sentence into legal force. In the event of the commission of a new crime by the person, the periods of limitation for each crime shall be calculated autonomously.</p> <p>The running of the periods of limitation shall be suspended if the person who committed the crime evaded the investigation or the court. In this event the running of the periods of limitation shall be reinstated from the moment of detention of the said person or his appearance with acknowledgement of guilt.</p> <p>According to part 4 of Article 78 of the Criminal Code of the Russian Federation the matter concerning the application of the periods of limitation to the person who committed a crime punishable by the death penalty or life imprisonment shall be decided by the court. If</p>

	<p>the court does not consider it possible to relieve the said person from criminal responsibility the death penalty or life imprisonment shall not be applied.</p> <p>According to part 5 of Article 78 of the Criminal Code of the Russian Federation the periods of limitation shall not be applied to persons who committed crimes against the peace and security of mankind provided in Articles 353 (Planning, Preparation, Unleashing, or Waging of Aggressive War), 356 (Application of Prohibited Means and Methods of Waging War), 357 (Genocide), 358 (Ekocide) this Code.</p>
Limitation of use of evidence obtained:	The Russian Federation made no reservations concerning limitations of use of evidence obtained.
Means of communication:	<p>The letters rogatory are forwarded through the central judicial authorities of the Russian Federation: the Ministry of Justice of the Russian Federation or the Prosecutors General's Office of the Russian Federation.</p> <p>In exigent issues letters rogatory might be forwarded directly by the judicial authorities of the requesting party as the are defined in the reservation to Article 24 of the Convention (courts and authorities of the office of public prosecutor). In this case copies of the letter rogatory the same time are forwarded in the relevant central competent authority.</p>
Other particularly relevant information (such as national legislation, national guides on procedure, links to national web sites...):	<p>The Criminal Code of the Russian Federation of 13.06.1996 № 63-FZ (CC RF) – determines ground and principles of criminal responsibility , defines which dangerous for person society and state acts are recognized as crimes and determines types of punishment and other means of criminal law character for committing of crimes.</p> <p>The Criminal-procedure Code of the Russian Federation of 18.12.2001 № 174-FZ (CPC RF) – determines procedure of criminal legal procedures on the territory of the Russian Federation. Part 5 provides procedure of international co-operation in criminal matters.</p>

Legal Assistance Department
Main Department for
International Legal Co-operation