

**Speech of S.V. Kovpak**  
**at the round table «Implementation of the ECHR in the domestic legal**  
**systems: experience in the translation and dissemination of the judgments of**  
**the European Court in a comparative perspective»**  
**(15 October 2018)**

Dear colleagues, dear friends!

Let me dwell upon the general framework of the issue concerning the translation and dissemination of judgments of the European Court by the Russian authorities.

First of all, Ministry of Justice of the Russian Federation translate into the Russian language and transfer to all competent authorities, as well as to the Constitutional and Supreme Courts all the judgments of the European Court in the cases against Russia, the decisions of the CMCE related to execution of corresponding ECtHR judgments and the decisions on general topics of the relevant sphere, as well as landmark judgments of the ECtHR in cases against other countries.

In their turn, the competent public authorities transfer the translations of the corresponding ECtHR judgments and decisions of the CMCE to their divisions, territorial departments, subordinate bodies and services, along with the necessary instructions and explanations of necessity to take into account the legal positions of the European Court in practice. Corresponding translations or information messages prepared on their basis are also published on the official websites of the Office of the Prosecutor General of the Russian Federation, the Ministry of Justice of the Russian Federation, the Ministry of Internal Affairs of the Russian Federation and the Investigative Committee of the Russian Federation and the Federal Bailiff Service of Russia.

Besides, a number of competent public authorities (namely the Investigative Committee, the Ministry of Internal Affairs, the Federal Penitentiary Service of Russia and other) has arranged publishing of texts of the ECHR judgments, the CMCE decisions and other documents of the Council of Europe in Russian language in the internal agency-level information networks available to all employees of corresponding authorities, their territorial departments and divisions.

On the official website of the Constitutional Court the information and reference system of advanced search of the Constitutional Court decisions has been setup, one of the search criteria of which is the usage of European Court legal positions in the Constitutional Court decisions, and there have also been provided a number of such legal positions.

Along with this the Secretariat of the Constitutional Court, ensures comparative legal elaboration of issues under consideration of the Constitutional Court, in the course of which reviews of decisions of the European countries' superior courts are prepared, including those on Convention topics, and reviews of the European Court judgments.

The Supreme Court of the Russian Federation carry out significant work on increasing awareness about the judgments of the European Court and operation of Convention mechanisms.

The Supreme Court forwards the translated judgments of the ECtHR and decisions of the CMCE to inferior courts on a constant basis. The requests to provide information on resumption of proceedings in civil, administrative cases and cases on administrative offences due to violations of the Convention and Protocols to it, established by the European Court, are also forwarded to inferior courts.

Translations of all judgments of the European Court are published on the intranet site of the Supreme Court "Departmental Circuit" ("Vedomstvenniy kontur") in the "International law" folder (information database) which is available for all the courts.

The folder International Law also contains translated into Russian documents adopted within the framework of the Council of Europe (e.g. recommendations of the Committee of Ministers, opinions of the Advisory Council of European Judges), United Nations Organization, the content of which may assist the courts in due implementation of the provisions of the Convention and Protocols to it.

The extracts from the judgments of the European Court in cases against the Russian Federation are also published in the periodical Jurisprudential Reviews of the Supreme Court.

The Supreme Court have arranged the introduction to the Section "Departmental Circuit" (the folder "International Law") of publications (reviews) published on the official website of the European Court in Russian on the issues of protection of Human Rights and Freedoms on a regular basis.

In this connection in the folder "International Law" among other documents the following ones have been published:

- Guide on Article 4 of the European Convention on Human Rights;
- Guide on Article 5 of the Convention;
- Guide on Article 6 of the European Convention on Human Rights (criminal limb);
- Guide on Article 6 of the European Convention on Human Rights (civil limb);
- Overview of the Court's case-law on the freedom of religion;

- Overview: “The Role of Public prosecutor outside the criminal law field in the case-law of the European Court of Human Rights ;
- Reports of the ECtHR Research Department “Bioethics and the case-law of the Court”, “Cultural rights in the case-law of the European Court of Human Rights”, “Internet: the case-law of the European Court of Human Rights”. “National security and the case-law of the European Court of Human Rights” ,“Positive obligations on Member States under Article 10 to protect journalists and prevent impunity”;
- Thematic factsheets prepared by the Press Service of the European Court.

Information on these publications has also been communicated to the judges and officials of the Supreme Court of the Russian Federation.

The Supreme Court systematically provides thematic reviews of case-law and legal positions of the European Court and international human rights treaty bodies, as well as reviews of the Supreme Court’s practice taking into account the respective legal positions of the ECtHR and international human rights treaty bodies.

The texts of the relevant generalizations (reviews) are communicated to judges and officials of the Supreme Court of the Russian Federation, the inferior courts, as well as are made available in the "Departmental Circuit" section ("International Law" folder).

The Judicial Department of the Supreme Court provides practical access in the necessary scope to “International Legal Instruments” section in legal reference systems, designed for the use in all federal courts of general jurisdiction and commercial courts.

Along with this, the Judicial Department provides the courts with periodical publications (“Human Rights. Case-Law of the European Court of Human Rights.”, “European Court of Human Rights Case-law Bulletin”) which facilitate the access for every judge to the European Court’s case law and publications on actual issues concerning the functioning of the conventional mechanism and the ECtHR practice.

Many judgments published in Russian are also available to the general public through different legal reference systems such as Consultant-Plus and Garant.

Thank you for your attention!