

Recent Significant Developments in the Judicial Field in the Russian Federation

In order to improve the court system of the Russian Federation and strengthening its unity in 2014 the Supreme Court of the Russian Federation became the only highest judicial body dealing with civil, criminal and administrative cases, settlement of economic disputes and other cases within the jurisdiction of courts, established in accordance with the federal constitutional law. The Supreme Commercial Court of the Russian Federation ceased to exist.

Such reorganization aims at:

- ensuring a uniform approach to justice in regard to private persons as well as to legal entities;
- excluding any refusal of judicial protection if there is a jurisdictional competition;
- laying down the same general rules for justice system organization;
- achieving the uniformity of the court practice.

The implementation of the provisions of the Federal special-purpose program “The Development of the Court System in the Russian Federation in 2007 – 2012” has been completed. The program was aimed at ensuring a step-by-step implementation of the computer-based systems into judicial bodies’ activities. It also suggested a comprehensive solution to the questions of ensuring accessibility, openness and transparency of justice, enhancing its credibility and improving the effectiveness of proceedings.

The main directions of the further development of the court system are as follows: to ensure private persons’ access to justice, to provide its ultimate openness and transparency and to provide implementation of the principle of independence and objectivity while rendering of a judicial decision. These directions are determined in the Federal special-purpose program “The Development of the Court System in the Russian Federation in 2013 – 2020” approved by the Government of the Russian Federation.

The program provides for implementation of a complex of coordinated measures concerning the priority directions of the judiciary’s development and state forensic expert institutions of the Russian Ministry of Justice. These measures aim at ensuring the civil and political rights of citizens and appropriate implementation of legislation as well as at protecting the basic rights including the inviolability of the person and their property and the independence of the Court.

As a result of the implementation of the Program’s provisions, a significant improvement in the quality of justice and in the effectiveness of dealing with judicial disputes is expected. Also, the implementation of the Program’s provisions is expected to ensure openness and availability of justice, create stable and uniform court practice as well as to enhance the credibility of the judicial power and to

create conditions for competitiveness of the court system of the Russian Federation.

Besides, the Code of Administrative Proceedings of the Russian Federation has been adopted recently. In accordance with the Code parties to a case, will have the right to send statements, applications and other documents concerning the consideration of administrative cases to a Court in an electronic form. Also they will have the right to fill in forms of documents available on an official website of a Court in the Internet; receive through information and communication networks, including the Internet, copies of judicial acts, notifications, summons and other documents in an electronic form, signed by a Judge using encrypted digital signature.

Currently the Execution Code of the Russian Federation, regulating the implementation of judicial and other jurisdictional acts is being drafted. For this purpose, a working group has been created in the Ministry of Justice of the Russian Federation.

The Execution Code of the Russian Federation is to combine the provisions of the Federal laws "On Enforcement Proceedings" and "On Bailiffs" to fill existing gaps, to bring together all the provisions of federal legislation in one way or another regulating questions of enforcement proceedings. The final aim in this field is to raise the level of protection of organizations and people's rights, effectiveness and productivity of enforcement proceedings bodies' work and thus to ensure stability of public-law relations.

Currently the legislation of the Russian Federation on using information technology in court proceedings continues to be improved.

On the initiative of the Russian Ministry of Justice the Federal Act provides for the possibility of automated distribution of cases among the judges in order to exclude any prejudice or interest was adopted.

In the framework of the joint project of the European Union and the Council of Europe "Introducing the appealation procedure to review the court decisions" the Council of the Program was engaged in analyzing Russian legislation and the practice of using the appealation procedure, in studying European standards and innovative practices in the scope of reviewing the court decisions. The Council of the Program also assessed a regulating impact of legislative initiative on the courts of general jurisdiction.

Following the joint project of the European Union and the Council of Europe "Introducing the appealation procedure to review the court decisions" the local and international experts' reports on the analysis of Russian legislation, European standards and innovative practices have been published, the generalized recommendations on the questions of introducing the civil and criminal cases appealation procedure in the courts of general jurisdiction of the Russian Federation have been made.

In May 2015 on the sidelines of the St. Petersburg International Legal Forum the Russian Ministry of Justice and Council of Europe launched “Free legal aid to less protected citizens” program.

The main aim of the Program is to improve the accessibility of legal aid for the most vulnerable social groups – first of all, for the less protected, people with disabilities and children deprived of parental care. Thus, the Program guarantees effective protection of citizens’ civil rights, providing appropriate allocation of public funds for this service and upward trend in citizens’ appeals for their civil rights protection.